

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION SPECIAL MEETING AGENDA

December 16, 2019

Ontario City Hall
303 East "B" Street, Ontario, California 91764

6:30 PM

WELCOME to a special meeting of the Ontario Planning/Historic Preservation Commission.

All documents for public review are on file in the Planning Department located at 303 E. B Street, Ontario, CA 91764.

- *Anyone wishing to speak during public comment or on a particular item should fill out a green slip and submit it to the Secretary.*
- *Comments will be limited to 5 minutes. Speakers will be alerted when their time is up. Speakers are then to return to their seats and no further comments will be permitted.*
- *In accordance with State Law, remarks during public comment are to be limited to subjects within the Commission's jurisdiction. Remarks on other agenda items will be limited to those items.*
- *Remarks from those seated or standing in the back of the chambers will not be permitted. All those wishing to speak including Commissioners and Staff need to be recognized by the Chair before speaking.*
- *The City of Ontario will gladly accommodate disabled persons wishing to communicate at a public meeting. Should you need any type of special equipment or assistance in order to communicate at a public meeting, please inform the Planning Department at (909) 395-2036, a minimum of 72 hours prior to the scheduled meeting.*
- *Please turn off all communication devices (phones and beepers) or put them on non-audible mode (vibrate) so as not to cause a disruption in the Commission proceedings.*

ROLL CALL

DeDiemar __ Downs __ Gage __ Gregorek __ Reyes __ Ricci __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

SPECIAL CEREMONIES

- 1) Presentation of Design Award for Ontario Mills Southwest Entrance

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

Citizens wishing to address the Planning/Historic Preservation Commission 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 Planning/Historic Preservation Commission values your comments, the Commission cannot respond nor take action until such time as the matter may appear on the forthcoming agenda.

CONSENT CALENDAR ITEMS

All matters listed under CONSENT CALENDAR will be enacted by one summary motion in the order listed below. There will be no separate discussion on these items prior to the time the Commission votes on them, unless a member of the Commission or public requests a specific item be removed from the Consent Calendar for a separate vote. In that case, the balance of the items on the Consent Calendar will be voted on in summary motion and then those items removed for separate vote will be heard.

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of November 26, 2019, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV19-021: A Development Plan to construct a 21,952-square foot industrial building on 0.92-acre of land located at 1613 S. Baker Avenue, within the IG (General Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0113-414-14) **submitted by Robert Riggio.**

A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV19-033: A Development Plan to construct a 79,220 square-foot industrial building on 3.38 acres of land, located at 540 East Maitland Street, within the IL (Light Industrial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA

guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-501-12, 1049-501-13 and 1049-501-14) **submitted by Lake Creek Industrial, LLC.**

PUBLIC HEARING ITEMS

For each of the items listed under PUBLIC HEARING ITEMS, 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 Planning/Historic Preservation Commission 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.

PLANNING COMMISSION ITEMS

B. REQUEST TO RESCIND TENTATIVE TRACT MAP FILE NO. PMTT16-004

(TTM 19966): Consideration of a request to rescind the approval of File No. PMTT16-004 (TT 19966), a Tentative Tract Map subdividing 111.10 acres of land into 480 numbered lots and 92 lettered lots generally located at the southwest corner of Riverside Drive and Ontario Avenue, within the Residential Single Family district of Planning Areas 2, 3, 4, and 5 of the Armstrong Ranch Specific Plan. Staff has determined that the project does not require any environmental action under California Environmental Quality Act (CEQA); (APNs: 0218-101-01, 0218-101-02, 0218-101-07, 0218-101-08, 0218-102-10, and 0218-102-11) **submitted by CVRC Ontario Investments, LLC.**

1. CEQA Determination

No action necessary

2. File No. PMTT16-004 (TTM 19966) (Rescind Tentative Tract Map)

Motion to Approve/Deny

C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT AMENDMENT REVIEW FOR FILE NO. PDA15-003:

A First Amendment to the Development Agreement (File No. PDA15-003) between the City of Ontario and BrookCal Ontario, LLC, modifying requirements for the commencement and completion of the Deferred Frontage Improvements associated with Tract Map 18937 (File No. PMTT17-002) located at the northeast corner of Archibald Avenue and Ontario Ranch Road, within Planning Area 7 of The Avenue Specific Plan. The environmental impacts of this project were previously analyzed in an amendment to The Avenue Specific Plan (File No. PSPA13-003), for which an addendum to the EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport. (APNs: 0218-972-01, -02 through -81; 0218-973-01, -02 through -16; 0218-974-01, -02 through -93; and 0218-975-01, -02 through -52) **submitted by BrookCal Ontario, LLC. City Council action is required.**

1. CEQA Determination

No action necessary – use of previous addendum to an EIR

2. File No. PDA15-003 (Development Agreement Amendment)

Motion to recommend Approval/Denial

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation (Standing): Did not meet this month
- 2) New Business
- 3) Nominations for Special Recognition

DIRECTOR'S REPORT


- 1) Monthly Activity Report

If you wish to appeal any decision of the Planning/Historic Preservation Commission, you must do so within ten (10) days of the Commission action. Please contact the Planning Department for information regarding the appeal process.

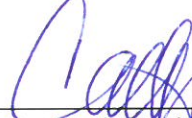
If you challenge any action of the Planning/Historic Preservation Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning/Historic Preservation Commission at, or prior to, the public hearing.



I, Gwen Berendsen, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **December 13, 2019**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



Gwen Berendsen, Secretary Pro Tempore



Cathy Wahstrom, Planning Director
Planning/Historic Preservation
Commission Secretary

**CITY OF ONTARIO PLANNING COMMISSION/
HISTORIC PRESERVATION MEETING**

MINUTES

November 26, 2019

CONTENTS	PAGE
PLEDGE OF ALLEGIANCE.....	2
ANNOUNCEMENTS.....	2
PUBLIC COMMENTS.....	2
CONSENT CALENDAR	
A-01. Minutes of October 22, 2019	2
A-02. PDEV19-039	2
A-03. PDEV19-015	3
PUBLIC HEARINGS	
B. File No. PHP19-014.....	3
C. File No. PHP19-009.....	6
D. File Nos. PUD19-001 & PDEV19-038	6
E. File No. PMTT19-007 (PM 19970)	8
F. File No. PSPA19-002	10
G. File No. PDEV19-025	10
MATTERS FROM THE PLANNING COMMISSION.....	13
DIRECTOR’S REPORT.....	14
ADJOURNMENT	14

**CITY OF ONTARIO PLANNING COMMISSION/
HISTORIC PRESERVATION MEETING**

MINUTES

November 26, 2019

REGULAR MEETING: City Hall, 303 East B Street
Called to order by Chairman Willoughby at 6:30 PM

COMMISSIONERS

Present: Chairman Willoughby, Vice-Chairman DeDiemar, Gage,
Gregorek, Reyes and Ricci

Absent: Downs

OTHERS PRESENT: Planning Director Wahlstrom, Assistant Planning Director Zeledon, City Attorney Graham, Senior Planner D. Ayala, Senior Planner Mejia, Associate Planner Aguilo, Associate Planner Chen, Associate Planner Vaughn, Principal Engineer Lirley, and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Reyes.

ANNOUNCEMENTS

Ms. Wahlstrom stated there was a change to the Agenda regarding Item F which is a motion to recommend the use of an addendum and a redlined version of the updated resolution was before them.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of October 22, 2019, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-039: A Development Plan to construct 67 conventional single-family homes on 11.24 acres of land located at the southeast corner of Eucalyptus Avenue and Parkplace Avenue, within the Conventional Medium Lot Residential district of Planning Area 20 of the Subarea 29 Specific Plan. The environmental impacts of this

project were previously reviewed in conjunction with the Subarea 29 Specific Plan, for which an Environmental Impact Report (SCH# 2004011009) was certified by the City Council on October 17, 2006. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-014-25) **submitted by Taylor Morrison of California, LLC.**

- A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-015:** A Development Plan to construct one industrial building totaling 28,003 square feet on 1.21 acres of land located at 1413 West Holt Boulevard, within the IP (Industrial Park) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1011-111-04) **submitted by United Trust Realty Corporation.**

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Reyes, to approve the Consent Calendar including the Minutes of October 22, 2019, as written, and the Development Plans, File Nos., PDEV19-039 and PDEV19-015, subject to conditions of approval. The motion was carried 6 to 0.

PUBLIC HEARING ITEMS

HISTORIC PRESERVATION ITEMS

- B. CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NO. PHP19-014:** A Certificate of Appropriateness for the adaptive reuse of two local historic landmark commercial buildings (Bank of Italy and Bumstead Bicycles) for a total of 8,460 square foot specialty restaurant(s) and bar, with a 4,200 square foot outdoor patio on 0.23 acres of land located at the northeast corner of B Street and Euclid Avenue, within the Downtown Civic Center Planned Unit Development zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation) of the CEQA Guidelines. (APN: 1048-552-22) **submitted by 200 N. Euclid Avenue, LLC.**

Senior Planner D. Ayala presented the staff report. She described the location and the surrounding area and the historical value to the community. She described the historical architecture and the damaged material that will be restored as part of the project. She explained the proposed businesses and use of the areas and the remodeling that would occur. She stated that staff is recommending the Planning Commission approve File No. PHP19-014, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

No one responded.

PUBLIC TESTIMONY

Mr. Marco Brambilla, architect on the project stated he was glad to be at this point. Mr. Alex Baroian, the owner, appeared and spoke.

Mr. Gage asked Mr. Baroian if he agreed to the Conditions of Approval.

Mr. Brambilla stated yes.

Mr. Gage wanted clarification if the iconic clock was being replaced.

Mr. Baroian stated it is in the works to sourcing a replica and hoping to get it done.

Mr. Gage wanted clarification that this project would include three different restaurants.

Mr. Baroian stated yes the three restaurants they are envisioning would be a southern barbecue with an outside barbecue pit and eating area, a coffee shop, not a chain but more of a mom and pop, with maybe a pizza oven, where you could walk up from the park area to, and the roof top restaurant, maybe being a higher end steak house, but nothing is concrete on this yet.

Mr. Gage wanted to know if the applicant has experience in renovating historic buildings like this.

Mr. Baroian stated yes, they have decades of experience with historic buildings, and their most recent project in Glendale, the Huntley Evans building, for adaptive reuse after the Northridge earthquake for hospitality, banquet facilities, and offices. He stated they love working with old buildings and the architectural styles that they can revive and reuse.

Mr. Brambilla stated this team operates and has done similar projects and is sensitive to the preservation of the architectural texture. He has a PHD in Historic preservation and has toured all over the world and has done even older renovation projects in Europe and on the east coast. He stated that as a whole team they bring a lot of experience to the table.

Mr. Baroian stated that they are unique, because they are not only the real estate developers, but they help with operating the businesses, which allows them to custom build the buildings to bring them back to life and then operate them and work with the city to make sure they are harmonious to what is around them.

Mr. Gage wanted to know if the vault in the bank would be reused.

Mr. Baroian stated there are two vaults, one in the basement, which is able to be reused, but the one on the first floor became a structural issue.

Mr. Reyes wanted to clarify that the applicant would be working with staff regarding the finishes and the final design and materials to make sure they are historically compatible, especially the canopy.

Mr. Baroian stated he is excited to work with the city to make sure what they do will be harmonious and will last another 100 years, and everyone will take pride in.

Mr. Brambilla stated the finishes would be the least intrusive materials as possible and the being that the area was developed recently with an architectural component, they want to make sure it is compatible, and they aren't introducing a different style, but work with the finishes incorporated already.

Ms. DeDiemar wanted to know if this is their first project in Ontario and why did they pick this building in Ontario.

Mr. Baroian stated yes, it is there first project in Ontario and the building caught their attention. He stated they had worked with Mr. Ochoa in Glendale and he had recommended they take a look at the building.

Ms. DeDiemar wanted clarity that they would be operating all three of the businesses when they were completed.

Mr. Baroian stated yes that is the plan, unless someone comes in to lease it out that would do as good a job or better than them.

Mr. Ricci wanted clarity regarding the rooftop dining area, and do they have any contingencies regarding weather issues.

Mr. Brambilla stated that the existing parapet is high enough that when you are sitting on the rooftop you would already be protected from the elements, however there would be misters and outdoor air conditioning systems and gas heaters to help with the weather conditions. He stated that the brick portion of the parapet is quite high and will protect the patrons from the elements, but if need be, they would install glass panels, so as not to affect the look of the building.

Mr. Gregorek wanted clarification regarding the cigar lounge.

Mr. Baroian stated it is still on the plans.

Mr. Gregorek wanted clarity if that business would have the same owner as the steak house.

Mr. Baroian stated it would depend on the regulations surrounding the cigar lounge and will address the issues if it needs to be a separate entity.

Mr. Willoughby stated he was excited about this project and the Bank of Italy being used.

As there was no one else wishing to speak, Chairman Willoughby closed the public testimony

Mr. Gage stated he is very excited, and it looks like they have the right team to make this work. He explained the background for the Bank of Italy building and its historic significance to Ontario. He stated he is excited about the barbecue and would definitely be voting for this.

Mr. Reyes stated he is excited and knows a project like this is all about the details which takes a

lot to do a project like this. He stated this project has all the right components: the right team that incorporates the developer, builder and operator and has experience in historic renovation, the right timing with 2020 coming and the energy that brings, and the right relationship between the builders and the city staff, to make this a successful project.

Mr. Gregorek stated this is a win, win project with restoring the historic structure and getting sit down restaurants, which are needed in the city.

PLANNING/HISTORIC PRESERVATION COMMISSION ACTION

It was moved by Gregorek, seconded by Gage, to adopt a resolution to approve the Certificate of Appropriateness, File No., PHP19-014, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

- C. **CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NO. PHP19-009:**
A Certificate of Appropriateness to construct a 2,430 square foot drive-thru restaurant (Starbucks Coffee), with a 480 square foot outdoor patio on 0.36 acres of land, located at the northwest corner of Euclid Avenue and E Street (110 West E. Street and 511 N. Euclid Avenue) within the MU-1 (Downtown Mixed-Use) and EA (Euclid Avenue Overlay) zoning districts. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation) of the CEQA Guidelines. (APN: 1048-355-09 and 10) **submitted by Hannibal Petrossi.**

PLANNING COMMISSION ITEMS

- D. **ENVIRONMENTAL ASSESSMENT, PLANNED UNIT DEVELOPMENT, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PUD19-001 AND PDEV19-038:** A Planned Unit Development (File No. PUD19-001) to establish development standards, design guidelines and infrastructure requirement for property on 0.36 acres of land, located at the northwest corner of Euclid Avenue and E Street (110 West E. Street and 511 N. Euclid Avenue) within the MU-1 (Downtown Mixed-Use) and EA (Euclid Avenue Overlay) zoning districts, in conjunction with a Development Plan (File No. PDEV19-038) to construct a 2,430 square foot drive-thru restaurant (Starbucks Coffee), with a 480 square foot outdoor patio. 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: 1048-355-09 and 10) **submitted by Hannibal Petrossi. City Council action is required for File No. PUD19-001.**

Assistant Planning Director Zeledon, presented the staff report. He described the location and the surrounding area. He described the purpose of establishing the PUD and the objectives of that PUD. He described the key components to the PUD, and the development plan, access and egress, the drive-thru and stacking, parking, patio area and landscape plan. He explained the need

for the Certificate of Appropriateness. He stated that staff is recommending the Planning/Historic Preservation Commission approve File Nos. PHP19-009 and PDEV19-038, and recommend approval to City Council for File No. PUD19-001, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Willoughby wanted clarity regarding exterior lighting.

Mr. Zeledon stated this would be determined in building, but that the conditions of approval and the PUD state it must be up lighting and complimentary to the design and style of the surrounding area.

Mr. Willoughby wanted clarity on the rooftop equipment location.

Mr. Zeledon stated it will be in the tower and completely screened.

PUBLIC TESTIMONY

Mr. Hannibal Petrossi appeared and thanked Mr. Zeledon for all his help and guidance in the design.

Mr. Reyes wanted to know if the patio is a solid roof patio.

Mr. Petrossi stated yes, it is.

Mr. Willoughby wanted to know if it would be aluminum.

Mr. Petrossi stated yes it will be.

Mr. Gage wanted clarity regarding the designated MOP parking.

Mr. Petrossi stated MOP parking was for mobile order pickup, but it was taken out and will just be normal parking stalls.

Mr. Gage wanted clarity that these stalls were not exclusive for MOP.

Mr. Petrossi stated that was correct.

Mr. Zeledon explained that MOP would be where you place an order from the app, then park and pick it up, not delivered to them.

Mr. Gage asked Mr. Petrossi if he agreed to the conditions of approval.

Mr. Petrossi stated yes.

Mr. Willoughby stated it looked like the newer design that they just used in Palm Springs.

As there was no one else wishing to speak, Chairman Willoughby closed the public testimony

Mr. Reyes made some general comments regarding the design aesthetics as a whole. He wanted to thank them for working with the city staff and the landscape architecture worked into the project which compliments what went in at the park, with urban trees in the urban spaces. He stated he likes the drive isle being screened and the separate driveways for the entrance and drive thru.

Mr. Gage stated he was excited to have Starbucks coming into the downtown and he thanked all the staff for making that happen.

PLANNING COMMISSION ACTION

It was moved by Gage, seconded by Ricci, to adopt a resolution to approve the Certificate of Appropriateness, File No., PHP19-009, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

It was moved by Reyes, seconded by DeDiemar, to recommend adoption of a resolution to approve the Planned Unit Development, File No., PUD19-001, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

It was moved by Ricci, seconded by Gage, to adopt a resolution to approve the Development Plan, File No., PDEV19-038, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

- E. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT19-007 (PM 19970):** A Tentative Parcel Map to subdivide 0.71-acre of land into three traditional single-family residential lots located at 1919 South Cypress Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15, Minor Land Divisions) 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: 1050-331-24) **submitted by Mark Raab.**

Associate Planner Chen presented the staff report. He described the location and the surrounding area and the current home on the property. He described the subdivision and the proposed parcel locations and access and the conceptual site plan. He stated that staff is recommending the Planning Commission approve File No. PMTT19-007, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Gregorek wanted clarity regarding demolition of the buildings to allow for the project.

Mr. Chen stated correct with the exception to the dwelling unit on parcel one.

Mr. Gregorek wanted to know what kind of zoning was surrounding the project.

Mr. Chen stated it is LDR5- low density residential on all three sides, except for the high school across the street.

Mr. Willoughby wanted to know the minimum lot size for LDR5 zoning.

Mr. Chen stated the minimum lot size is 7200 square feet and these parcels average to about 9000 square feet.

Mr. Gage wanted clarity regarding the Manzanita access for parcel three and if it was existing.

Mr. Chen stated no there is currently a 6-foot wall there and the access will be added.

Mr. Gage wanted clarity regarding the other homes with access on Manzanita.

Mr. Chen stated the other houses surrounding this parcel have driveway access.

Mr. Gage wanted to know if any comments were received from surrounding residents regarding this change in the cul-de-sac.

Mr. Chen stated to date staff hasn't received any comments regarding the parcel map.

Mr. Ricci wanted clarity regarding the existing utilities and how they would tie in.

Ms. Wahlstrom stated that generally with new construction they try to go underground, but it depends on what the master plan calls for and what is existing.

Mr. Lirley, principal engineer, stated Cypress is a local street.

Mr. Zeledon stated that all the sewer, and water, are existing on Cypress and Manzanita and it's just a matter of stubbing in. He stated that when they do the frontage improvements they are required to put in the conduit for future fiber.

Mr. Willoughby wanted clarity regarding the standard drives in the area.

Mr. Chen stated the plans are requiring the minimum which is a 10-foot drive.

PUBLIC TESTIMONY

Mr. Andy Wong, the representative for the project appeared and spoke.

Mr. Willoughby asked if Mr. Wong agreed with the conditions of approval.

Mr. Wong stated yes.

Mr. Reyes wanted to know what the plan moving forward is, once the project is approved.

Mr. Wong stated he thought it was planned to sell the lots.

Mr. Willoughby wanted clarity that they would divide the lots then sell off to develop.

Mr. Wong stated if the client wishes to move forward, they would sell the lots after they are developed.

As there was no one else wishing to speak, Chairman Willoughby closed the public testimony

Mr. Reyes stated he knows the area very well and this fits within the homes in the surrounding area.

Mr. Gage stated this improves the property and looks like a perfect addition to this area.

PLANNING COMMISSION ACTION

It was moved by Gage, seconded by Gregorek, to adopt a resolution to approve the Tentative Parcel Map, File No., PMTT19-007, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

F. ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMEMEDMENT

FOR FILE NO. PSPA19-002: An Amendment to the Meredith International Centre Specific Plan to establish a Mixed-Use Overlay district on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial) land use district, located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard. Staff is recommending the adoption of an Addendum to Meredith International Centre Specific Plan Amendment Environmental Impact Report (SCH # 2014051020) certified by City Council on April 7, 2015. This Application introduces no new significant environmental impacts and all previously adopted mitigation measures will be a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0110-311-52, 0110-311-53, 0110-311-54, and 0110-311-55) **submitted by G.H. Palmer Associates. City Council action is required.**

G. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV19-025: A Development Plan to construct a mixed-use project consisting of 925 multiple-family dwellings and 5,000 square feet of retail space on 22.39 acres of land located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard, within the Planning Area 2 (Urban Commercial) land use district of the Meredith International Centre Specific Plan. Staff is recommending the adoption of an Addendum to Meredith International Centre Specific Plan Amendment Environmental Impact Report (SCH #. 2014051020) certified by City Council on April 7, 2015. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures will be a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International

Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0110-311-52, 0110-311-53, 0110-311-54, and 0110-311-55) **submitted by G.H. Palmer Associates.**

Associate Planner Aguilo, presented the staff report. She described the location and the surrounding area and the proposed design guidelines and the development plan. She stated that staff is recommending the Planning Commission recommend approval for File No. PSPA19-002 and approve File No. PDEV19-025, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Gage wanted clarity on the retail area being just 5000 square feet.

Ms. Aguilo stated that was correct.

Mr. Reyes wanted to know what kind of retail was being looked at to go in the project.

Ms. Wahlstrom stated that these types of renderings usually attract restaurants for workers to come to and for the residents to use.

Mr. Willoughby wanted clarification on the height of the project, compared to the project to the east of the Meredith Center.

Ms. Aguilo stated this is similar, as both projects are four stories in height.

PUBLIC TESTIMONY

Mr. Darrel Malamut appeared and thanked staff.

Mr. Reyes wanted to know if there were any ideas for what the retail would be.

Mr. Malamut stated they would be an active use for the residents and the surrounding community, something like a brewery and eating establishment.

Mr. Reyes wanted to know what kind of signage or monumentation is being proposed for Inland Empire and Vineyard, to bring this together.

Mr. Malamut stated there is a monument sign proposed at grade level on the corner of Inland Empire and Vineyard and there is an architectural tower element that will have signage and the clubhouse that will have signage as well and at the entry at the leasing center, would have a monument,

Mr. Willoughby wanted clarity regarding retail area having a patio deck on top.

Mr. Malamut stated this is proposed as an active use within the residential community, which they have envisioned as a co-working, creative office space.

Mr. Willoughby wanted to know if it will be for residents only.

Mr. Malamut stated yes, because it has to do with the internal circulation details like stairs, etc.

Mr. Willoughby wanted clarification on the parking numbers.

Mr. Serafin Moran stated there are 35 spaces total with shared parking opportunity with the leasing office and there are drop off opportunities for Lyft and Uber services. He also stated that should they need additional spaces there will be an agreed parking management plan with the leaser that would include possible valet parking within the community.

Mr. Reyes wanted clarification on what kind of site amenities will be provided.

Mr. Malamut stated the amenities would include 3 pools, cabanas and pool house, Jacuzzi, club house with banquet facility and a lookout bridge, roof deck with barbecue, and seating elements, two fitness centers, sand volleyball court, business center, library, 2 tot lots, 2 dog parks, outdoor fitness area. water-features, garden spaces, and the community retail space.

Mr. Willoughby wanted to know if the guard house would be manned.

Mr. Malamut stated yes 24 hours.

Mr. Gage wanted to clarify if the shared parking was with the residents.

Mr. Malamut stated they believe the 35 spaces will be adequate, but if needed they would use a valet service and use the overflow parking within the community.

Mr. Willoughby wanted to know if Palmer would be managing the apartments as well.

Mr. Malamut stated yes, they have a property management component as well as the developer and builder.

Mr. Willoughby wanted to know if they had a timeline to start the project.

Mr. Malamut stated they would like to get the grading plans submitted as soon as possible, and they are ready to move forward.

Mr. Willoughby wanted to know if they had an idea of rent range.

Mr. Malamut stated the market sets rent but was looking from a range of \$1400 to \$2800, for studio to 3 bedrooms, as this is a high-quality project.

Mr. Gage wanted to know if they would charge more for rent based on the mountain view.

Mr. Malamut stated yes, they price based on all sorts of characteristics.

As there was no one else wishing to speak, Chairman Willoughby closed the public testimony

Mr. Reyes stated he was excited about the project and the design team has done a great job. He stated this type of high caliber projects are important to this area, with the proximity to the I-10

freeway and the airport and likes the mixed-use idea and the variety and plentiful amenities.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Ricci, to recommend adoption of a resolution to approve the use of an Addendum. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

It was moved by Reyes, seconded by DeDiemar, to recommend adoption of a resolution to approve the Specific Plan Amendment, File No., PSPA19-002, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

It was moved by Gage, seconded by Gregorek, to adopt a resolution to approve the Development Plan, File No., PDEV19-025, subject to the conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on Nov. 14, 2019

- Discussed the renovation to the Bank of Italy and Bumstead Bicycles

Development Code Review (Ad-hoc): This subcommittee did not meet.

Zoning General Plan Consistency (Ad-hoc): This subcommittee did not meet.

New Business

Mr. Ricci stated that on November 7th, he, Ms. DeDiemar, and Mr. Downs attended a Planning Commission Workshop through the Inland Empire Section of APA, where the Legacy Award was presented to Mrs. Delman, for Mr. Delman and all his community work. Mr. Ricci described the events topics and activities.

Mr. Reyes wanted to know if there were any new development plans in the works at the Mountain and 60 freeway and El Pescador.

Mr. Zeledon stated El Pescador has purchased the building and is currently cleaning it and they want to use it in the future for community storage but need a Development Code Amendment to do this. He stated there use to be CCRs on the lot with several owners and it was difficult to maintain the property, so now El Pescador is bringing up to code and maintaining it at this time.

Mr. Reyes wanted to know if the facade improvements at Mountain and Philadelphia are completed.

Mr. Zeledon stated he would check on it.

Mr. Willoughby wanted to know what is going in on Holt, near Grove, across from the affordable housing project.

Mr. Zeledon stated they are moving forward with a two industrial warehouse building project that was approved about two years ago.

Ms. DeDiemar wanted to know if anything was able to be salvaged from the GE Clubhouse.

Mr. Zeledon stated no it was all hazardous.

Mr. Gage asked regarding the parking component for downtown being updated and are we thinking ahead to what would be needed for parking, to fit our future successful downtown area.

Ms. Wahlstrom stated there is a parking component already in place and that other parking circulation opportunities are being looked at and discussed.

Mr. Zeledon stated they are looking at a "Park Once" concept, and at a new parking model and opportunities coming into the C block.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Ms. Wahlstrom stated the Monthly Activity Report is in their packet.

ADJOURNMENT

Reyes motioned to adjourn to December 16, 2019. The meeting was adjourned at 8:32 PM.

Secretary Pro Tempore

Chairman, Planning Commission



PLANNING COMMISSION STAFF REPORT

December 16, 2019

FILE NO.: PDEV19-021

SUBJECT: A Development Plan to construct a 21,952-square foot industrial building on 0.92 acre of land located at 1613 S. Baker Avenue, within the IG (General Industrial) zoning district (APN: 0113-414-14); **submitted by Robert Riggio.**

PROPERTY OWNER: Robert Riggio

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PDEV19-021, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 0.92 acres of land located at 1613 S. Baker Avenue, within the IG (General Industrial) zoning district, and is depicted in Figure 1: Project Location, below. The project site is surrounded by industrial developments to the north, south, east and west. The site currently slopes from north to south at just over 1 percent.

PROJECT ANALYSIS:

[1] Background — On December 2, 2019, the Development Advisory Board (DAB) conducted a hearing to consider the subject Development Plan and concluded the hearing voting to recommend that the Planning Commission approve the Application subject to conditions of approval, which are included with the attached Planning Commission resolution.

[2] Site Design/Building Layout —The applicant is requesting Development Plan approval to construct an industrial building totaling 21,952 square feet, with a floor area ratio (FAR) of 0.55. The proposed development fronts on to both Locust Street and Baker Avenue. The front of the building is oriented south; however, the



Figure 1: Project Location

Case Planner:	Luis E. Batres
Planning Director Approval:	
Submittal Date:	4/1/2019

Hearing Body	Date	Decision	Action
DAB	12/2/2019	Approval	Recommend
PC	12/16/2019		Final
CC			

north and west building elevations, along Locust Street and Baker Avenue, have been architecturally designed to look like the front of the building. The proposed building is situated on the northern portion of the site and is setback approximately 12 feet from the Locust Street (front) property line, 10 feet from the Baker Avenue (street side) property line, and 108 feet from the south (rear) property line. A zero-setback condition is proposed along the east (interior side) property line. Off-street parking is situated to the south of the building (see Exhibit A: Site Plan, attached).

An enclosed yard area has been designed at the rear of the building, with two roll up doors and ample maneuvering space. The yard area will be screened from public view (from Baker Avenue) by a combination of landscaping and 8-foot tall decorative tilt-up screen walls. Tubular steel fencing, at 8 feet in height, is proposed along the east and south interior property lines.

[3] Site Access/Circulation —There are two points of vehicular access proposed for the project. Primary access is proposed along the southern portion of the project's Baker Avenue frontage. A secondary access is proposed along the eastern portion of the project's Locust Street frontage, with direct access into the building's warehouse area via an at-grade rollup door. The building is being built for Riggio Construction, a telecommunications contractor currently based out of Chino, California. It is planned that the service crews will load their trucks inside the warehouse, necessitating the proposed direct street access. Drivers will enter the warehouse from the south, through two at-grade rollup doors located inside the screened yard and will exit the warehouse through the Locust Street driveway. Staff has conditioned the project requiring that the Locust Street access be used for exiting the site only.

[4] Parking —The project has provided off-street parking pursuant to the "Warehouse and Distribution" parking standards specified in the Development Code. The building requires a total of 23 parking spaces and 24 spaces have been provided, exceeding the minimum requirements of the Development Code. The project is not proposing any dock-high doors; therefore, no tractor-trailer parking is required.

[5] Architecture —The project is proposing a contemporary architectural style which exemplifies the high-quality architecture promoted by the Ontario Development Code and the Ontario Plan. Special attention has been given to the use of color, massing, building form, materials, and architectural details (see Figure 2: Front Building Perspective, below, and Exhibits B and C: Elevations, and Exhibits D: Street View Perspectives, attached). This is exemplified through the use of:

- Extensive glazing on storefront and along the towers facing Baker Avenue (West Elevation) and Locus Street (East Elevation);
- Articulation in building footprint and building roof lines;
- Incorporation of unique horizontal and vertical reveal lines;
- Incorporation of architectural towers along the north and west elevations;
- Incorporation of decorative metal canopies across office entry areas;

- Decorative sconce lighting fixtures at office entry areas;
- Aluminum storefront framing painted light champagne to accentuate the office storefronts;
- Incorporation of stone (Brown Wave 3D Honed) at architectural towers;
- Projecting architectural “fin” at office pod;
- Incorporation of a second-story balcony along the west side of the building; and
- Incorporation of four different building colors (chocolate stream, nova white, universal grey, black bean) to add more interest.



Figure 2: Building Perspective

[6] Landscaping — The Ontario Development Code requires a minimum 15 percent landscape coverage for corner parcels, which the project meets. The project will provide 10-foot landscaped building setbacks along the Baker Avenue and Locust Street frontages, and a 5-foot landscaped setback along the southern portion of the parking lot area. In addition, landscaping will be provided within the interior area of the parking lot. The proposed landscape plan incorporates a combination of 48-, 36-, and 24-inch box trees, in addition to a variety of shrubs and ground cover. Proposed trees include Arizona Sycamore, Red Push Pistache, Blue Palo Verde, Chinese Elm, Fern Fine, Italian Cypress, Little Leaf Myrtle and Coast Live Oak (see Exhibit E—Landscape Plan, attached).

The front office entry area and the entry driveways have been designed with decorative paving. In addition, an 11-foot by 40-foot patio with decorative paving has been incorporated into the west side of the building. The patio area will include outdoor furniture (tables & wood benches), enhanced paving, raised planters with accent plants, wood screen panels, vertical lattice with vines, and small flowering trees (see Figure 3: Patio Area, below).

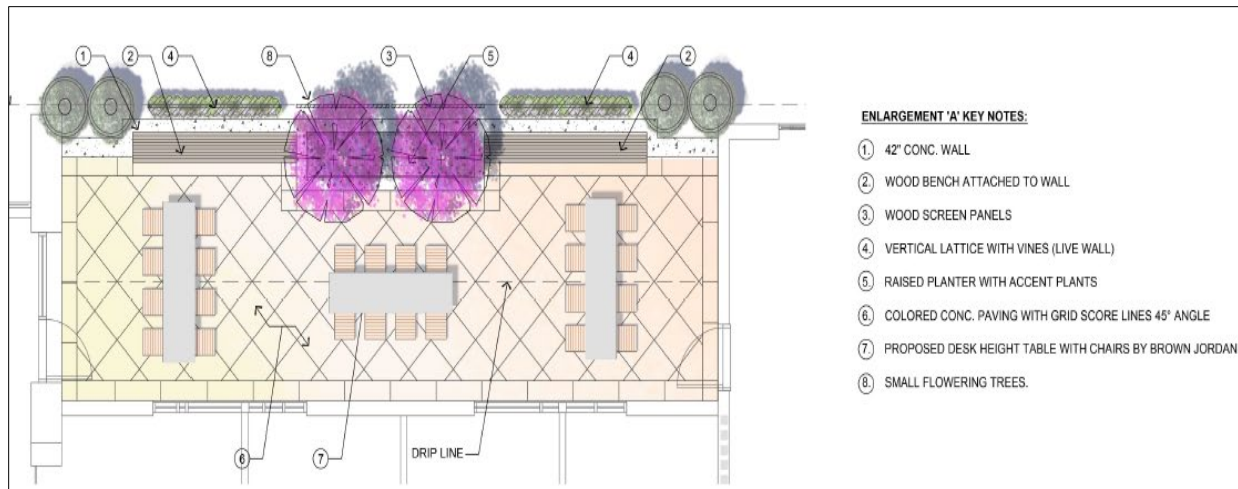


Figure 3: Patio Area

[7] Utilities (drainage, sewer)—Public utilities (water and sewer) are available to serve the project. Additionally, the applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, bio treatment, and evapotranspiration. The PWQMP proposes underground chambers located beneath the off-street parking area, which are designed to accept runoff from building roofs, parking lots and project drive aisles.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City’s Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Invest in the City’s Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

[2] Vision.

Distinctive Development:

- Commercial and Residential Development
 - Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU2: Compatibility between a wide range of uses.
 - LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.
- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.
 - CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.
 - CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

➤ CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

➤ S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

▪ Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

➤ CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➤ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➤ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

➤ CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

➤ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

➤ CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

➤ CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

- CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.
- CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.
 - Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- CD5-1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.
- CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: 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.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines, which consists of projects characterized as infill development, and meets all of 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.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<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	IG (General Industrial)	n/a
<i>North</i>	Industrial	Industrial	IG (General Industrial)	n/a
<i>South</i>	Industrial	Industrial	IG (General Industrial)	n/a
<i>East</i>	Industrial	Industrial	IG (General Industrial)	n/a
<i>West</i>	Industrial	Industrial	IG (General Industrial)	n/a

General Site & Building Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	0.92 Acres	N/A	Y
<i>Building Area:</i>	21,952	N/A	Y
<i>Floor Area Ratio:</i>	0.55	0.55 (Max.)	Y
<i>Building Height:</i>	54-feet	55-feet (Max.)	Y

Off-Street Parking:

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Warehouse</i>	20,912 SF	One space per 1,000 SF for first 20,000 GFA and 0.5 per 1,000 SF for building GFA greater than 20,000 SF; plus 1 tractor-trailer parking space per 4 dock-high loading doors; plus required parking for "general business offices" when those uses exceed 10% of building GFA (Gross Floor Area).	19	19
<i>Office (portion of building exceeding 10% of warehouse GFA)</i>	1,040 SF	4 spaces per 1,000 SF of GFA	4	5
TOTAL	21,952		23	24

Exhibit A—SITE PLAN

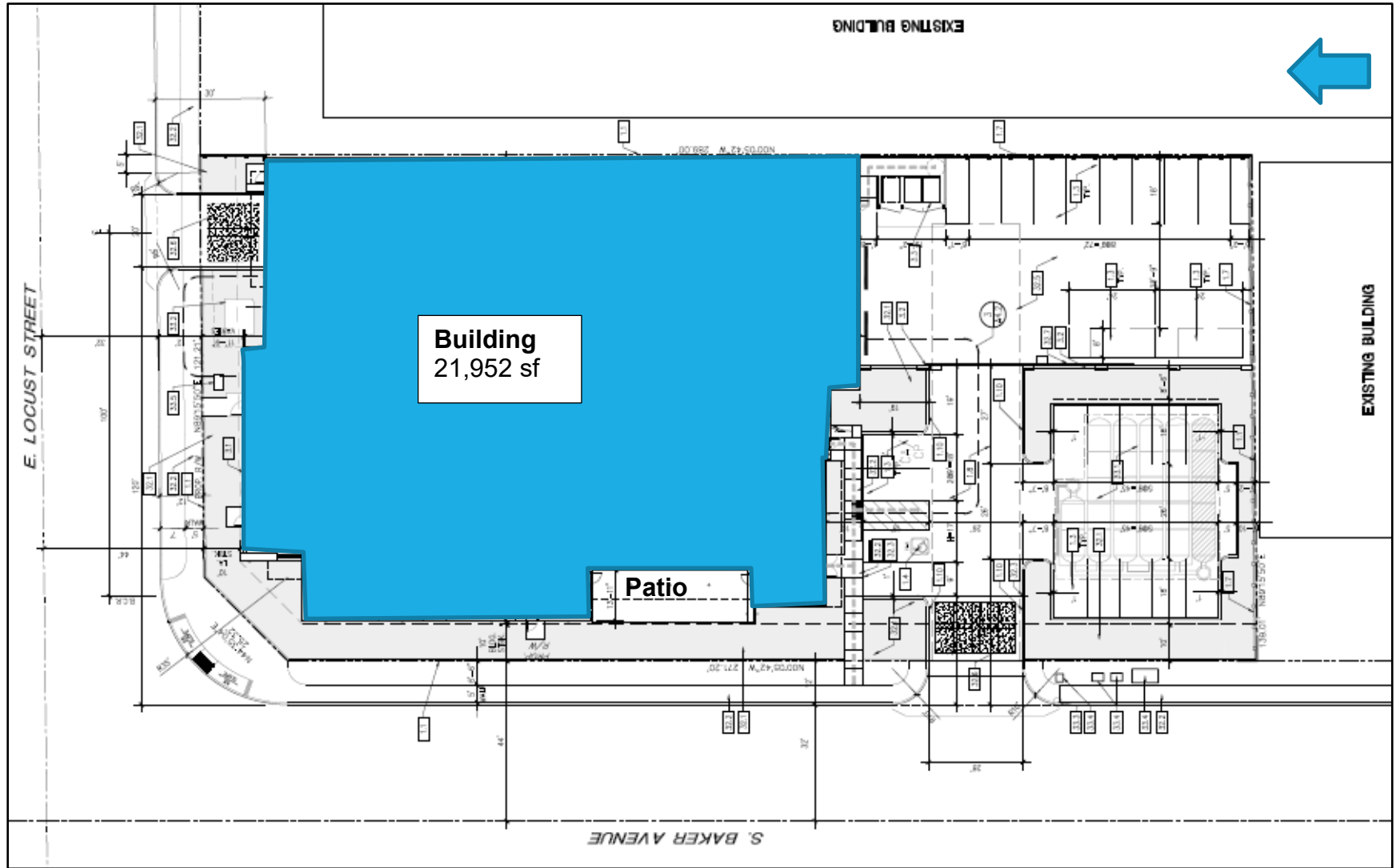


Exhibit B—ELEVATIONS



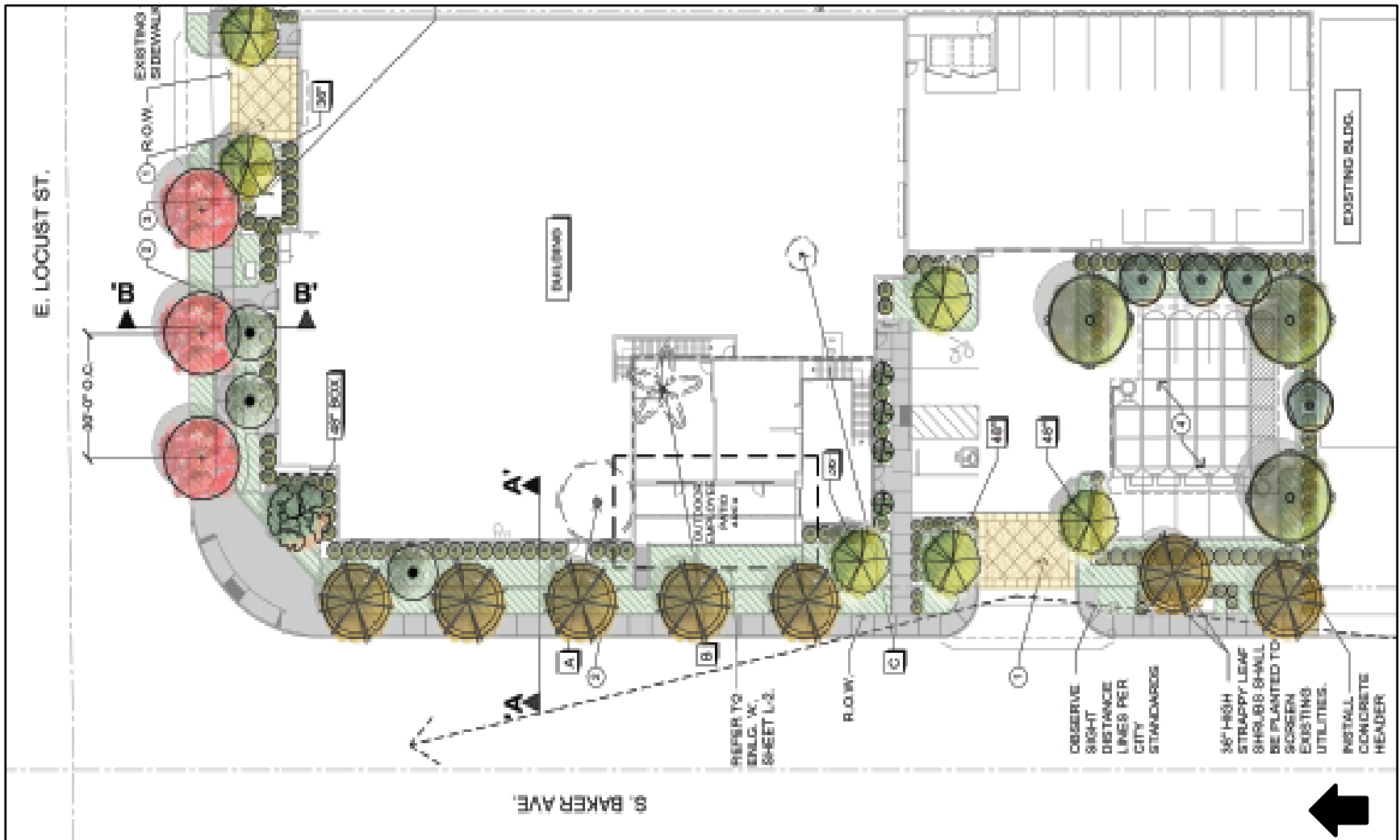
Exhibit C—ELEVATIONS



Exhibit D—STREET VIEW PERSPECTIVES



Exhibit E—LANDSCAPE PLAN



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-021, A DEVELOPMENT PLAN TO CONSTRUCT A 21,952 SQUARE FOOT INDUSTRIAL BUILDING ON 0.92 ACRES OF LAND LOCATED AT 1613 S. BAKER AVENUE, WITHIN THE IG (GENERAL INDUSTRIAL) ZONING DISTRICT AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0113-414-14.

WHEREAS, Robert Riggio ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-021, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.92-acre of land located along the southeast corner of Locust Street and Baker Avenue, at 1613 South Baker Avenue within the IG (General Industrial) zone, and is presently vacant land; and

WHEREAS, the property to the north of the Project site is within the IG (General Industrial) zoning district and is developed with an industrial building. The property to the east is within the IG (General Industrial) zoning district and is developed with an industrial building. The property to the south is within the IG (General Industrial) zoning district and is developed with an industrial building. The property to the west is within the IG (General Industrial) zoning district, and is developed with an industrial building; and

WHEREAS, the Applicant has applied to construct a 21,952-square foot industrial warehouse building on the 0.92-acre project site, with a floor area ratio (FAR) of 0.55. The Ontario Development Code allows a maximum FAR of 0.55; and

WHEREAS, the proposed building is situated on the northern portion of the site and is setback approximately 12 feet from the Locust Street (front) property line, 10 feet from the Baker Avenue (street side) property line, and 108 feet from the south (rear) property line. A zero-setback condition is proposed along the east (interior side) property line. Off-street parking is situated to the south of the building; and

WHEREAS, there are two points of vehicular access proposed for the project. Primary access is proposed along the southern portion of the project's Baker Avenue frontage. A secondary access is proposed along the eastern portion of the project's Locust Street frontage, with direct access into the building's warehouse area through an at-grade rollup door; and

WHEREAS, the project has provided off-street parking pursuant to the "Warehouse and Distribution" parking standards specified in the Development Code. The building requires a total of 23 parking spaces, and 24 spaces have been provided; and

WHEREAS, the Ontario Development Code requires a minimum 15 percent landscape coverage for corner parcels, which the project meets. The project will provide 10-foot landscaped building setbacks along the Baker Avenue and Locust Street frontages, and a 5-foot landscaped setback along the southern portion of the parking lot area; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (commencing with Public Resources Code Section 21000), hereinafter referred to as "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 Planning Commission the responsibility and authority to review and act on the subject Application; 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 (hereinafter referred to as "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 December 2, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-068, recommending the Planning Commission approve the Application; and

WHEREAS, on December 16, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning Commission 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 Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines, which consists of projects characterized as infill development, and meets all of 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; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission 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 PLANNING COMMISSION, 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 Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the Planning Commission 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 General Industrial zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed development 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 the establishment of a dynamic, progressive city containing distinct neighborhoods and districts that foster a positive sense of identity and belonging among residents, visitors, and businesses (Goal CD1). Furthermore, the project will promote the City’s policy to take actions that are consistent with the City being a leading urban center in Southern

California while recognizing the diverse character of our existing viable neighborhoods (Policy CD1-1); 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 IG (General Industrial) zoning district, including standards relative to the particular land use proposed (industrial building), 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 is proposing an FAR of 0.55 which is compatible with other similar industrial projects that have been reviewed, and approved by the Planning Commission; 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 Planning Commission has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan. In addition, the project includes full on-site and off-site improvements and the project will improve the quality of the existing site; and

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

SECTION 5: *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," 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.

SECTION 8: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a special meeting thereof held on the 16th day of December 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their special meeting held on December 16, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV19-021
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: December 16, 2019

File No: PDEV19-021

Related Files: N/A

Project Description: A Development Plan to construct a 21,952-square foot industrial building on 0.92 acre of land located at 1613 S. Baker Avenue, within the IG (General Industrial) zoning district. (APN: 0113-414-14); **submitted by Robert Riggio.**

Prepared By: Luis E. Batres, Senior Planner 
Phone: 909.395.2431
Email: Lbatres@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

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

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

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

2.6 Outdoor Loading and Storage Areas.

(a) 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 screened from public view pursuant to the requirements of 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
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.

(c) Applicant shall work with staff during the plan check process to add decorative up and down lighting to key architectural and landscape areas.

2.8 Mechanical and Rooftop Equipment.

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

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

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

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

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

2.12 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.

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

2.14 Additional Fees.

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

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

2.15 Additional Requirements.

- (a) Driveway along Locust Street shall be limited to exiting the site only.
- (b) The project shall provide a minimum of 23 parking spaces.
- (c) Applicant shall work with staff during the plan check process to add two landscape ½-diamonds within the parking spaces immediately south of the building.
- (d) The proposed outdoor decorative paving shall be provided with a darker color tone.
- (e) The applicant shall work with staff to add decorative paving to the sidewalk that leads to the front office entry, as well as to the outdoor plaza area of the office pod.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV19-021 RELATED FILE NO(S). _____	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___	

CITY PROJECT ENGINEER & PHONE NO:	Dean A. Williams, Associate Engineer (909) 395-2135
CITY PROJECT PLANNER & PHONE NO:	Luis Batres, Senior Planner (909) 395-2431
DAB MEETING DATE:	December 2, 2019
PROJECT NAME / DESCRIPTION:	21,600 sf Industrial Building on .92 acres
LOCATION:	SEC of Baker Avenue and Locust Street; 1607 S. Baker
APPLICANT:	Riggio Construction Robert Rigglo (909) 534-5511
REVIEWED BY:	<div style="display: flex; align-items: center;"> <div style="text-align: center; flex: 1;"> <hr style="width: 80%; margin: 0 auto;"/> Bryan Lirley, P.E. Principal Engineer </div> <div style="text-align: center; flex: 0.5;"> <div style="font-size: 1.2em; margin-bottom: 5px;">11/27/19</div> <hr style="width: 80%; margin: 0 auto;"/> Date </div> </div>
APPROVED BY:	<div style="display: flex; align-items: center;"> <div style="text-align: center; flex: 1;"> <div style="font-size: 1.2em; margin-bottom: 5px;">for</div> <hr style="width: 80%; margin: 0 auto;"/> Raymond Lee, P.E. Assistant City Engineer </div> <div style="text-align: center; flex: 0.5;"> <div style="font-size: 1.2em; margin-bottom: 5px;">11/27/19</div> <hr style="width: 80%; margin: 0 auto;"/> Date </div> </div>



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: _____
- 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 parcels are recognized parcel in the City of Ontario per Lot 16 of the of Holdsworth Ranch, per plat recorded in Book 12 of Maps, Page 43, records of San Bernardino County.
- 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:
 - 1) 11-feet on the Locust Street frontage for an ultimate half-street width of 44-feet.
 - 2) 11-feet on the Baker Avenue frontage for an ultimate half-street width of 44-feet.
 - 3) Property line corner 'cut-back' required at the intersection of Baker Avenue and Locust Street.

- 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. A Storm Drain Development Impact Fee of approximately \$22,000.00, shall be paid to the Building Department. The actual fee amount will be determined based on the approved site plan.

- 2.16 Other conditions: Developer/applicant shall process a Lot Line Adjustment to merge the two existing parcels into one. The Lot Line adjustment shall be processed and recorded prior to issuance of a building permit. The Building Department cannot issue a building permit for construction of a structure over an existing property line.



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	Baker Avenue	Locust Street	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 32 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input checked="" type="checkbox"/> Remove & replace adjacent to x-gutter	<input checked="" type="checkbox"/> Remove & replace 13-feet to centerline <input checked="" type="checkbox"/> New; 30-feet wide along frontage	<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 <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
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 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 checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Services	<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 checked="" 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
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" 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. 2.K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

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

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). In lieu of undergrounding the overhead utilities and in accordance with Section 7-7.303.e of the City's Municipal Code, developer/applicant shall pay an in-fee. The in-lieu fee shall be \$300.00 per lineal foot of property frontage. The fee, based on 417.73 feet, will be \$125,319.00, payable to the Engineering Department.**
- 2.22 **Other conditions: 1) Developer/applicant shall construct complete half -width street frontage improvements on both frontages of the site. Improvements shall include, but not be limited to, curb & gutter, LED street lights and/or up-grades, sidewalk, drive approaches, fire hydrants and/or up-grades, parkway landscaping, signing and striping and asphalt paving.**

2) The proposed sidewalk on Baker Avenue shall be constructed in front of the existing utility cabinets at the south end of the site as long as it can meet ADA requirements. If not, the sidewalk will have to be constructed behind the cabinets and the developer/applicant will have to grant to the City an easement for sidewalk purposes.

3) Developer/applicant shall remove existing and construct full depth asphalt paving on Locust Street frontage, from the centerline of the street to the new, proposed gutter. This removal and reconstruction shall include, but not be limited to, the existing cross gutter, to the center of the street and AC berm. A new curb return, cross gutter and spandrel shall be constructed. All improvements shall be in accordance with City standards.

C. SEWER

- 2.23 **An 8-inch sewer main is available for connection by this project in Baker Avenue. (Ref: Sewer plan bar code: S12688)**
- 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) Developer/applicant shall abandon, back to the main, any existing sewer laterals that will not be used for this development. Abandonment shall be in accordance with current City standards.**

2) The occupant of the building shall apply for a Wastewater Discharge Permit for this establishment and shall comply with all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>) Requirements for the Wastewater Discharge Permit may include, but not be limited to, installation of wastewater pretreatment equipment, such as a clarifier. For Wastewater Permit application questions, contact Michael Birmelin, Environmental Programs Manager at (909) 395-2661 omucenvironmental@ontarioca.gov

D. WATER

- 2.27 **An 8-inch water main is available for connection by this project in Baker Avenue and in Locust Street. (Ref: Water plan bar code: W11641)**
- 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) Developer/applicant shall install a new fire hydrant on Baker Avenue frontage, midway of the site, in accordance with current City standards. The existing fire hydrant on the Locust Street frontage shall be removed and replaced with a new hydrant in accordance with current City standards.**



2) Developer/applicant shall abandon, back to the main, any existing water services that will not be used for this development.

E. RECYCLED WATER

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

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

- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

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

- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877

- 2.37 **Other conditions: 1) The curb return at the intersection of Baker Avenue and Locust Street shall be designed and constructed in accordance with City Standard Drawing No. 1106. Corner cut-back shall be dedicated per Standard Drawing No. 1301.**

2) The proposed drive approach on Locust Street shall be constructed no less than 100-feet from the curb return, as measured from the BCR of the curb return to the centerline of the proposed drive approach. Both drive approaches shall be designed and constructed in accordance with City Standard Drawing No. 1204.

3) Developer/applicant shall design and construct "in-fill" street lights along the project frontages of Baker Avenue and Locust Street. Street lighting shall be LED-type and in accordance with the City's Traffic and Transportation Design Guidelines. Developer/applicant shall meet with City Engineering Staff (Traffic) prior to starting any street lighting design.

4) Baker Avenue shall be signed "No Stopping 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: Developer/applicant shall pay an in-lieu fee for future construction of the City's 42-inch Master Planned Storm Drain along the Baker Avenue frontage. The storm drain length shall be calculated from the centerline of Locust Street to the southerly property line. The in-lieu fee includes a catch basin, local depression, manhole and a lateral. Based on the Engineering Department calculation, the in-lieu fee is \$55,840.00. This fee is payable at the Engineering Department.**

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 based on the approved PWQMP and be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 **Other conditions: 1) Activities resulting in land disturbances of one acre or more will require that the developer/applicant obtain coverage under the Construction General Permit (CGP). The owner is considered the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at: <https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogion.xhtml>**
2) The prefilter device for the proposed on-site system is required to be certified by the Water Boards. Contact the Environmental Division of the Engineering Department for a list of available options and the following website for additional options: https://www.waterboards.ca.gov/water_issues/programs/stormwater/dos/trash_implementation/a1_certified_fcd.pdf

J. SPECIAL DISTRICTS



- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.

- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.

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

L. Solid Waste

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

- 2.53 Other conditions: 1) Prior to approval of Precise Grading plans, developer/applicant shall provide a Solid Waste Handling Plan sheet showing compliance with the "Solid Waste Plan Handling Requirements".

2) The project shall comply with the requirements of State assembly Bill AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.

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.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above. 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.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03 Developer/applicant shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the developer/applicant. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.



EXHIBIT 'A'
ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV 19-021

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: Luis Batres, Senior Planner
Planning Department

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

DATE: April 8, 2019

SUBJECT: PDEV19-021 - A Development Plan, replacing File No. PDEV17-014, to construct a 21,600 sq. ft. industrial building on .92 acres, for property located at 1607 S. Baker Street, within the IG (General Industrial) land use designation.

-
- 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: II-B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 21,600 Sq. Ft.
- D. Number of Stories: 1 with Mezzanine
- E. Total Square Footage: 21,600 Sq. Ft
- F. 2016 CBC Occupancy Classification(s): S, M

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services..

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 3 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard ~~Choose an item.~~ All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.5 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.

7.0 PROJECT SPECIFIC CONDITIONS

- ☒ 7.1 NOTE: The onsite proposed fire hydrant could possibly be remove if there is a city hydrant within 150 ft. of the fire department connection on the same side of the street.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-021
 Address: 1607 South Baker Street
 APN: 0113-414-13 & 14
 Existing Land Use: Vacant
 Proposed Land Use: Development Plan to construct a 21,000 SF Industrial Bldg
 Site Acreage: 0.92 acres Proposed Structure Height: 41 ft
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Luis Batres
 Date: 7/25/19
 CD No.: 2019-030
 PALU No.: n/a

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

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

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

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

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: 



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Planning Department

FROM: Douglas Sorel, Police Department

DATE: April 24, 2019

SUBJECT: PDEV19-021 – A DEVELOPMENT PLAN TO CONSTRUCT AN INDUSTRIAL BUILDING AT 1607 S. BAKER AVE.

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 and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

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

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Luis Batres
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: April 03, 2019
SUBJECT: PDEV19-021

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

Conditions of Approval

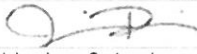
1. Standard Conditions of Approval apply.
2. The address to site will be 1613 S. Baker Ave.

KS:lr

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

PRELIMINARY PLAN
CORRECTIONS

Sign Off


 Jamie Richardson, Sr. Landscape Planner

09/30/2019
 Date

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

Phone:
(909) 395-2615

D.A.B. File No.:
 PDEV19-021

Case Planner:
 Luis Batres

Project Name and Location:
 Baker and Locust Industrial Bldg.
 1607 S Baker St

Applicant/Representative:
 Xebec Bldg Co/ Brandi Smith
 3010 Old Ranch Pkwy ste 480
 Seal Beach, CA 90740

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | A Preliminary Landscape Plan (dated 09/21/2019) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents. |
| <input type="checkbox"/> | A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval. |

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to:
landscapeplancheck@ontarioca.gov

Civil/ Site Plans

- Show corner ramp and sidewalk per city std drawing 1213 with 13' ramp and sidewalk for 88', R/W's.
- Do not encircle utilities, show as masses and duplicate masses in other locations on regular intervals.
- Show 8' diameter of mulch only at new trees. Detail irrigation dripline outside of mulched root zone.
- Show concrete mowstrips to identify property lines where walls end (at eastern property line).
- Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
- 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).....	\$278.00
Total.....	\$1,579.00
Inspection—Field – any additional.....	\$83.00

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



PLANNING COMMISSION STAFF REPORT

December 16, 2019

FILE NO.: PDEV19-033

SUBJECT: A Development Plan to construct a 79,220 square-foot industrial building on 3.38 acres of land, located at 540 East Maitland Street, within the IL (Light Industrial) zoning district (APNs: 1049-501-12, 1049-501-13 and 1049-501-14); **submitted by Lake Creek Industrial, LLC.**

PROPERTY OWNER: CIVF V-CA1W05, LLC

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PDEV19-033 pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 3.38 acres of land located at the southwest corner of Maitland Street and Monterey Avenue, at 540 East Maitland Street, within the IL (Light Industrial) zoning district, and is depicted in Figure 1: Project Location, below. The project site is currently developed with an industrial building that is to be razed to facilitate the development of the proposed project.

The property to the north of the project site is within the IL (Light Industrial) zoning district and is developed with industrial buildings. The property to the east is within the IL zoning district and is developed with railroad tracks operated by the Southern Pacific Transportation Company. Properties further east, across Monterey Avenue, are within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) zoning district and are developed with single-family homes. The property to the south, is within the IL zoning district and is developed with a mix of industrial buildings and outdoor



Figure 1: Project Location

Case Planner:	Denny D. Chen	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	12/2/19	Approval	Recommend
Submittal Date:	6/19/2019	PC	12/16/19		Final

storage uses. The property to the west is within the IL zoning district and is developed with a church and single-family homes.

PROJECT ANALYSIS:

[1] Background — The applicant is requesting Development Plan approval to construct a 79,220-square foot industrial building on the above-described project site, with a floor area ratio of 0.54. On December 2, 2019, the Development Advisory Board reviewed the subject application and recommended that the Planning Commission approve the proposed project, subject to departmental conditions of approval included with this report.

[2] Site Design/Building Layout — The proposed building's office element and main entrance is situated at the northwest corner of the building, fronting onto Maitland Street to the north and the employee and visitor parking area to the west. The new building will be setback 11 feet from the Maitland Street (north) property line, 35 feet from the east side property line, 40 feet from the south (rear) property line, and 35 feet from the west side property line.

A yard area designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging is located on the west side of the proposed building. The yard area will be screened from public view by a combination of building walls and 10-foot screen walls with view-obstructing access gates (see Exhibit B—Site Plan, attached).

[3] Site Access/Circulation — Primary access to parking and loading areas is provided from Maitland Street by way of a 35-foot wide driveway located at the northwest corner of the site. Secondary site access is provided to Maitland Street by way of a 24-foot wide driveway located at the northeast corner of the site, which allows for vehicular circulation completely around the building (see Exhibit B – Site Plan, attached).

[4] Parking — The project has provided 52 off-street parking spaces consistent with the “Warehouse and Distribution” parking standards specified in the Ontario Development Code, which requires one space for each 1,000 square feet of gross floor area (GFA) for the first 20,000 square feet, plus one space for each 2,000 square feet of GFA in excess of 20,000 square feet. Furthermore, up to 10 percent of the building GFA may be improved with office space without having to provide additional parking. Office improvements exceeding 10 percent of the building GFA must be parked at the rate of 4 spaces per 1,000 square feet of additional office area.

Additionally, the City's off-street parking and loading standards require that the project provides a minimum of one tractor-trailer parking space per every four dock-high loading spaces. There are eight dock-high loading spaces proposed with two tractor-trailer parking spaces provided, meeting the minimum tractor-trailer parking requirement for the project.

[5] Community Outreach – The project site is surrounded by residential properties to the east and west. To ensure community input from the surrounding residents, a Notice was mailed to all property owners within 300-feet of the project site on November 8, 2019. The intent of the notification was to inform the surrounding property owners of the proposed project and to address any questions or concerns regarding the project. To date, staff has not received any phone calls, correspondence, inquiries, and/or emails regarding the project.

[6] Architecture — The proposed building elevations illustrate the type of high-quality architecture promoted by the Ontario Development Code’s development standards and design guidelines. The building will be composed of concrete tilt-up walls that incorporate a contemporary architectural style (see Figure 2: Building Perspective, below, and Exhibit C—Front Office Perspective and Exhibits D and E—Building Elevations, attached). The building design incorporates articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas, and articulation in the building parapet/roof line, which serves to accentuate the building’s entries. To accent the building design, the following materials, finishes, and fixtures have been incorporated into the design of the building:

- Incorporation of four different accent colors and color blocking throughout all sides of the building;
- Multiple Horizontal and vertical reveal lines;
- Recessed windows and wall panels at key locations;
- Incorporation of decorative canopies at office main entrance;
- Use of double-glazed windows with a clear anodized mullion system; and
- Extensive use of glazing at office areas and corner elements



Figure 2: Building Perspective

[7] Landscaping — The Project proposes a 10 percent landscape coverage, meeting the Development Code’s minimum landscape coverage requirement for interior lots

located within the IL (Light Industrial) zoning district. The landscape pallet for the project incorporates a mixture of 24-, 36-, and 48-inch box accent and shade trees. Some of the proposed trees include Western Redbud, Lavender Crape Myrtle, Afghan Pine, Coast Live Oak, along with a variety of low water use grasses, shrubs, and groundcovers, such as Fountain Grass, Silverberry, and Coyote Brush.

The project has provided ample landscaped setback areas, including: 11 feet along the building's north (Maitland Street) and east side property lines, 7.5 feet along the south (rear) property line, 35 feet along the west side property line, within the visitor parking area, and 5 feet along the west side property line, in front of the screened loading/truck-dock area (see Exhibit F—Landscape Plan, attached). Additionally, an employee break area is provided along the west side of the building, which features picnic tables and chairs surrounded by shade trees on the west and north sides (see Exhibit G—Patio Area Perspective, attached).

[8] Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the project. Additionally, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizing low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes a vegetated swale designed to accept runoff from building roofs, parking lots and project roadways, which lead to an underground stormwater infiltration system. The proposed underground chambers will be located along the south portion of the site and any overflow drainage will be conveyed to the surrounding streets.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

[2] Vision.

Distinctive Development:

- Commercial and Residential Development
 - Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU2: Compatibility between a wide range of uses.
 - LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Design Element:

- Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.
 - CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:
 - Building volume, massing, and height to provide appropriate scale and proportion;
 - A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
 - Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

HOUSING ELEMENT COMPLIANCE: 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.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines, which consists of projects characterized as infill development, and meets all of 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.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Two Industrial Metal Buildings	Industrial	IL (Light Industrial)	N/A
<i>North</i>	Industrial Building	Industrial	IL (Light Industrial)	N/A
<i>South</i>	Industrial Buildings and Storage Yard	Industrial	IL (Light Industrial)	N/A
<i>East</i>	Railroad & Single-Family Homes	Low Density Residential with Industrial Overlay	LDR5 (Low Density Residential – 2.1 to 5.0 DUs/Acre)	N/A
<i>West</i>	Single-Family Homes and religious assembly (Friendship Baptist Church)	Industrial	IL (Light Industrial)	N/A

General Site & Building Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	3.38 Ac (147,233 SF)	10,000 SF (Min.)	Y
<i>Building Area</i>	79,220 SF	80,978 SF (Max.)	Y
<i>Floor Area Ratio (FAR)</i>	0.54	0.55 (Max.)	Y
<i>Building Height:</i>	46 FT	55 FT (Max.)	Y

Off-Street Parking:

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Warehouse Building</i>	79,220 SF	One space per 1,000 SF for first 20,000 GFA and 0.5 per 1,000 SF for building GFA greater than 20,000 SF; plus 1 tractor-trailer parking space per 4 dock-high loading doors; plus required parking for “general business offices” when those uses exceed 10% of building GFA (Gross Floor Area).	50	52
<i>Tractor-Trailer Parking</i>	n/a	1 tractor trailer parking per 4 dock high doors (8 dock-high doors proposed)	2	2

Exhibit A—PROJECT LOCATION



Exhibit B—SITE PLAN

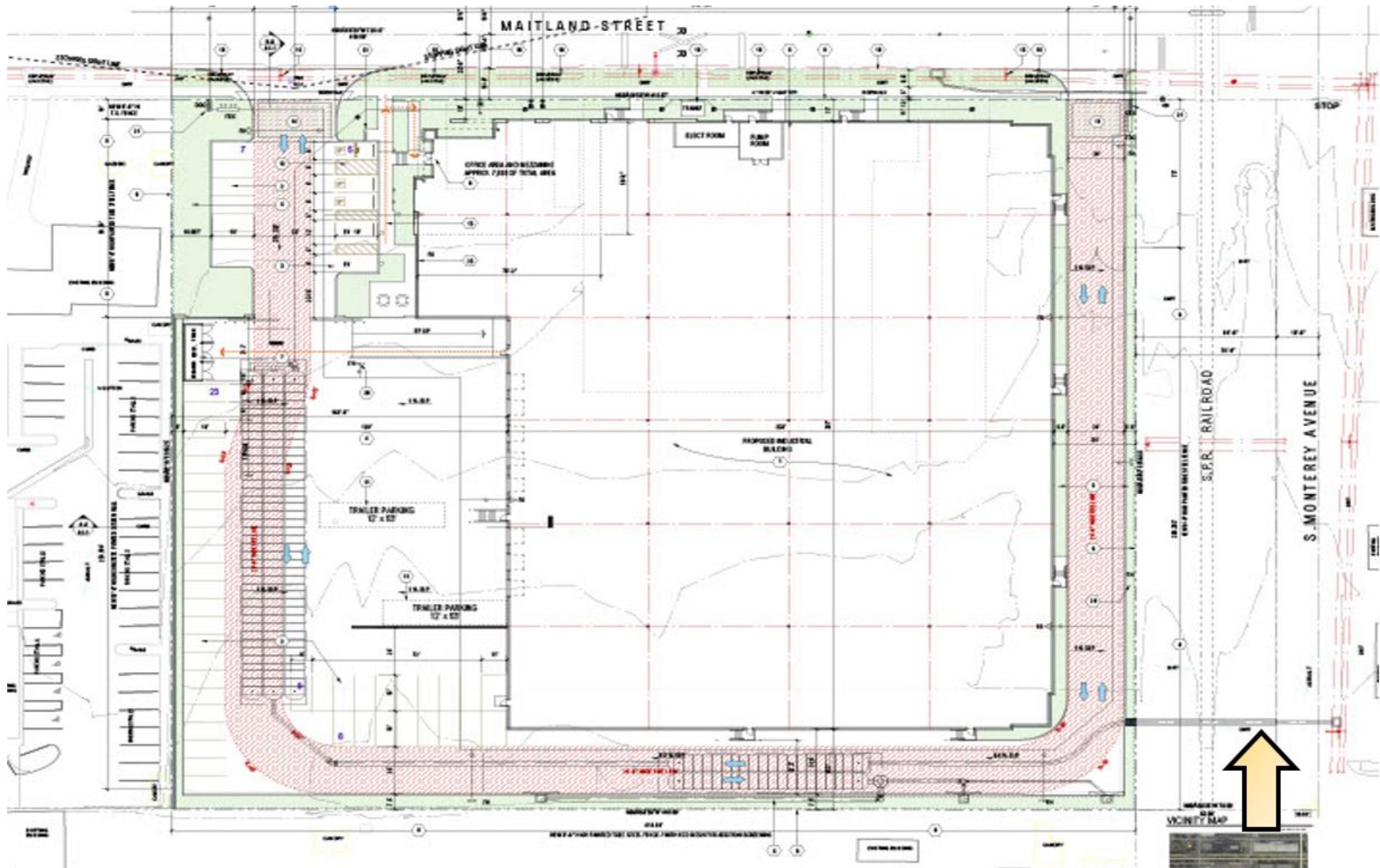


Exhibit C—FRONT OFFICE PERSPECTIVE



View of Northeast Corner of the Building

Exhibit D—BUILDING ELEVATIONS

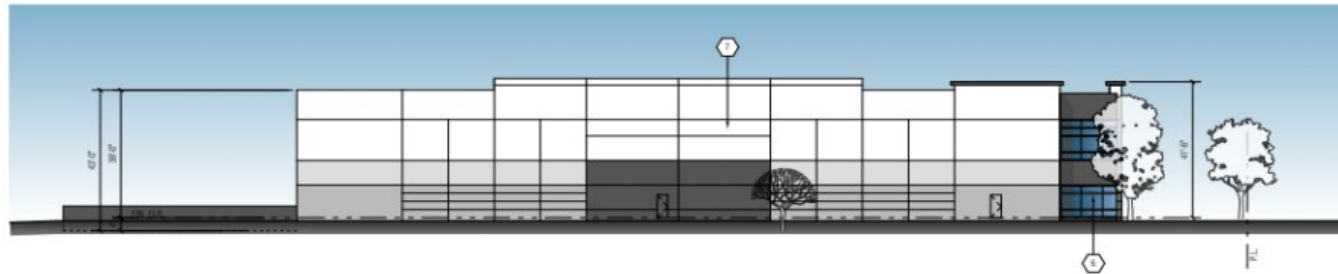


NORTH ELEVATION
SCALE: 1" = 20'-0"

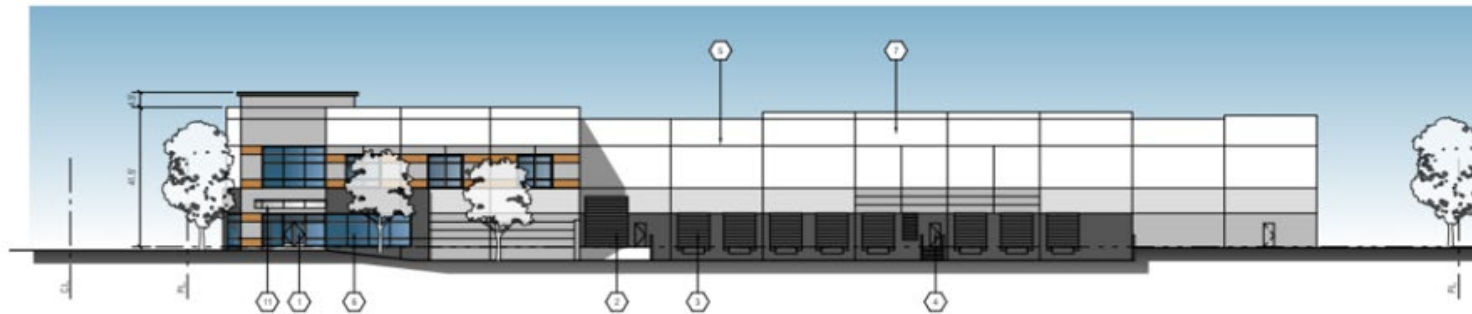


EAST ELEVATION
SCALE: 1" = 20'-0"

Exhibit E—BUILDING ELEVATIONS



SOUTH ELEVATION



WEST ELEVATION



WEST SCREENWALL ELEVATION

Exhibit F—LANDSCAPE PLAN

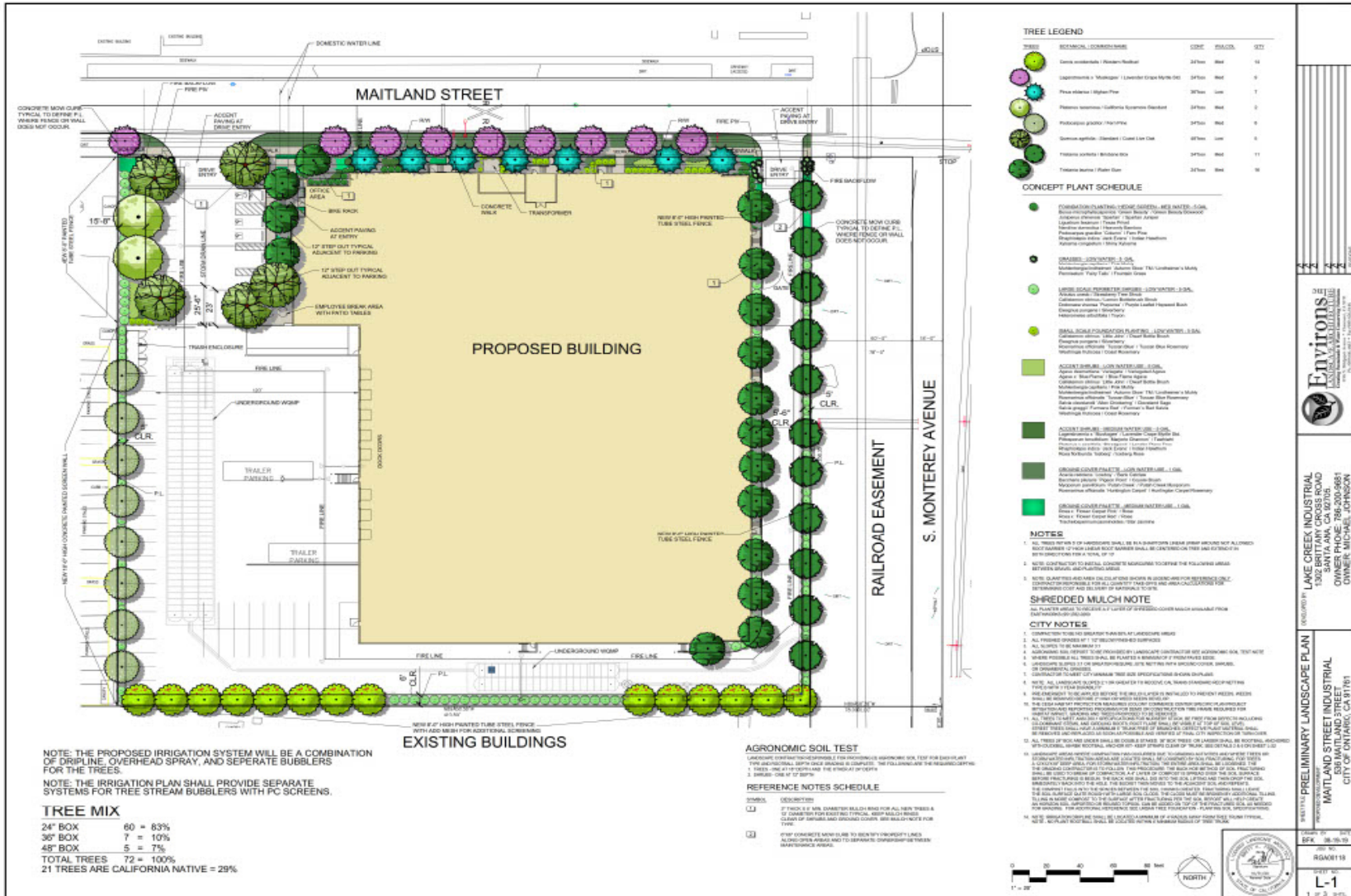


Exhibit G—PATIO AREA PERSPECTIVE



Exhibit H – SITE PHOTOS



EXISTING BUILDINGS ON PROJECT SITE



NORTHEAST VIEW OF EXISTING DRIVEWAY

Exhibit I – SITE PHOTOS



LOOKING SOUTHEAST OF MAITLAND STREET & MONTEREY AVENUE



NORTHEAST VIEW OF MAITLAND ST & MONTEREY AVE

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-033, A DEVELOPMENT PLAN TO CONSTRUCT A 79,220-SQUARE FOOT INDUSTRIAL BUILDING ON 3.38 ACRES OF LAND, LOCATED AT 540 EAST MAITLAND STREET, WITHIN THE IL (LIGHT INDUSTRIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF— APNS: 1049-501-12, 1049-501-13, AND 1049-501-14.

WHEREAS, Lake Creek Industrial, LLC, (hereinafter referred to as "Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-033, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 3.38 acres of land generally located at the southwest corner of Maitland Street and Monterey Avenue, at 540 East Maitland Street, within the IL (Light Industrial) zoning district; and

WHEREAS, the property to the north of the project site is within the IL (Light Industrial) zoning district and is developed with industrial buildings. The property to the east is within the IL (Light Industrial) zoning district and is developed with railroad tracks operated by the Southern Pacific Transportation Company. Properties further east, across Monterey Avenue, are within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) zoning district and are developed with single-family homes. The property to the south, is within the IL zoning district and is developed with industrial buildings and outdoor storage uses. The property to the west is within the IL zoning district and is developed with a church and single-family homes; and

WHEREAS, on June 19, 2019, the Applicant has applied to construct a 79,220 square foot industrial warehouse building on the 3.38-acre project site, with a floor area ratio (FAR) of 0.54. The Ontario Development Code allows a maximum FAR of 0.55; and

WHEREAS, the proposed building's office element and main entrance is situated at the northwest corner of the building, fronting onto Maitland Street to the north and the employee and visitor parking area to the west. The new building will be setback 11 feet from the Maitland Street (north) property line, 35 feet from the east side property line, 40 feet from the south (rear) property line, and 35 feet from the west side property line; and

WHEREAS, a yard area designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging is located on the west side of the proposed building. The yard area will be screened from public view by a combination of building walls and 10-foot screen walls with view-obstructing access gates; and

WHEREAS, primary access to parking and loading areas is provided from Maitland Street by way of a 35-foot wide driveway located at the northwest corner of the site. Secondary site access is provided to Maitland Street by way of a 24-foot wide driveway located at the northeast corner of the site, which allows for vehicular circulation completely around the building; and

WHEREAS, the project has provided off-street parking pursuant to the "Warehouse and Distribution" parking standards specified in the Development Code. The building requires a total of 52 parking spaces, and 52 spaces have been provided. Additionally, the City's off-street parking and loading standards require that the project provides a minimum of one tractor-trailer parking space for each four dock-high loading spaces. There are eight dock-high loading spaces proposed with two tractor-trailer parking spaces provided, meeting the minimum tractor-trailer parking requirement for the project; and

WHEREAS, the project site is surrounded by residential properties to the east and west. To ensure community input from the surrounding residents, a Notice was mailed to all property owners within 300-feet of the project site on November 8, 2019. The intent of the notification was to inform the surrounding property owners of the proposed project and to address any questions or concerns regarding the project. To date, staff has not received any phone calls, correspondence, inquiries, and/or emails regarding the project; and

WHEREAS, the proposed building elevations illustrate the type of high-quality architecture promoted by the Ontario Development Code's development standards and design guidelines. The building will be composed of concrete tilt-up walls that incorporate a contemporary architectural style. The building design incorporates articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas, and articulation in the building parapet/roof line, which serves to accentuate the building's entries; and

WHEREAS, the Project proposes a 10 percent landscape coverage, meeting the Development Code's minimum landscape coverage requirement for interior lots located within the IL (Light Industrial) zoning district; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; 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 December 2, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision DAB19-069, recommending the Planning Commission approve the Application; and

WHEREAS, on December 16, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the Planning Commission 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 Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines, which consists of projects characterized as infill development, and meets all of 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; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

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

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport

Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Planning Commission 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 Planning Commission, 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 Planning Commission during the above-referenced hearing and upon the specific findings set forth in Sections 1 through 4, above, the Planning Commission 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 IL (Light Industrial) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The project will contribute to the establishment of “a dynamic, progressive city containing distinct neighborhoods and districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.” (Goal CD1); 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 IL (Light Industrial) zoning district, 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 is proposing a Floor Area Ratio (FAR) of 0.54, which is compatible with other similar industrial projects that have been reviewed and approved by the Development Advisory Board and the Planning Commission; 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 IL (Light Industrial) zoning district, which is where the project is located, are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

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

SECTION 5: Planning Commission Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the Application subject to each and every condition set forth in the Department reports included as “Attachment A” 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.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a special meeting thereof held on the 16th day of December 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary of Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution [Insert PC No.] was duly passed and adopted by the Planning Commission of the City of Ontario at their special meeting held on December 16, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV19-033
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: December 16, 2019

File No: PDEV19-033

Related Files: None

Project Description: A Development Plan to construct a 79,220 square-foot industrial building on 3.38 acres of land, located at 540 East Maitland Street, within the IL (Light Industrial) zoning district. (APNs: 1049-501-12, 1049-501-13 and 1049-501-14); **submitted by Lake Creek Industrial, LLC. Planning Commission action is required.**

Prepared By: Denny D. Chen, Associate Planner
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) 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.

(c) 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.

(d) Any dead or missing landscaping shall be replaced and a sprinkler system shall be installed that is set to a timer.

(e) Outside plaza areas, in front of the office pods, shall feature decorative color paving.

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

2.5 Parking, Circulation and Access.

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

(b) All drive approaches shall be provided with an enhanced color 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 screened from public view pursuant to the requirements of 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
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.

(c) Wall packs will not be allowed within the public view areas. All fixtures shall be decorative. Cut sheets shall be submitted to Planning during plan check review.

(d) Decorative light fixtures shall be used on the building to match the proposed architectural style.

2.8 Mechanical and Rooftop Equipment.

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

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

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

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

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

2.12 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.

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

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County

"Clerk of the Board of Supervisors," along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

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

2.15 Additional Requirements.

(a) The proposed decorative canopy over the office entrance (South Elevation) shall project from the face of the building a minimum of 6-feet. The canopy along the East Elevation shall project a minimum of 4-feet from the face of the building.

(b) A 10-foot tall decorative masonry block wall shall be constructed along the west side of the property to screen the truck loading area from public view. Applicant shall work with staff during plan check process to finalize the minimum height of screen wall and gates to screen truck docks and roll up doors from public view.

(c) A proposed 8-foot tall, tubular steel/metal fence shall be constructed along the project's east & south sides, and approximately 99-linear feet of tube steel fence shall be provided along a portion of the west side of the project site. The minimum height for the proposed tubular/metal fencing shall be 8 feet. The maximum height of fences and walls, within the project's front setback area, shall be 6 feet and shall be non-view obstructing type of fencing, such as wrought iron or tubular steel. Installation of chain link fences around the perimeter of the project site shall be prohibited. All steel/metal fencing shall be powder coated to prevent rust.

(d) Building roof projections shall have returns of a minimum length of 6-feet, to avoid a false front/unfinished appearance. Applicant shall work with staff during plan check process to finalize the minimum length of the roof returns along the building's North & East elevations, and wherever roof returns are required to be provided.

(e) Truck trailers shall only utilize the dock-high door loading areas for parking. Truck trailers will not be permitted to park within the vehicle parking areas or within the truck maneuvering area of the building.

(f) The building's maximum office area, including the mezzanine area, shall not exceed 7,922-square feet or 10 percent of the building's GFA (Gross Floor Area), or additional parking shall be provided for the additional office area.

(g) Decorative paving shall be provided at the employee break area.

(h) A minimum of 50 on-site parking spaces shall be provided.

(i) A Health Risk Assessment (HRA) study shall be completed, prior to issuance of building permits.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV19-033 RELATED FILE NO(S). _____	
<input type="checkbox"/> ORIGINAL <input checked="" type="checkbox"/> REVISED: 12/3/19	

CITY PROJECT ENGINEER & PHONE NO:	Dean A. Williams, Associate Engineer (909) 395-2135
CITY PROJECT PLANNER & PHONE NO:	Denny Chen, Associate Planner (909) 395-2424
DAB MEETING DATE:	December 2, 2019
PROJECT NAME / DESCRIPTION:	75,547 sf Warehouse Building on 3.36 acres within the Light Industrial Zoning District
LOCATION:	SWC Maitland Street and Monterey Avenue; 540 E. Maitland Street
APPLICANT:	Lake Creek Industrial, LLC Michael Johnson (786) 200-9681
REVIEWED BY:	<div style="display: flex; align-items: center;"> <div style="flex: 1;"> Bryan Lirley, P.E. Principal Engineer </div> <div style="flex: 1; text-align: center;"> <div style="border-bottom: 1px solid black; width: 80%; margin: 0 auto;"></div> 12/4/19 Date </div> </div>
APPROVED BY:	<div style="display: flex; align-items: center;"> <div style="flex: 1;"> Raymond Lee, P.E. Assistant City Engineer </div> <div style="flex: 1; text-align: center;"> <div style="border-bottom: 1px solid black; width: 80%; margin: 0 auto;"></div> 12/4/19 Date </div> </div>



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 parcels are recognized parcels in the City of Ontario Per Lots 1,2,3 and 4 of Kelly's Subdivision of Block 148, South Side Tract, Town of Ontario, as recorded in Book 14 of Maps, Page 47, Records of the County of San Bernardino.**
- 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: Southern Pacific Transportation Company (Railroad)**
- 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 \$76,000.00, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
 - 2.16 Other conditions: 1) Developer/applicant shall coordinate with the Southern Pacific Transportation Co. (railroad) for the procurement of three (3) easements across their property adjacent to the east property line of the site. The proposed water main in Maitland Street, the proposed storm drain in Maitland Street and the proposed 24" RCP crossing Monterey Avenue will all require an easement from the railroad company. These easements shall be recorded, prior to issuance of a building permit.
- 2) Developer/applicant shall process a Lot line Adjustment to merge the three (3) existing parcels into one. The Building Department cannot issue a permit for a building to be constructed over existing parcel lines. The Lot Line Adjustment must be recorded prior to issuance of a building permit.

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	Maitland Street	Monterey Avenue	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement (see Item 2.18)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> 2" Grind & Overlay	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
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 type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/Irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/Irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/Irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/Irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Services	<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 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
Street Light (see Sec. 2.F)	<input checked="" 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
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input checked="" type="checkbox"/> Relocate power pole	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate



Removal of Improvements				
Other Improvements				

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

- R-1**
- 2.18 **Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): Maitland Street frontage full-width of street due to water main construction on the north side of street. half width street, from centerline of street to gutter.**
 - 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: 1) Developer/applicant shall remove the existing curb and gutter along the Maitland Street frontage and replace with current standard curb and 24" gutter.**
2) Developer/applicant shall remove all drive approaches and curb openings on the Maitland Street frontage not being used for this development and replace them with standard curb and gutter.

C. SEWER

- 2.23 **An 8-inch sewer main is available for connection by this project in Maitland Street (Ref: Sewer plan bar code: S12723)**
- 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: Developer/applicant shall abandon, back to the main, all existing sewer laterals that will not be used for this development. Abandonment shall be in accordance with current City standards.**

D. WATER

- 2.27 A _____ inch water main is available for connection by this project in _____ (Ref: Water plan bar code: _____)
- 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.



- R-1** 2.29 **Other conditions: 1) Developer/applicant shall construct a new 12-inch water main on the north side of Maitland Street from Sultana Avenue to Monterey Avenue as a replacement for the existing 4-inch main. The existing 4-inch main in Maitland Street shall be abandoned from Sultana Avenue to Monterey Avenue. The abandonment shall include, but not be limited to, full replacement of existing service laterals, fire services and hydrants, that are affected by the abandonment of the 4-inch main. All replacement services shall be constructed in accordance with City standards. Trench repair for construction of 12-inch water main and appurtenances shall be in accordance with City Standard Drawing No. 1306.**
- 2) Developer/applicant shall construct a new fire hydrant on the north side of Maitland Street at Monterey Avenue. The existing fire hydrant at that location shall be abandoned and removed in accordance with City standards.**
- 3) Developer/applicant shall abandon, back to the main, all existing water services that will not be used for this development. Abandonment shall include, but not be limited to, removal of meters and meter boxes, vaults, etc. and shall be in accordance with current 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) 395-2647 regarding this requirement.
- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
1. On-site and off-site circulation
 2. Traffic level of service (LOS) at 'build-out' and future years
 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions: 1) Developer/applicant shall construct all drive approaches in accordance with City Standard Drawing No. 1204.**
- 2) Developer/applicant shall design and construct street in-fill /missing improvements along the frontage of Maitland Street. Improvements shall include, but not be limited to, concrete curb and gutter, sidewalk, LED street lights, signing and striping and parkway landscaping.**
- 3) Developer/applicant shall replace existing street light fixtures (lamps) along property frontage of Maitland Street with City approved equivalent LED fixtures. Refer to the Traffic and Transportation Design Guidelines for LED fixture requirements.**
- 4) All landscaping, block walls and other obstructions shall be compatible with the stopping site distance requirements per City standard Drawing No. 1309.**



5) The proposed gates on the easterly entrance to the site for fire access purposes, shall be located to just outside of the City right-of-way to discourage drivers from entering the site. Alternatively, a rolled curb with turf block could be provided at this location to allow for emergency vehicle access only.

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: The existing catch basin on Maitland Street shall be removed and reconstructed to current City standards. The proposed CMP shall be re-routed to connect to the storm drain line just east of the property line, within the City right-of-way. The existing CMP within the proposed drive approach shall be abandoned/removed.**

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 based on the approved PWQMP and be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 **Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin (new and/or existing) located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate**



maintenance and cleaning.

- 2.47 Other conditions: 1) Due to the activities of the site, the underground infiltration BMP shall be equipped with a pretreatment device, such as a hydrodynamic separator, that can treat water prior to entering into the BMP. This will ensure longevity of the BMP, provide a single point of primary maintenance access and ensure that the water infiltrating does not have pollutants associated with gas stations and high vehicle traffic.
- 2) Activities resulting in land disturbance of one acre or more requires that the developer/applicant obtain coverage under the Construction General Permit (CGP). The owner is considered the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at: <https://smarts.waterboards.ca.gov/smarts/faces/SwSnartsLogin.xhtml> legally

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

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

L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions: Prior to approval of any building permit, the Developer/applicant shall revise the Parking/Trash Analysis that was submitted on 10/3/2019 into a Solid Waste Handling Plan (SWHP) and submit with the precise grading plan for review and approval by the Ontario Municipal Utilities Company (OMUC).



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.).**

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 **Complete all Conditions of Approval listed under Sections 1-3 above.**
- 4.02 **Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**
- 4.03 **The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**



EXHIBIT 'A'
ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV 19-033

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**

Project File No.: PDEV19-033
Project Engineer: D.A. Williams
Date: December 2, 2019



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

FROM: Denny Chen, Associate Planner

REVISION NO. 1

DATE: October 02, 2019

SUBJECT: FILE #: PDEV19-033

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 .

PROJECT DESCRIPTION: A Development Plan to construct a 75,547-square foot warehouse building with office on 3.36 acres located on the southwest corner of Maitland Street and Monterey Avenue, at 540 E Maitland Street, within the IL (Light Industrial) zoning district (APNs: 1049-501-12, 1049-501-13 and 1049-501-14).

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

No comments

See previous report for Conditions

Report attached (1 copy and email 1 copy)

Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

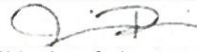
The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Landscape Planning Division *[Signature]* Landscape Planner 11/13/19
Department Signature Title Date

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

PRELIMINARY PLAN CORRECTIONS

Sign Off


 Jamie Richardson, Sr. Landscape Planner

11/12/19
 Date

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

Phone:
(909) 395-2615

D.A.B. File No.:
 PDEV19-033

Case Planner:
 Denny Chen

Project Name and Location:
 Tilt-up warehouse
 SW corner of Maitland Street and Monterey Ave.
 Applicant/Representative:
 Sagecrest Planning + Environmental. C/O Christine Saunders
 2400 E Katella Ave., Suite 800
 Anaheim, CA 92806

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 10/02/19) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
2. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
 - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required.
 - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
 - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
 - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items.
3. Show transformers set back 5' from paving all sides; no bollards. Coordinate with landscape plans.
4. Show backflow devices set back 4' from paving all sides. Locate on level grade.
5. Revise site plan to show (15% select one) of the site with landscaping not including right of way or paving.
6. 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.
7. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.
8. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall

be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

9. Provide an arborist report and tree inventory as noted in #1.
10. Site plan to show 15% of the site with landscaping not including right of way or paving areas.
11. Dimension all planters to have 12" wide curbs where parking spaces are adjacent to planters, as in the southwestern corner.
12. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
13. Moderate water plants may be used for part shade north and east facing locations, low water plants everywhere else.
14. Overhead spray systems shall be designed for plant material less than the height of the spray head.
15. Detail irrigation dripline outside of mulched root zone.
16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <https://www.ontarioca.gov/government-departments-development-planning/landscape-planning>
17. Provide phasing map for multi-phase projects.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-033

Address: Southwest corner Maitland Street & Monterey Avenue

APN: 1049-501-12, 13 & 14

Existing Land Use: Vacant Buildings

Proposed Land Use: Development Plan to construct a 75,547 SF Industrial Bldg

Site Acreage: 3.38 acres Proposed Structure Height: 45 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: 7/25/19

CD No.: 2019-045

PALU No.:

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input checked="" type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input checked="" type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input checked="" type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 100 FT	
<input type="radio"/> Zone 5			

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: October 03, 2019
SUBJECT: PDEV19-033

-
- 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:lr

CITY OF ONTARIO MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: June 24, 2019
SUBJECT: PDEV19-033

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

Conditions of Approval

1. The new buildings address will be 540 E. Maitland Ave. *est*
2. Standard Conditions of Approval apply.

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner
Planning Department

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

DATE: October 7, 2019

SUBJECT: PDEV19-033 - A Development Plan to construct a 79,220-square foot warehouse building with office on 3.38 acres located on the southwest corner of Maitland Street and Monterey Avenue, at 540 E Maitland Street, within the IL (Light Industrial) zoning district (APNs: 1049-501-12, 1049-501-13 and 1049-501-14).
(Revision 1)

-
- The plan **does** adequately address Fire Department requirements at this time.
- See previous report dated August 1, 2019, for conditions.
-



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner
Planning Department

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

DATE: August 01, 2019

SUBJECT: PDEV19-033 - A Development Plan to construct a 75,547-square foot warehouse building with office on 3.36 acres located on the southwest corner of Maitland Street and Monterey Avenue, at 540 E Maitland Street, within the IL (Light Industrial) zoning district (APNs: 1049-501-12, 1049-501-13 and 1049-501-14).

-
- 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, Assumed Type II-B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 72,547 Sq. Ft.
- D. Number of Stories: 1 w/ mezzanine
- E. Total Square Footage: 75,547 Sq. Ft.
- 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-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 3000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard Choose an item.. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.4 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.

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: Denny Chen, Associate Planner

FROM: Officer Emily Hernandez, Police Department

DATE: July 22, 2019

SUBJECT: PDEV19-033 – A DEVELOPMENT PLAN TO CONSTRUCT A 75,547 SQUARE FOOT CONCRETE TILT-UP WAREHOUSE BUILDING ON THE SOUTHWEST CORNER OF MAITLAND STREET AND MONTEREY 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 all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 6 feet tall and 2 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 Officer Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.



PLANNING COMMISSION STAFF REPORT

December 16, 2019

FILE NO.: PMTT16-004

SUBJECT: A request to rescind the approval of File No. PMTT16-004 (TT 19966), a Tentative Tract Map subdividing 111.10 acres of land into 480 numbered lots and 92 lettered lots generally located at the southwest corner of Riverside Drive and Ontario Avenue, within the Residential Single Family district of Planning Areas 2, 3, 4, and 5 of the Armstrong Ranch Specific Plan; **submitted by CVRC Ontario Investments, LLC.**

PROPERTY OWNER: F & J DE BOER Family Properties LP

RECOMMENDED ACTION: That the Planning Commission rescind the approval of File No. PMTT16-004 (TT 19966), pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT SETTING: The project site is comprised of 111.10 acres of land located at southwest corner of Riverside Drive and Ontario Avenue, within the Residential Single Family District of Planning Areas 2, 3, 4 and 5 of the Armstrong Ranch Specific Plan, and is depicted in Figure 1: Project Location, below. The project site is bounded by Riverside Drive to the north, Chino Avenue to the south, Ontario Avenue to the east, and Vineyard Avenue to the west. The project site has historically been used for agricultural purposes, primarily for dairy and field crop farming.

PROJECT ANALYSIS:

[1] Background — The Armstrong Ranch Specific Plan and Environmental Impact Report (EIR) were approved by the City Council on December 5, 2017, and November 21, 2017, respectively. The Armstrong Ranch Specific Plan established the land use designations, development standards, and design guidelines for 170.6 acres, which includes

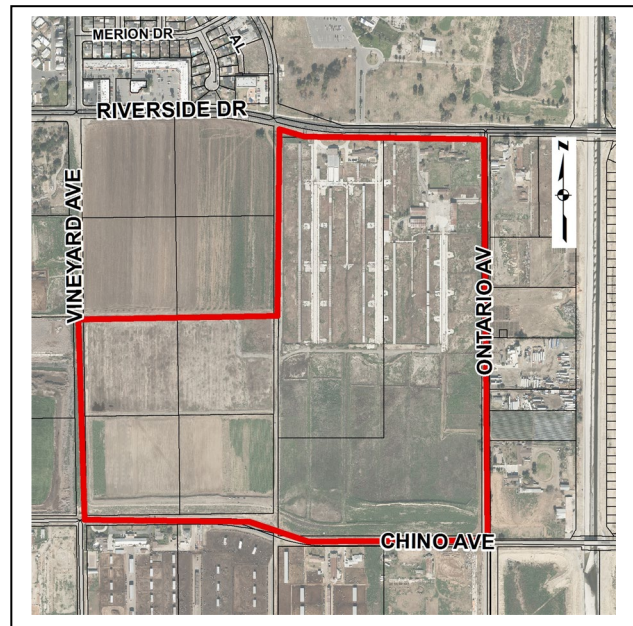


Figure 1: Project Location

Case Planner:	Lorena Mejia
Planning Director Approval:	
Submittal Date:	January 27, 2016

Hearing Body	Date	Decision	Action
DAB	2/21/18	Approve	Recommend
PC	2/27/18	Approve	Final
PC Rescind	12/16/19		Final

the potential development of 891 dwelling units and an Elementary School.

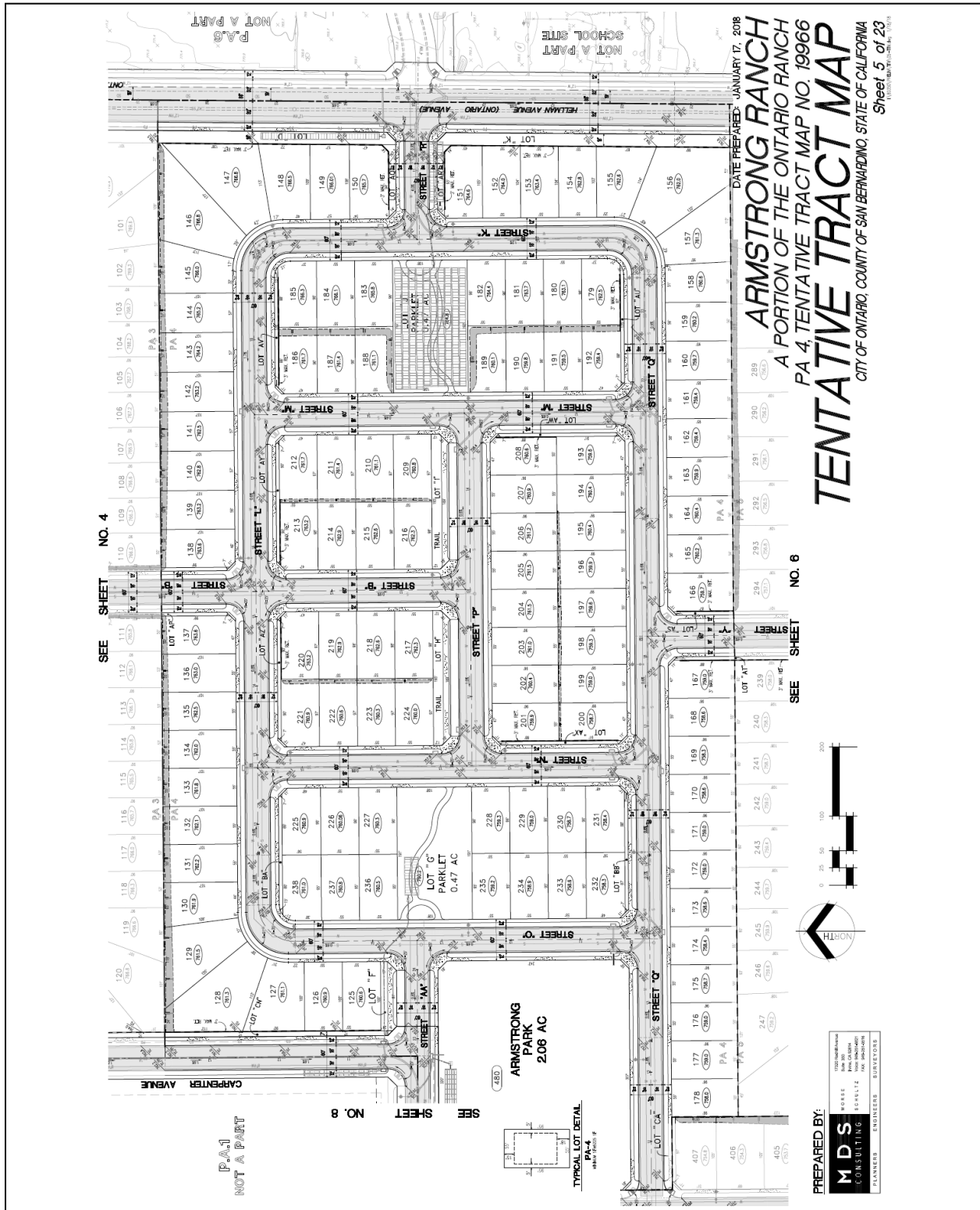
On February 21, 2018, the Development Advisory Board reviewed the subject application and recommended that the Planning Commission approve File No. PMTT16-004 (TT 19966). On February 27, 2018, the Planning Commission reviewed the subject application and approved File No. PMTT16-004 (TT 19966), a Tentative Tract Map to subdivide 111.10 acres of land into 480 numbered lots and 92 lettered lots generally located at the southwest corner of Riverside Drive and Ontario Avenue (see Exhibit A—Tentative Tract Map, attached).

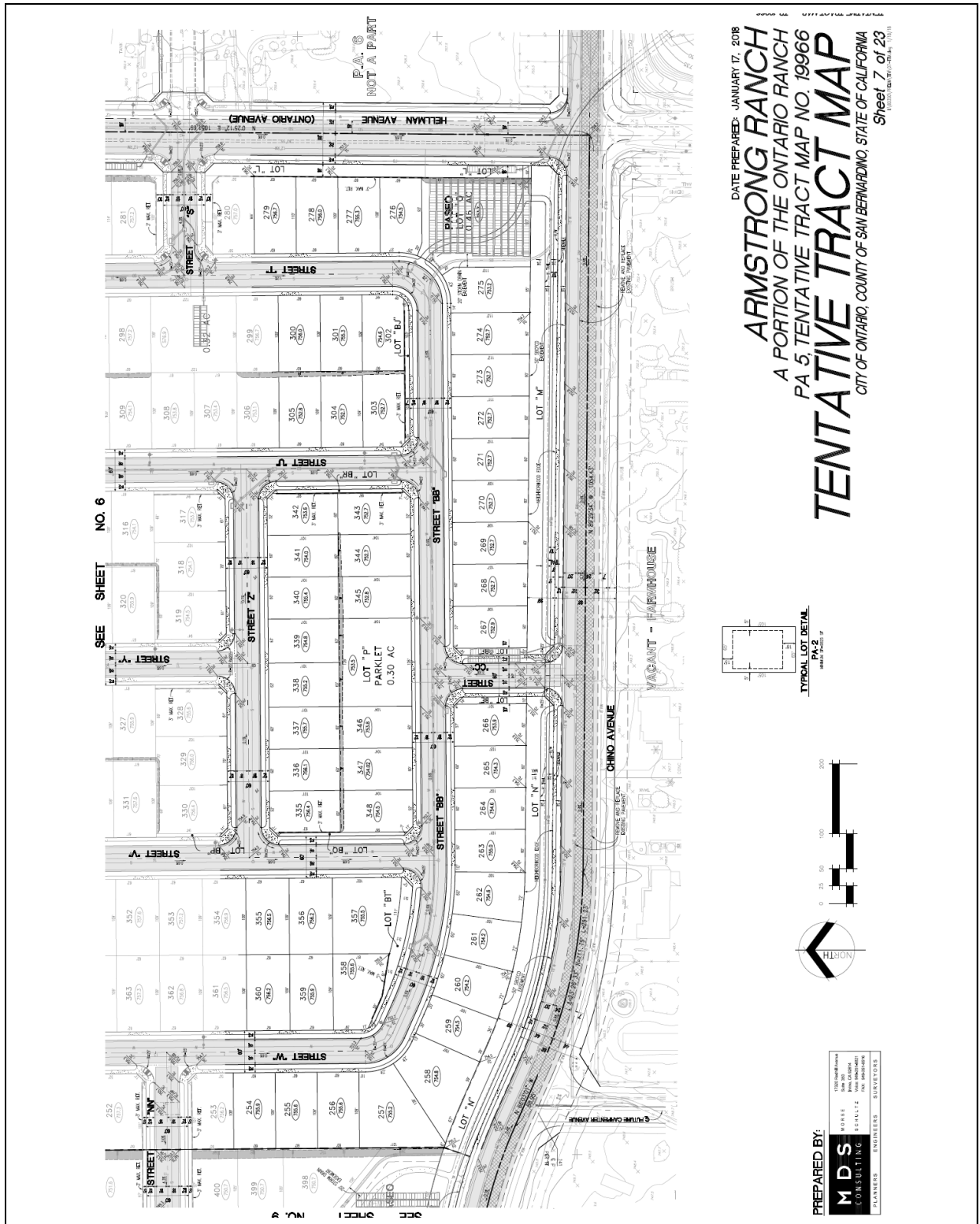
A Development Agreement (File No. PDA16-002) was processed concurrently with the Tentative Tract Map between the City of Ontario and CVRC Ontario Investments, which was approved by Ontario City Council on April 3, 2018 (Ordinance No. 3095). The Development Agreement included termination language that nullified the agreement should the applicant fail to acquire (purchase) the property by a specified date.

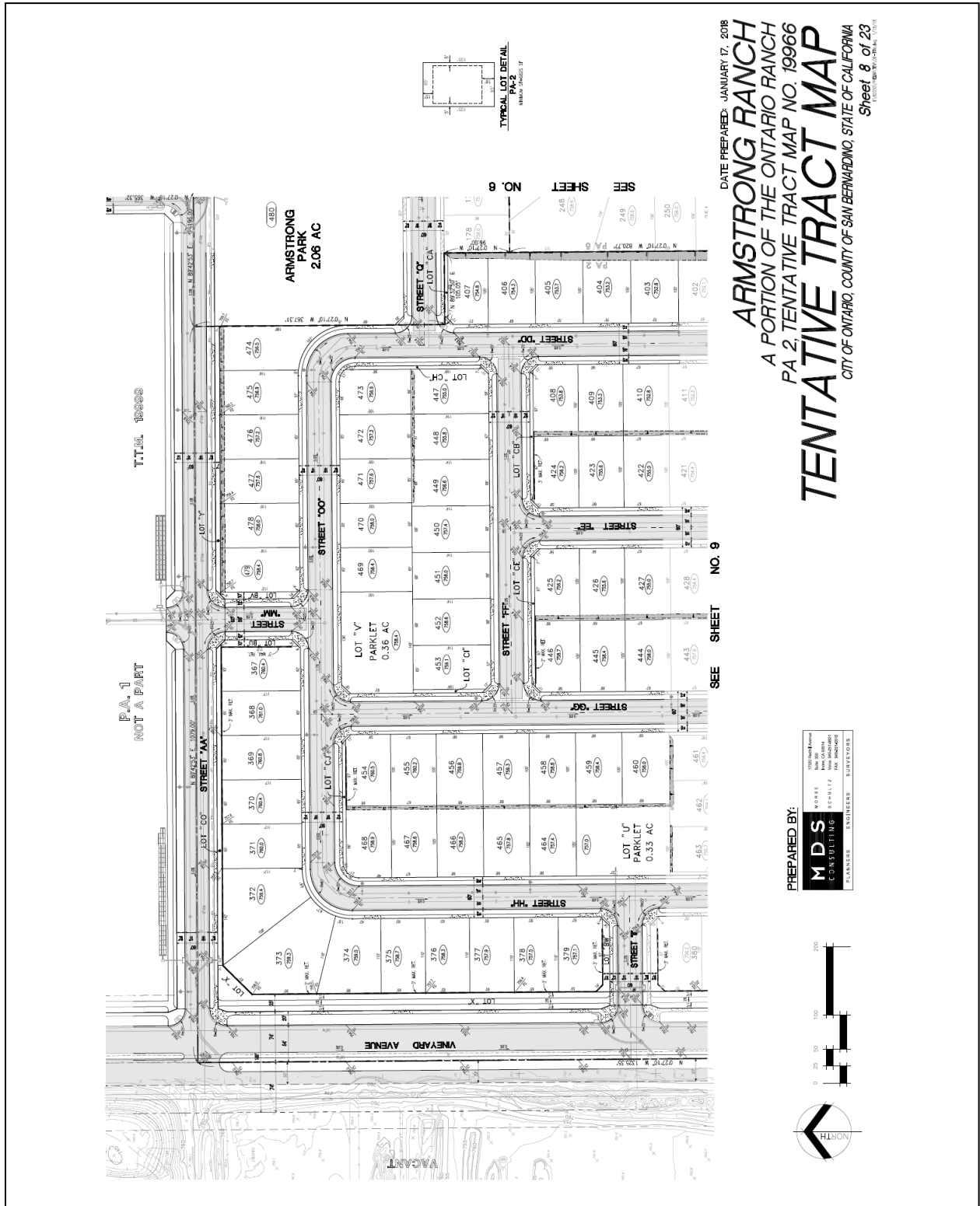
[2] Rescission Request — On October 26, 2019, the applicant, CVRC Ontario Investments LLC, submitted a letter to the City of Ontario notifying the City that CVRC did not purchase the project site properties and is requesting for the termination of the Development Agreement (DA). With the termination of the DA, CVRC is requesting that the City refund the Public Services Fee and a Phase 2 Water Participation Fee that were paid and required by the DA. In order to process the applicant's refund requests, the approved Tentative Tract Map, File No. PMTT16-004 (TT 19966), must be rescinded by the Planning Commission, which was the approving authority. The rescission request will have no effect on the approved Armstrong Ranch Specific Plan which will remain in place as the governing document for the project site.

ENVIRONMENTAL REVIEW: Based on the information presented rescinding the City's prior approval of Tentative Tract Map File No. PMTT16-004 (TT 19966) is not a "project" within the meaning of the California Environmental Quality and its implementing state and local regulations, because it can be seen with certainty that such rescission will have no effect on the environment, as the action would not result in an activity that would cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment (Public Resources Code Section 21065). The rescission simply maintains the *status quo* of the subject property.

Exhibit A—Tentative Tract Map







RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RESCINDING ITS APPROVAL OF FILE NO. PMTT16-004 (TT 19966), A TENTATIVE TRACT MAP TO SUBDIVIDE 111.10 ACRES OF LAND INTO 480 NUMBERED LOTS AND 92 LETTERED LOTS WITHIN THE RESIDENTIAL SINGLE FAMILY DISTRICT OF PLANNING AREAS 2, 3, 4 AND 5 OF THE ARMSTRONG RANCH SPECIFIC PLAN, LOCATED ON THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND ONTARIO AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-101-01, 0218-101-02, 0218-101-07, 0218-101-08, 0218-102-10, AND 0218-102-11

WHEREAS, CVRC Ontario Investments, LLC, (hereinafter referred to as “Applicant”) filed a request to rescind the approval of a Tentative Tract Map, File No. PMTT16-004, as described in the title of this Resolution (hereinafter referred to as “Application” or “Project”); and

WHEREAS, the Application applies to 111.10 acres of land generally located southwest corner of Riverside Drive and Ontario Avenue, within the Planning Areas 2, 3, 4 and 5 of the Armstrong Ranch Specific Plan, and is presently developed with unoccupied residential homes and ancillary farming and dairy buildings; and

WHEREAS, the properties to the north of the Project site is within the LDR-5 (Low Density Residential) and the OS-R (Open Space-Recreational) zoning districts and are developed with Residential and Park land uses. The properties to the east are within Single-Family Residential Planning Areas 6a, 6b, and 7 of the Armstrong Ranch Specific Plan and are developed with residential and agricultural land uses. The property to the south is within the SP (AG) (Specific Plan/Agricultural Overlay) zoning district and is developed with a flood control basin and dairy/agricultural land uses. The property to the west is within the SP (AG) zoning district and is developed with dairy/agricultural land uses; and

WHEREAS, on February 21, 2018, the Development Advisory Board reviewed the subject application and recommended that the Planning Commission approve File No. PMTT16-004 (TT 19966); and

WHEREAS, on February 27, 2018, the Planning Commission reviewed the subject application and approved File No. PMTT16-004 (TT 19966); and

WHEREAS, the Applicant also sought, and obtained approval of, a statutory Development Agreement (File No. PDA16-002), which was approved by the Ontario City Council on April 3, 2018, (Ordinance No. 3095) and recorded in the Official Records of the County of San Bernardino as Document No. 2018-0177562 (hereinafter referred to

as “Development Agreement”). The Development Agreement included termination language that nullified the agreement should the applicant fail to acquire (purchase) the property by a specified date; and

WHEREAS, pursuant to the Development Agreement, the Applicant was obligated to pay to the City, a Public Services Funding Fee and a Phase 2 Water Participation, which were paid by Applicant to the City; and

WHEREAS, on October 26, 2019, the applicant, CVRC Ontario Investments LLC, submitted a letter to the City of Ontario notifying the City that CVRC did not purchase the project site properties and requesting for the termination of the Development Agreement; and

WHEREAS, the Applicant is requesting the City of Ontario refund Public Services and Phase 2 Water Participation Fees that were paid and required by the Development Agreement; and

WHEREAS, the Applicant is requesting the approved Tentative Tract Map File No. PMTT16-004 (TT 19966) be rescinded by the Planning Commission; and

WHEREAS, the rescission request will have no effect on the approved Armstrong Ranch Specific Plan which will remain in place as the governing document for the project site; 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 December 16, 2019, the Planning Commission of the City of Ontario conducted a hearing to rescind the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: *Recitals.* The above recitals are true and correct and such recitals are incorporated herein as if rewritten.

SECTION 2: *Environmental Review Not Required.* Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1,

above, the Planning Commission finds that the adoption of this Resolution, rescinding the City's prior approval of Tentative Tract Map File No. PMTT16-004 (TT 19966) is not a "project" within the meaning of the California Environmental Quality Act and its implementing state and local regulations because it can be seen with certainty that such rescission will have no effect on the environment, as the action would not result in an activity that would cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment (Public Resources Code Section 21065). The rescission simply maintains the *status quo* of the subject property.

SECTION 3: Rescission of Approval of File No. PMTT16-004 (TT 19966). Pursuant to the terms of the Development Agreement, the Planning Commission hereby rescinds its approval of File No. PMTT 16-004, including Tentative Tract Nos. 19966-1, 19966-2 19966-3 and 19966. Following the adoption of this Resolution, such Tentative Tract Maps shall be null and void.

SECTION 4: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul 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 5: 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.

SECTION 6: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a special meeting thereof held on the 16th day of December 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their special meeting held on December 16, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore



PLANNING COMMISSION STAFF REPORT

December 16, 2019

FILE NO.: PDA15-003

SUBJECT: A First Amendment to the Development Agreement (File No. PDA15-003) between the City of Ontario and BrookCal Ontario, LLC, modifying requirements for the commencement and completion of the Deferred Frontage Improvements associated with Tract Map 18937 (File No. PMTT17-002), located at the northeast corner of Archibald Avenue and Ontario Ranch Road, within Planning Area 7 of The Avenue Specific Plan (APNs: 0218-972-01, -02 through -81; 0218-973-01, -02 through -16; 0218-974-01, -02 through -93; and 0218-975-01, -02 through -52). **Submitted by BrookCal Ontario, LLC. City Council action is required.**

PROPERTY OWNER: BrookCal Ontario, LLC

RECOMMENDED ACTION: That the Planning Commission recommend City Council adoption of an ordinance approving the First Amendment to the Development Agreement (File No. PDA15-003), between the City of Ontario and BrookCal Ontario, LLC, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT SETTING: The project site is comprised of 23.66 acres of land located at the northeast corner of Archibald Avenue and Ontario Ranch Road, within Planning Area 7 of The Avenue Specific Plan, and is depicted in **Figure 1: Project Location**. The project site slopes gently from north to south and is currently under construction with single family and multi-family residential units. The property to the north of the project site is within Planning Area 6A of The Avenue Specific Plan and currently developed with single family homes. The property to the south of the project site is within Planning Areas 7 and 8 of the Grand Park Specific Plan and currently developed with agricultural/dairy uses. The property to the east of the project site is within

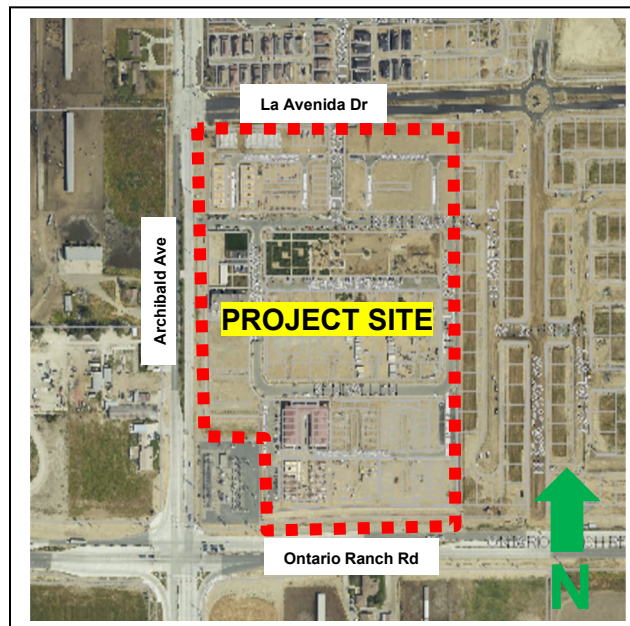


Figure 1: Project Location

<i>Case Planner:</i>	Derrick Womble, Administrative Officer
<i>Planning Director Approval:</i>	
<i>Submittal Date:</i>	November 18, 2019

<i>Hearing Body</i>	<i>Date</i>	<i>Decision</i>	<i>Action</i>
DAB	N/A	N/A	N/A
PC	12/16/2019		Recommend
CC	01/21/2020		Final

Planning Area 8A of The Avenue Specific Plan and is currently developed with single family residences. The property to the west of the project site is within the Open Space and Elementary School districts of Planning Area 5 of The Avenue Specific Plan and is currently developed with agricultural uses.

PROJECT ANALYSIS:

[1] Background — The Avenue Specific Plan (“Specific Plan”) and Environmental Impact Report (EIR) were approved by the City Council on December 19, 2006. The Specific Plan establishes the land use designations, development standards, and design guidelines for 568 acres, which includes the potential development of 2,326 dwelling units and approximately 174,000 square feet of commercial.

On December 5, 2017, the City Council approved a Development Agreement (File No. PDA15-003), for Tract Map 18937 to subdivide the 23.66 acre project into 48 single-family numbered lots, 7 multi-family numbered lots for Condominium Purposes, and 41 lettered lots for public streets, landscape neighborhood edges and common open space purposes. The project site would facilitate the development of up to 48 single family and 217 multi-family residential units. On September 25, 2018, the Final Map for Tract 18937 was recorded on the property.

The main points of the Development Agreement address Development Impact Fees (DIF), public service funding, Community Facilities District (CFD) for maintenance of public facilities, park/open space requirements, affordable housing in-lieu fees, school facilities requirements, and remain in full force and effect. State law and Section 2.5 of the Development Agreement provide that amendments may be made to the Agreement upon the mutual consent of both parties, using the same process and procedures as for the consideration and approval of the original Development Agreement.

[2] Staff Analysis — The project site is directly adjacent to an existing property owned by Southern California Edison (SCE). Pursuant to the Development Agreement, BrookCal Ontario, LLC (the “Owner”) is responsible for the construction of street improvements, including neighborhood edge landscaping, sidewalks, trails and all other last lane improvements on Archibald Avenue and Ontario Ranch Road that are adjacent to the project site and adjacent to the Edison Substation (the “Deferred Frontage Improvements”).

The Development Agreement provided the Owner with an option to defer the initiation and completion of the Deferred Frontage Improvements, contingent upon Owner’s deposit (\$441,102.11) into an Escrow Account for the cost of the Deferred Frontage Improvements, which was deposited on March 20, 2019.

Thus far, the Owner has been issued 149 building permits for Production Units, and under the provisions of the Development Agreement, prompts the commencement of the Deferred Frontage Improvements in order for the City to issue additional building permits

for Production Units. However, the Owner has not acquired the necessary Rights-of-Way from SCE in order to commence construction of the Deferred Frontage Improvements.

In considering the Owner is currently making their best reasonable efforts to seek approval from SCE and cannot commence construction of the Deferred Frontage Improvements until an approval is issued, the City has agreed to release additional building permits for Production Units. The release of additional building permits necessitates an amendment (the "First Amendment") to the Development Agreement in order to reflect the modified terms for the commencement and completion of the Deferred Frontage Improvements. Key points of the First Amendment are as follows:

- Owner shall commence construction of the Deferred Frontage Improvements either prior to Owner requesting the 250th Production Permit or by June 30, 2020, whichever occurs first.
- Owner shall complete the construction of the Deferred Frontage Improvements within one hundred eighty (180) days following the commencement by Owner of the Deferred Frontage Improvements.
- Owner shall provide periodic written progress reports to the City commencing thirty (30) days after the Owner initiates construction of the Deferred Frontage Improvements and each thirty (30) days thereafter.
- If Owner is unable to acquire the necessary Rights-of-Way from SCE, prior to Owner requesting the 250th Production Permit, or by June 30, 2020, whichever occurs first, the City Manager or designee shall have the administrative authority to establish additional requirements of the Owner for the release of the remaining building permits for Production Units at his/her reasonable discretion.

Staff finds that the First Amendment is consistent with State law, The Ontario Plan, and the City's Development Agreement policies. As a result, staff is recommending approval of the First Amendment to the Development Agreement. If the Planning Commission finds the First Amendment is acceptable, a recommendation of approval to the City Council would be appropriate.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed First Amendment is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed First Amendment are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner

- Pursue City's Goals and Objectives by Working with Other Governmental Agencies
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

[2] Vision.

Distinctive Development:

- Commercial and Residential Development
 - Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

- LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

Community Economics Element:

- CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

➤ CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

➤ S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

➤ CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➤ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➤ CD2-2 Neighborhood Design. We 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.

➤ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➤ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

- CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.
- CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.
 - Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.
- CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the maximum number of dwelling units (287) and density (9.5 DU/AC) specified in the Available Land Inventory.

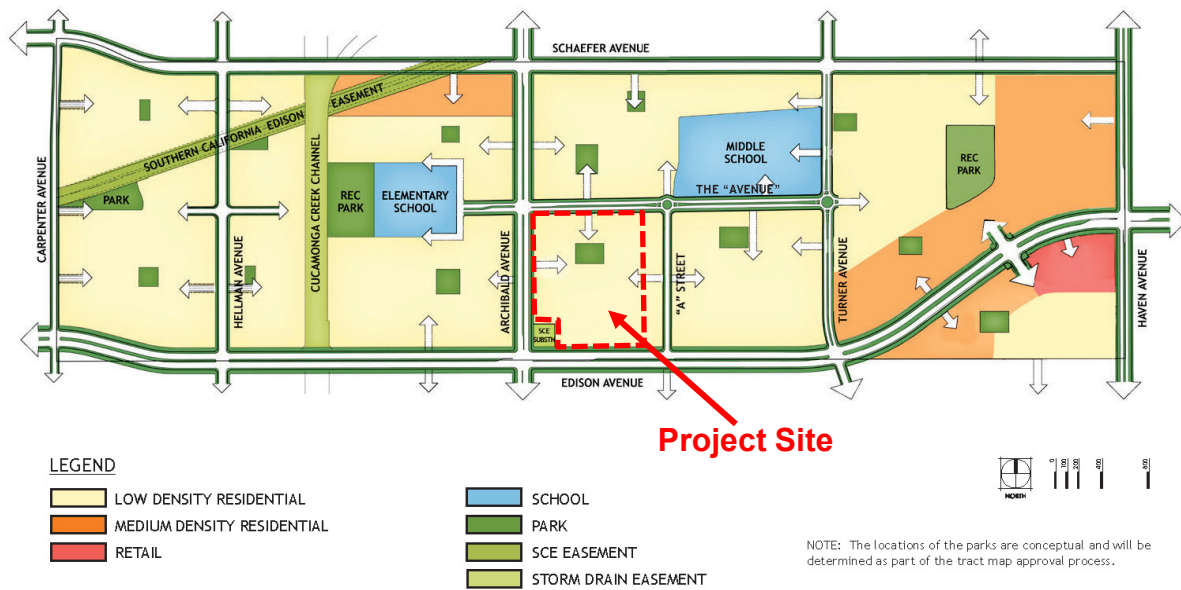
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with an amendment to The Avenue Specific Plan (File No. PSPA13-003), for which an addendum to the EIR (SCH#2005071109) was adopted by the City Council on June 17, 2014. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures of the addendum are a condition of project approval and are incorporated herein by this reference.

Exhibit "A" The Avenue Specific Plan Land Use Map

Land Use Plan

Exhibit 8



The Avenue
 SPECIFIC PLAN

The New Model Colony • Ontario, California

Land Use Plan

3-3

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT (FILE NO. PDA15-003), BETWEEN THE CITY OF ONTARIO AND BROOKCAL ONTARIO, LLC, MODIFYING REQUIREMENTS FOR THE COMMENCEMENT AND COMPLETION OF THE DEFERRED FRONTAGE IMPROVEMENTS ASSOCIATED WITH TRACT MAP 18937 (FILE NO. PMTT17-002), LOCATED AT THE NORTHEAST CORNER OF ARCHIBALD AVENUE AND ONTARIO RANCH ROAD, WITHIN PLANNING AREA 7 OF THE AVENUE SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-972-01, -02 THROUGH -81; 0218-973-01, -02 THROUGH -16; 0218-974-01, -02 THROUGH -93; AND 0218-975-01, -02 THROUGH -52).

WHEREAS, BrookCal Ontario, LLC ("Applicant") has filed an Application for the approval of the First Amendment to the Development Agreement (File No. PDA15-003), as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 23.66 acres of land generally located at the northeast corner of Archibald Avenue and Ontario Ranch Road, within Planning Area 7 of The Avenue Specific Plan, and is presently under construction with single family and multi-family residential units; and

WHEREAS, the property to the north of the project site is within Planning Area 6A of The Avenue Specific Plan and currently developed with single family residences. The property to the south of the project site is within Planning Areas 7 and 8 of the Grand Park Specific Plan and currently developed with agricultural/dairy uses. The property to the east of the project site is within Planning Area 8A of The Avenue Specific Plan and is currently developed with single family residences. The property to the west of the project site is within the Open Space and Elementary School districts of Planning Area 5 of The Avenue Specific Plan and is currently developed with agricultural uses; and

WHEREAS, the Final Map for Tract 18937 was recorded in the official records of the San Bernardino County Recorder's Office on September 25, 2018; and

WHEREAS, the project site is directly adjacent to existing property owned by Southern California Edison (SCE) and the Applicant is responsible for the construction of street improvements, including neighborhood edge landscaping, sidewalks, trails and all other last lane improvements on Archibald Avenue and Ontario Ranch Road that are adjacent to the project site and adjacent to the Edison Substation (the "Deferred Frontage Improvements"); and

WHEREAS, on March 20, 2019, pursuant to Section 4.3.1.2 of the Development Agreement, the Applicant deferred the commencement and completion of the Deferred Frontage Improvements, and deposited \$441,102.11 in an Escrow Account for the estimated cost of the improvements; and

WHEREAS, the Applicant has been issued 149 building permits for Production Units, which prompts the commencement of the Deferred Frontage Improvements; and

WHEREAS, the Applicant has not acquired the necessary Rights-of-Way from SCE in order to commence the construction of the Deferred Frontage Improvements; and

WHEREAS, the Applicant has requested, and City has agreed, to perform an amendment (the "First Amendment") to the Development Agreement, to allow the release of additional building permits for Production Units, contingent upon the Applicant's compliance with the terms and provisions provided in the attached First Amendment; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as "CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with an amendment to The Avenue Specific Plan (File No. PSPA13-003), for which an addendum to the EIR (SCH#2005071109) was adopted by the City Council on June 17, 2014, 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, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; 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 (hereinafter referred to as "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 December 16, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

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

(1) The environmental impacts of this project were reviewed in conjunction with an addendum to The Avenue Specific Plan Environmental Impact Report, certified by the City of Ontario City Council on June 17, 2014, in conjunction with File No. PSPA13-003; and

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

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

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

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

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

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

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

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

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the Planning Commission 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 one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the maximum number of dwelling units (287) and density (9.5 DU/AC) specified in 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as "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 authority for the Project, the Planning Commission 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 PLANNING COMMISSION, 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 Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

a. The Application applies to 23.66 acres of land generally located at the northeast corner of Archibald Avenue and Ontario Ranch Road within Planning Area 7 of The Avenue Specific Plan; and

b. The property to the north of the project site is within Planning Area 6A of The Avenue Specific plan and currently developed with single family residences. The property to the south of the project site is within Planning Areas 7 and 8 of the Grand Park Specific Plan and currently developed with agricultural/dairy uses. The property to the east of the project site is within Planning Area 8A of The Avenue Specific Plan and is currently developed with single family residences. The property to the west of the project site is within the Open Space and Elementary School districts of Planning Area 5 of The Avenue Specific Plan and is currently developed with agricultural uses; and

c. In acknowledgement that the Owner is currently making their best reasonable efforts to seek approval from SCE and cannot commence construction of the Deferred Frontage Improvements until an approval is granted from SCE, the City has agreed to issue additional building permits for Production Units; and

d. The City's release of additional building permits for Production Units, is contingent upon the Applicant's compliance with the terms and provisions provided in the attached First Amendment; and

e. If the Applicant is unable to receive approval from SCE pursuant to the thresholds provided in the attached First Amendment, the City Manager or designee, shall have the administrative authority to establish additional requirements of

the Applicant for the release of the remaining building permits for Production Units at his/her reasonable discretion; and

f. This Application will not be materially injurious or detrimental to the adjacent properties and will not have a significant impact on the environmental or surrounding properties. The environmental impacts of this of this project were previously reviewed in conjunction with an amendment to The Avenue Specific Plan (File No. PSPA13-003), for which an addendum to the EIR (SCH#2005071109) was adopted by the City Council on June 17, 2014. This application introduces no new significant environmental impacts; and

g. All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference; and

h. The provisions of the Application are consistent with the goals, Policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and the City Council Priorities components of The Ontario Plan, and any applicable specific plans; and

i. The Application does not conflict with the Land Use Policies of The Ontario Plan Policy Plan (General Plan) and will provide for development, within the district, in a manner consistent with the Policy Plan and with related development; and

j. This Application will promote the goals and objectives of the Land Use Element of the Policy Plan.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, attached hereto as "Attachment B" 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.

SECTION 9: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a special meeting thereof held on the 16th day of December 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC19-____, was duly passed and adopted by the Planning Commission of the City of Ontario at their special meeting held on December 16, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

Assessor Parcel Numbers (APN)

Tract Map 18937

(APN Listing to follow this page)

Planning Commission Resolution

File No. PDA15-003

December 16, 2019

Page 10

0218-972-01	0218-972-47	0218-973-12	0218-974-42	0218-974-88	0218-975-41
0218-972-02	0218-972-48	0218-973-13	0218-974-43	0218-974-89	0218-975-42
0218-972-03	0218-972-49	0218-973-14	0218-974-44	0218-974-90	0218-975-43
0218-972-04	0218-972-50	0218-973-15	0218-974-45	0218-974-91	0218-975-44
0218-972-05	0218-972-51	0218-973-16	0218-974-46	0218-974-92	0218-975-45
0218-972-06	0218-972-52	0218-974-01	0218-974-47	0218-974-93	0218-975-46
0218-972-07	0218-972-53	0218-974-02	0218-974-48	0218-975-01	0218-975-47
0218-972-08	0218-972-54	0218-974-03	0218-974-49	0218-975-02	0218-975-48
0218-972-09	0218-972-55	0218-974-04	0218-974-50	0218-975-03	0218-975-49
0218-972-10	0218-972-56	0218-974-05	0218-974-51	0218-975-04	0218-975-50
0218-972-11	0218-972-57	0218-974-06	0218-974-52	0218-975-05	0218-975-51
0218-972-12	0218-972-58	0218-974-07	0218-974-53	0218-975-06	0218-975-52
0218-972-13	0218-972-59	0218-974-08	0218-974-54	0218-975-07	
0218-972-14	0218-972-60	0218-974-09	0218-974-55	0218-975-08	
0218-972-15	0218-972-61	0218-974-10	0218-974-56	0218-975-09	
0218-972-16	0218-972-62	0218-974-11	0218-974-57	0218-975-10	
0218-972-17	0218-972-63	0218-974-12	0218-974-58	0218-975-11	
0218-972-18	0218-972-64	0218-974-13	0218-974-59	0218-975-12	
0218-972-19	0218-972-65	0218-974-14	0218-974-60	0218-975-13	
0218-972-20	0218-972-66	0218-974-15	0218-974-61	0218-975-14	
0218-972-21	0218-972-67	0218-974-16	0218-974-62	0218-975-15	
0218-972-22	0218-972-68	0218-974-17	0218-974-63	0218-975-16	
0218-972-23	0218-972-69	0218-974-18	0218-974-64	0218-975-17	
0218-972-24	0218-972-70	0218-974-19	0218-974-65	0218-975-18	
0218-972-25	0218-972-71	0218-974-20	0218-974-66	0218-975-19	
0218-972-26	0218-972-72	0218-974-21	0218-974-67	0218-975-20	
0218-972-27	0218-972-73	0218-974-22	0218-974-68	0218-975-21	
0218-972-28	0218-972-74	0218-974-23	0218-974-69	0218-975-22	
0218-972-29	0218-972-75	0218-974-24	0218-974-70	0218-975-23	
0218-972-30	0218-972-76	0218-974-25	0218-974-71	0218-975-24	
0218-972-31	0218-972-77	0218-974-26	0218-974-72	0218-975-25	
0218-972-32	0218-972-78	0218-974-27	0218-974-73	0218-975-26	
0218-972-33	0218-972-79	0218-974-28	0218-974-74	0218-975-27	
0218-972-34	0218-972-80	0218-974-29	0218-974-75	0218-975-28	
0218-972-35	0218-972-81	0218-974-30	0218-974-76	0218-975-29	
0218-972-36	0218-973-01	0218-974-31	0218-974-77	0218-975-30	
0218-972-37	0218-973-02	0218-974-32	0218-974-78	0218-975-31	
0218-972-38	0218-973-03	0218-974-33	0218-974-79	0218-975-32	
0218-972-39	0218-973-04	0218-974-34	0218-974-80	0218-975-33	
0218-972-40	0218-973-05	0218-974-35	0218-974-81	0218-975-34	
0218-972-41	0218-973-06	0218-974-36	0218-974-82	0218-975-35	
0218-972-42	0218-973-07	0218-974-37	0218-974-83	0218-975-36	
0218-972-43	0218-973-08	0218-974-38	0218-974-84	0218-975-37	
0218-972-44	0218-973-09	0218-974-39	0218-974-85	0218-975-38	
0218-972-45	0218-973-10	0218-974-40	0218-974-86	0218-975-39	
0218-972-46	0218-973-11	0218-974-41	0218-974-87	0218-975-40	

ATTACHMENT B:

File No. PDA15-003

FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT

By and Between

**City of Ontario
a California municipal corporation**

and

**BrookCal Ontario, LLC
a California limited liability company**

(First Amendment to follow this page)

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

CITY OF ONTARIO
CITY CLERK / RECORDS MANAGEMENT
303 EAST "B" STREET
ONTARIO, CA 91764-4196

Space above this line for Recorder's Use

Exempt from Fees Per Gov. Code § 6301

File No. PDA15-003

FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT

By and Between

**City of Ontario
a California municipal corporation**

and

**BrookCal Ontario, LLC
a California limited liability company**

_____, 2020

San Bernardino County, California

**FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND
BETWEEN THE CITY OF ONTARIO AND BROOKCAL ONTARIO LLC
FILE NO. PDA15-003**

This First Amendment to the Development Agreement (hereinafter the "First Amendment") is entered into effective as of the _____ day of _____ 20____ by and among the City of Ontario, a California municipal corporation (hereinafter "CITY"), and BrookCal Ontario LLC, a California limited liability company (hereinafter "OWNER").

RECITALS

WHEREAS, the CITY and OWNER have previously entered into a Development Agreement dated December 5, 2017 and recorded in San Bernardino County, California on December 20, 2017 as Instrument No. 2017-0542426 pursuant to Section 65864, et seq., of the Government Code, (hereinafter the "Development Agreement"); and

WHEREAS, pursuant to Section 3.7.2.2 of the Development Agreement, the OWNER is required at OWNER's sole cost and expense, to construct the neighborhood edge landscaping, sidewalks, trails, and all other last lane improvements on Archibald Avenue and Ontario Ranch Road, that are adjacent to the Property, and adjacent to existing property owned by Southern California Edison ("the Edison Substation"), and on Ontario Ranch Road and Archibald Avenue, known as the "Deferred Frontage Improvements"; and

WHEREAS, OWNER and CITY agree and acknowledge that the Deferred Frontage Improvements adjacent to the Edison Substation, requires the review, approval, and permitting by Southern California Edison ("SCE"); and

WHEREAS, OWNER has requested, and CITY has agreed, to modify certain specified requirements for the commencement and completion of the Deferred Frontage Improvements; and

WHEREAS, on March 20, 2019, OWNER made the required deposit (\$441,102.11) to the Escrow Account (File No. OSA-5864661) established by CITY and OWNER as required by Section 4.3.1.2 of the Development Agreement; and

WHEREAS, as of November 1, 2019, OWNER and CITY acknowledge that SCE is pursuing (a) the approval from the California Public Utilities Commission ("CPUC") of the terms of a Purchase and Sale Agreement by and between OWNER and SCE for the conveyance by OWNER to SCE of certain real property adjacent to the Edison Substation and the grant to the City of an easement for right of way purposes over a portion of SCE's property and (b) the completion of certain improvements relating the Edison Substation so as to make the land and improvements available as necessary for OWNER to perform the Deferred Frontage Improvements.

WHEREAS, OWNER is requesting that CITY issue an additional building permits for the construction of Model Units and Production Units prior to OWNER's completion of the construction of the Deferred Frontage Improvements; and

WHEREAS, CITY and OWNER have agreed that CITY may issue additional building permits for the construction of Model Units and Production Units conditioned upon OWNER's agreement to commence the Deferred Frontage Improvements either prior to (1) the request of the 250th residential building permit, (2) or by June 30, 2020, whichever occurs, over the property owned by SCE at the corner of Archibald Avenue and Ontario Ranch Road, and complete the Deferred Frontage Improvements within one hundred eighty (180) days following the commencement of the Deferred Frontage Improvements.

AGREEMENTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual agreements hereinafter contained, the parties agree as follows:

1. **MODIFICATIONS TO DEVELOPMENT AGREEMENT TO AMEND CERTAIN REQUIREMENTS FOR THE COMMENCEMENT AND COMPLETION OF THE DEFERRED FRONTAGE IMPROVEMENTS.**

The following shall replace Section 4.3.1.1 of the Development Agreement:

Deferral of Construction of Improvements on Archibald Avenue and Ontario Ranch Road Adjacent to the Property and the SCE Substation on Ontario Ranch road and Archibald Avenue. Notwithstanding the above, OWNER has requested and CITY has agreed that OWNER may defer the initiation and completion of the Deferred Frontage Improvements described in Section 3.7.2.2 of this Development Agreement and shown on Exhibit F and described as the street and other improvements on Archibald Avenue directly adjacent to the Project and the SCE Substation and the street and other improvements on Ontario Ranch Road adjacent to the Project and the SCE Substation. CITY's agreement to issue building permits for Production Units prior to OWNER's completion of the improvements described in Section 3.7.2 and as shown on Exhibit F is conditioned upon OWNER's compliance with the following conditions:

- a) Prior to, and as a condition precedent to, OWNER requesting and City granting of the first building permit for the Property, OWNER shall have completed the designs for the Deferred Frontage Improvements and also shall have completed the real property transaction to acquire the necessary Rights of Way for the Deferred Frontage Improvements, or OWNER shall have made the required deposit to the Escrow Account established by the CITY and OWNER as required by Section 4.3.1.2.
- b) Either prior to, and as a condition precedent to, (i) OWNER requesting and CITY granting the 250th residential building permit, including permits for the Model Units, (ii) or before June 30, 2020, whichever occurs first, OWNER shall commence the construction of the Deferred Frontage Improvements over that portion of the property owned by SCE as more particularly described on Exhibit "B" attached hereto and depicted on Exhibit "C" attached hereto.

- c) OWNER shall complete the construction of the Deferred Frontage Improvements within one hundred eighty (180) days following the commencement by OWNER of the Deferred Frontage Improvements.
- d) OWNER shall provide periodic written progress reports to CITY commencing thirty (30) days after the OWNER initiates construction of the Deferred Frontage Improvements and each thirty (30) days thereafter, regarding the progress of the construction of the Deferred Frontage Improvements until such Improvements are accepted by the CITY.
- e) Should OWNER not receive the required Rights of Way from SCE, prior to OWNER requesting the 250th residential building permit, or before June 30, 2020, whichever occurs first, and the OWNER has made its best reasonable efforts to seek approval from SCE, the City Manager or designee shall have the administrative authority to establish additional requirements of the Owner for the release of the remaining building permits for Production Units at his/her reasonable discretion.
- f) Subject to the provisions of Section 8 of this Development Agreement, if OWNER does not comply with the conditions of this Section 4.3.1.1, OWNER shall be deemed to be in default of this Development Agreement and CITY shall be entitled to pursue all such remedies as available under the provisions of this Development Agreement.

- 2. **Integration.** All remaining Sections of the Development Agreement and the Exhibits thereto shall not be affected by this First Amendment.
- 3. **Additional Documents/Actions.** The City Manager is authorized to approve and execute any documents and to take any actions necessary to effectuate the purposes of this First Amendment to the Development Agreement.
- 4. **Defined Terms/Other Provisions.** Unless otherwise defined herein, capitalized terms contained in this First Amendment shall have the meanings ascribed to them in the Development Agreement. Except as expressly amended herein, all provisions of the Development Agreement, as supplemented, restated and amended, shall remain.
- 5. **Integration.** This First Amendment reflects the complete understanding of the parties with respect to the subject matter hereof. To the extent this First Amendment conflicts with the Development Agreement, this First Amendment supersedes such previous document. In all other respects, the parties hereto re-affirm and ratify all other provisions of the Development Agreement as amended.
- 6. **Indemnification.** OWNER hereby agrees to indemnify, defend and hold harmless the CITY, its officials, officers, employees, agents, contractors and volunteers from and against any and all claims, suits or proceedings arising from or related to CITY's entering into, or carrying out, this First Amendment. This indemnification includes the

payment of all penalties, fines, judgments, awards, decrees, attorney's fees and related costs or expenses incurred by the CITY.

{signature page to follow}

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the date below, the ("Effective Date").

**SIGNATURE PAGE
TO FIRST AMENDMENT TO DEVELOPMENT AGREEMENT**

**BROOKCAL ONTARIO LLC
"OWNER"**

Brookcal Ontario LLC, a California limited liability company

By: _____
Name: _____
Title: Authorized Representative
Date: _____

"CITY"

CITY OF ONTARIO

By: _____
Scott Ochoa, City Manager
Date: _____

ATTEST:

City Clerk, Ontario

APPROVED AS TO FORM:
COLE HUBER LLP

City Attorney

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF _____)

On _____, 20____, before me, _____,
Date *Insert Name and Title of the Officer*

personally appeared _____
Name(s) of Signer(s)

_____ who proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF _____)

On _____, 20____, before me, _____,
Date *Insert Name and Title of the Officer*

personally appeared _____
Name(s) of Signer(s)

_____ who proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

Exhibit "A"

LEGAL DESCRIPTION OF PROPERTY

All of Tract Map No. 18937 as recorded in the Recorder's Office of San Bernardino County, State of California, filed under Document No. 2018-0352453 on September 25, 2018 in Book 351 of Tract Map at Page(s) 18 – 26.



Exhibit "B"

CITY ROAD EASEMENT DESCRIPTION

EXHIBIT "B"
ROAD EASEMENT
SERIAL NO. 71701A

IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, BEING A PORTION OF THE WEST 30 ACRES OF THE SOUTHWEST ONE QUARTER ($\frac{1}{4}$) OF THE NORTHWEST ONE QUARTER ($\frac{1}{4}$) OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

BEGINNING AT THE SOUTHWEST CORNER OF LOT "UU" OF TRACT MAP 18937 RECORDED 09-25-2018 IN MAP BOOK 351 PAGES 18-26, INCLUSIVE, RECORDED IN SAID COUNTY OF RECORDS, ALSO BEING ON A POINT ON A LINE PARALLEL WITH AND 68.00 FEET EASTERLY OF THE CENTERLINE OF ARCHIBALD AVENUE;

THENCE LEAVING SAID CORNER, SOUTHERLY ALONG SAID PARALLEL LINE, SOUTH 00° 00' 12" EAST, 214.96 FEET, TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 35.00 FEET ;

THENCE SOUTHEASTERLY ALONG SAID CURVE, 55.02 FEET THROUGH A CENTRAL ANGLE OF 90° 03' 53", TO A POINT ON A LINE PARALLEL WITH AND 80.00 FEET NORTHERLY OF THE CENTERLINE OF ONTARIO RANCH ROAD;

THENCE ALONG SAID PARALLEL LINE, NORTH 89° 55' 55" EAST, 179.96 FEET TO A POINT BEING THE SOUTHWESTERLY CORNER OF LOT "TT" OF SAID TRACT MAP;

THENCE LEAVING SAID CORNER, SOUTH 00° 00' 12" EAST, 22.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 58.00 FEET NORTHERLY OF THE CENTERLINE OF ONTARIO RANCH ROAD;

THENCE SOUTH 89° 55' 55" WEST, 192.96 FEET ALONG SAID PARALLEL LINE TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 35.00 FEET ;

THENCE NORTHWESTERLY ALONG SAID CURVE, 55.02 FEET THROUGH A CENTRAL ANGLE OF 90° 03' 53", TO A POINT PARALLEL WITH AND 55.00 FEET EASTERLY OF THE CENTERLINE OF ARCHIBALD AVENUE;

THENCE NORTHERLY ALONG SAID PARALLEL LINE, NORTH 00° 00' 12" WEST, 236.96 FEET ON SAID PARALLEL LINE TO A POINT ON THE WESTERLY PRODUCTION OF THE SOUTH LINE OF SAID LOT "UU" AND 55.00 FEET EASTERLY OF THE CENTERLINE OF ARCHIBALD AVENUE;

THENCE NORTH 89° 55' 55" EAST, 13.00 FEET ALONG SAID WESTERLY PROLONGATION OF THE SOUTH LINE OF LOT "UU" TO THE **POINT OF BEGINNING** .

PRERARED BY: K&A ENGINEERING
357 N. SHERIDAN ST.
CORONA, CA 92880

DATE EXHIBIT PREPARED: JUNE 7, 2018

1 OF 2

Exhibit "B" Continued

CITY ROAD EASEMENT DESCRIPTION

EXHIBIT "B"
ROAD EASEMENT
SERIAL NO. 71701A

PARCEL 1 CONT'D

CONTAINING: 8,266 SQ. FT. MORE OR LESS

EXHIBIT B: ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

SUBJECT TO: COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHT OF WAY AND EASEMENTS IF ANY.

PREPARED UNDER THE SUPERVISION OF:

 05/01/19
WILLIAM E. SNOW DATE
P.L.S. NO. 4725
REG. EXP. 9/30/2019



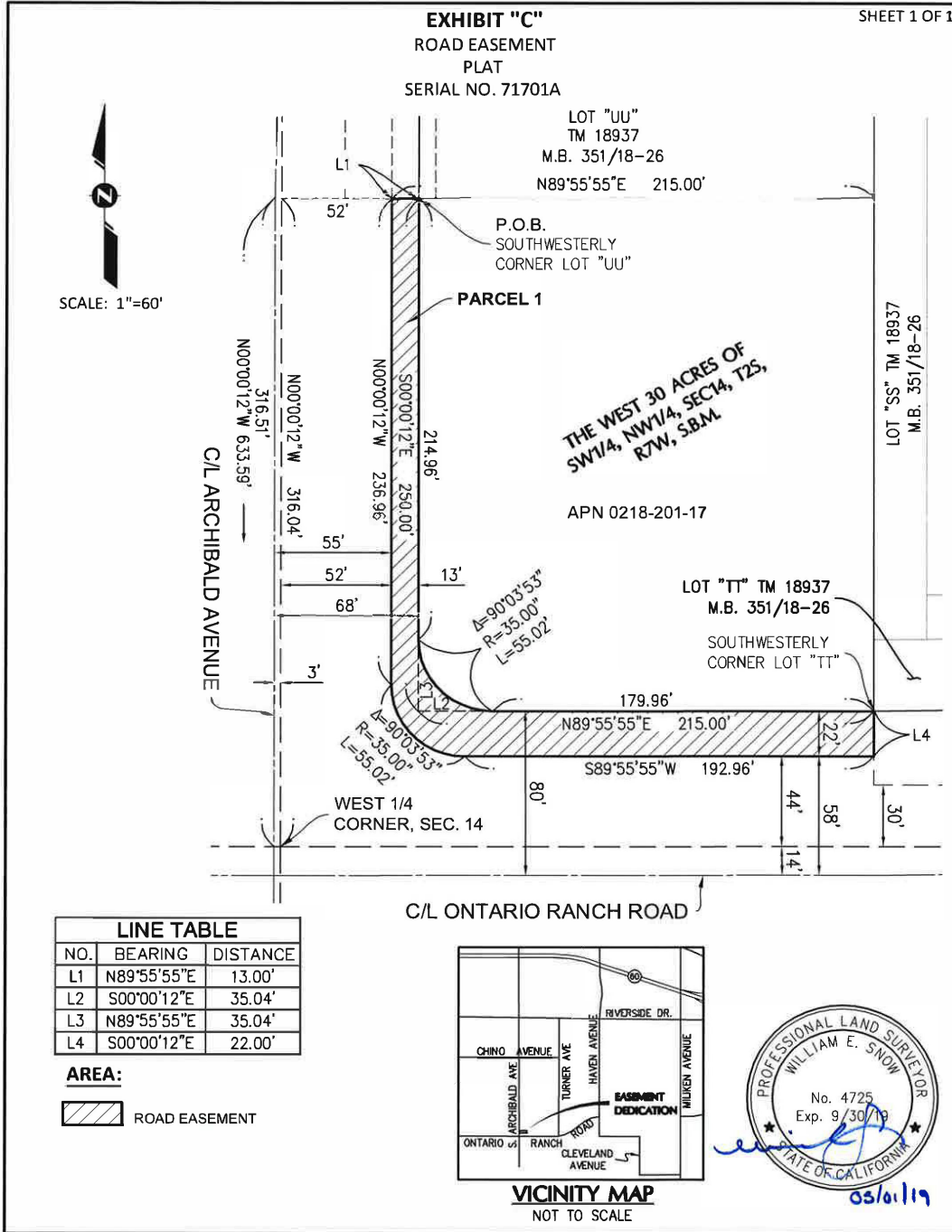
PREPARED BY: K&A ENGINEERING
357 N. SHERIDAN ST.
CORONA, CA 92880

DATE EXHIBIT PREPARED: JUNE 7, 2018

2 OF 2

Exhibit "C"

CITY ROAD EASEMENT DEPICTION





CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Cathy Wahlstrom, Planning Director *CW*

DATE: December 16, 2019

SUBJECT: MONTHLY PLANNING DEPARTMENT ACTIVITY REPORT; MONTH OF NOVEMBER 2019

Attached, you will find the Planning Department Monthly Activity Report for the month of November 2019. The report describes all new applications received by the Planning Department and actions taken on applications during the month. Please contact me if you have any questions regarding this information.

The attached reports, along with reports from past months, may also be viewed on the City's web site. New applications may be viewed at <http://www.ontarioca.gov/planning/reports/monthly-activity-reports-applications>, and actions taken on applications may be viewed at <http://www.ontarioca.gov/planning/reports/monthly-activity-reports-actions>.

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of November 2019

DEVELOPMENT ADVISORY BOARD MEETING

November 4, 2019

Meeting Cancelled

ZONING ADMINISTRATOR MEETING

November 4, 2019

Meeting Cancelled

CITY COUNCIL/HOUSING AUTHORITY MEETING

November 5, 2019

ENVIRONMENTAL ASSESSMENT AND PLANNED UNIT DEVELOPMENT REVIEW FOR FILE NO.

PUD18-001: A Planned Unit Development to establish development standards and guidelines to facilitate the future development of a high density residential apartment project (30.3 dwelling units per acre) on 0.102-acre of land located at 418 East Transit Street, within the MU-1 (Downtown Mixed Use) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 1049-067-04) **submitted by Richard Southerland**. The Planning Commission recommended approval of this item on September 24, 2019, with a vote of 6-0.

Action: The City Council approved and waived further reading of an ordinance approving File No. PUD18-001.

DEVELOPMENT ADVISORY BOARD MEETING

November 18, 2019

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-027:

A Development Plan to construct one industrial building totaling 106,212 square feet on 5.35 acres of land located at the southwest corner of San Antonio Avenue and State Street, within the IL (Light Industrial) zoning district. The environmental impacts of this project were previously analyzed with The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) that was certified by the City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 1049-301-05 & 1049-301-06) **submitted by Comstock Realty Partners**.

Action: The Development Advisory Board approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-015:

A Development Plan to construct one industrial building totaling 28,003 square feet on 1.21 acres of land located at 1413 West Holt Boulevard, within the IP (Industrial Park) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 1011-111-04) **submitted by United Trust Realty Corporation. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-025:

A Development Plan to construct a mixed-use project consisting of 925 multiple-family dwellings and 5,000 square feet of retail space on 22.39 acres of land located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard, within the Planning Area 2 (Urban Commercial) land use district of the Meredith International Centre Specific Plan. Staff is recommending the adoption of an Addendum to Meredith International Centre Specific Plan Amendment Environmental Impact Report (SCH #. 2014051020) certified by City Council on April 7, 2015. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures will be a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 0110-311-52, 0110-311-53, 0110-311-54, and 0110-311-55) **submitted by G.H. Palmer Associates. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-038:

A Development Plan (File No. PDEV19-038) to construct a 2,430 square foot drive-thru restaurant (Starbucks Coffee) with a 480 square foot outdoor patio on 0.36 acres of land, located at the northwest corner of Euclid Avenue and E Street (110 West E Street and 511 N. Euclid Avenue) within the MU-1 (Downtown Mixed-Use) and EA (Euclid Avenue Overlay) zoning districts. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 1048-355-09 and 10) **submitted by Hannibal Petrossi. Planning Commission action is required.**

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of November 2019

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-039:

A Development Plan to construct 67 conventional single-family homes on 11.24 acres of land located at the southeast corner of Eucalyptus Avenue and Parkplace Avenue, within the Conventional Medium Lot Residential district of Planning Area 20 of the Subarea 29 Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Subarea 29 Specific Plan, for which an Environmental Impact Report (SCH# 2004011009) was certified by the City Council on October 17, 2006. This application introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 0218-014-25) **submitted by Taylor Morrison of California, LLC. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT19-007 (PM 19970):

A Tentative Parcel Map to subdivide 0.71 acres of land into three traditional single-family residential lots located at 1919 South Cypress Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 1050-331-24) **submitted by Mark Raab. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ZONING ADMINISTRATOR MEETING

November 18, 2019

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP19-012: A Conditional Use Permit to establish a 545-square foot Accessory Dwelling Unit as a second-floor addition to an existing detached garage on 0.147-acre of land located at 1218 South Sultana Avenue, within the MDR-11 (Low-Medium Density Residential – 5.1 to 11.0 DUs/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines. The proposed project is

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of November 2019

located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be an existing land use and is not subject to the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 1049-522-13) **submitted by Powell and Associates, Inc.**

Action: The Zoning Administrator approved the project subject to conditions.

CITY COUNCIL/HOUSING AUTHORITY MEETING

November 19, 2019

PROFESSIONAL SERVICE AGREEMENT WITH THE SWA GROUP FOR THE PREPARATION OF THE GREAT PARK MASTER PLAN: Authorize the City Manager to execute a Professional Service Agreement with the SWA Group of Laguna Beach for the preparation of the Ontario Great Park Master Plan. The Master Plan will guide the future phased improvements and development of the approximately 370-acre Great Park that will seek to provide a major amenity for Ontario as a key organizational element of land use development. The Great Park is envisioned to accommodate passive and recreational uses, cultural amenities, outdoor performance venues, gardens, ponds and waterways and similar elements. The Great Park runs east to west, approximately 3.8 miles in length, through the center portion of Ontario Ranch from Haven Avenue on the east to Campus Avenue on the west; **submitted by the City of Ontario Planning Department.**

Action: The City Council authorize the City Manager to execute a seven-month Professional Services Agreement, not to exceed \$402,500, with the SWA Group.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP TIME EXTENTIONS FOR FILE NOS. PMTT11-003 (TT 18026) and PMTT11-002 (TT 18027): A Time Extension of the expiration date of approval for: 1) Tentative Tract Map 18026 to subdivide 29 acres of land into 102 numbered lots and 10 letters within Planning Area 4 of the West Haven Specific Plan, located at the northwest corner of Haven Avenue and Chino Avenue; and 2) Tentative Tract Map 18027 to subdivide 29 acres of land into 94 numbered lots and 5 lettered lots within Planning Area 8 of the West Haven Specific Plan, located at the northwest corner of Haven Avenue and Schaefer Avenue. The environmental impacts of this project were previously reviewed in conjunction with West Haven Specific Plan (PSP03-006) EIR (SCH# 2004071095), certified by the City Council on July 17, 2007. This application introduces no new significant environmental impacts. (APNs: 0218-151-11 and 0218-151-38) **Submitted by Stratham West Haven. The Planning Commission recommended approval of this item on October 22, 2019, with a vote of 7-0.**

Action: The City Council approved resolutions granting a 5-year time extension for File Nos. PMTT11-003 (TT 18026) and PMTT11-002 (TT 18027).

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of November 2019

PLANNING/HISTORIC PRESERVATION COMMISSION MEETING **November 26, 2019**

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-039:

A Development Plan to construct 67 conventional single-family homes on 11.24 acres of land located at the southeast corner of Eucalyptus Avenue and Parkplace Avenue, within the Conventional Medium Lot Residential district of Planning Area 20 of the Subarea 29 Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Subarea 29 Specific Plan, for which an Environmental Impact Report (State Clearinghouse No. 2004011009) was certified by the City Council on October 17, 2006. This application introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 0218-014-25) **submitted by Taylor Morrison of California, LLC.**

Action: The Planning Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-015:

A Development Plan to construct one industrial building totaling 28,003 square feet on 1.21 acres of land located at 1413 West Holt Boulevard, within the IP (Industrial Park) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 1011-111-04) **submitted by United Trust Realty Corporation.**

Action: The Planning Commission approved the project subject to conditions.

CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NO. PHP19-014: A Certificate of Appropriateness for the adaptive reuse of two local historic landmark commercial buildings (Bank of Italy and Bumstead Bicycles) for a total of 8,460 square foot specialty restaurant(s) and bar, with a 4,200 square foot outdoor patio on 0.23 acres of land located at the northeast corner of B Street and Euclid Avenue, within the Downtown Civic Center Planned Unit Development zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation) of the CEQA Guidelines; (APN: 1048-552-22) **submitted by 200 N. Euclid Avenue, LLC.**

Action: The Historic Preservation Commission approved the project subject to conditions.

CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NO. PHP19-009: A Certificate of Appropriateness to construct a 2,430 square foot drive-thru restaurant (Starbucks Coffee), with a 480 square foot outdoor patio on 0.36 acres of land, located at the northwest corner of Euclid

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of November 2019

Avenue and E Street (110 West E. Street and 511 N. Euclid Avenue) within the MU-1 (Downtown Mixed-Use) and EA (Euclid Avenue Overlay) zoning districts. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation) of the CEQA Guidelines. (APN: 1048-355-09 and 10) **submitted by Hannibal Petrossi.**

Action: The Historic Preservation Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT, PLANNED UNIT DEVELOPMENT, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PUD19-001 AND PDEV19-038: A Planned Unit Development (File No. PUD19-001) to establish development standards, design guidelines and infrastructure requirement for property on 0.36 acres of land, located at the northwest corner of Euclid Avenue and E Street (110 West E Street and 511 North Euclid Avenue) within the MU-1 (Downtown Mixed-Use) and EA (Euclid Avenue Overlay) zoning districts, in conjunction with a Development Plan (File No. PDEV19-038) to construct a 2,430 square foot drive-thru restaurant (Starbucks Coffee), with a 480 square foot outdoor patio. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 1048-355-09 and 10) **submitted by Hannibal Petrossi. City Council action is required for File No. PUD19-001.**

Action: The Planning Commission [1] approved a resolution recommending the City Council approve File No. PUD19-001; and [2] approved File no. PDEV19-038 subject to conditions.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT19-007 (PM 19970): A Tentative Parcel Map to subdivide 0.71-acre of land into three traditional single-family residential lots located at 1919 South Cypress Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 1050-331-24) **submitted by Mark Raab.**

Action: The Planning Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMEMEDMENT FOR FILE NO. PSPA19-002: An Amendment to the Meredith International Centre Specific Plan to establish a Mixed-Use Overlay district on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial) land use district, located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard. Staff is recommending the adoption of an Addendum to Meredith International Centre Specific Plan Amendment Environmental Impact Report (State Clearinghouse No.

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of November 2019

2014051020) certified by City Council on April 7, 2015. This Application introduces no new significant environmental impacts and all previously adopted mitigation measures will be a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 0110-311-52, 0110-311-53, 0110-311-54, and 0110-311-55) **submitted by G.H. Palmer Associates. City Council action is required.**

Action: The Planning Commission approved a resolution recommending the City Council approve the project.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-025:

A Development Plan to construct a mixed-use project consisting of 925 multiple-family dwellings and 5,000 square feet of retail space on 22.39 acres of land located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard, within the Planning Area 2 (Urban Commercial) land use district of the Meredith International Centre Specific Plan. Staff is recommending the adoption of an Addendum to Meredith International Centre Specific Plan Amendment Environmental Impact Report (SCH #. 2014051020) certified by City Council on April 7, 2015. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures will be a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 0110-311-52, 0110-311-53, 0110-311-54, and 0110-311-55) **submitted by G.H. Palmer Associates.**

Action: The Planning Commission approved the project subject to conditions.

Monthly Activity Report—New Applications

Month of November 2019

PCUP19-027: Submitted by **Juahandra Sogota**

A Conditional Use Permit to establish a 4,231-square foot Buddhist Meditation Hall on 0.51-acre of land located at 123 East Locust Street, within the RE-2 (Residential Estate – 0 to 2.0 DUs/Acre) zoning district (APN: 1050-261-17). Related File: PDEV19-065. **Planning Commission action required.**

PCUP19-028: Submitted by **Gurvinder Singh**

A Conditional Use Permit to establish a 273-room, 5-story dual hotel on 4.94 acres of land located at the southeast corner of Inland Empire Boulevard and Archibald Avenue, within the OH (Heavy Office) zoning district (APNs: 0210-191-29, 0210-191-30, 0210-191-31, 0210-191-32). Related File: PDEV19-067. **City Council action required.**

PDCA19-003: Submitted by **City of Ontario Planning Department**

An Urgency Ordinance addressing changes in State law affecting accessory dwelling units (ADUs), which go into effect on 1/1/2020. **City Council action required.**

PDEV19-062: Submitted by **Newcastle Partners Inc**

A Development Plan to construct one industrial building totaling 61,130 square feet on 3.12 acres of land located at the southeast corner of Jurupa Street and Hudson Avenue, within the Light Industrial zoning district of the California Commerce Center Specific Plan (APNs: 0238-121-30 and 0238-121-31). **Development Advisory Board action required.**

PDEV19-063: Submitted by **United Trust Realty Corporation**

A Development Plan to construct two industrial buildings totaling 67,010 square feet on 2.78 acres of land located at 1948 South Bon View Avenue, within the IL (Light Industrial) zoning district (APN: 1050-441-05). Related File: PMTT19-021. **Planning Commission action required.**

PDEV19-064: Submitted by **The New Home Company Southern California, LLC**

A Development Plan to construct 540 single-family homes on approximately 58 acres of land located at the northwest corner of Merrill Avenue and Archibald Avenue, within Planning Area 2 (PA-2) of the Parkside Specific Plan (APNs: 0218-231-12, 0218-231-14, 0218-231-17, 0218-231-18, 0218-231-19, 0218-231-20, 0218-231-21, 0218-231-22, 0218-231-28, 0218-231-29, 0218-231-30, 0218-231-33, and 0218-231-35). Related File: TT 18048. **Planning Commission action required.**

PDEV19-065: Submitted by **Juahandra Sogota**

A Development Plan to construct a 2,812-square foot addition to an existing 1,419-square foot single family home and to convert the home to a Buddhist meditation hall on 0.51-acre of land located at 123 East Locust Street, within the RE-2 (Residential Estate – 0 to 2.0 DUs/Acre) zoning district (APN: 1050-261-17). Related File: PCUP19-027. **Planning Commission action required.**

Monthly Activity Report—New Applications

Month of November 2019

PDEV19-066: Submitted by Friends of Family Health Care

A Development Plan to construct an 8,600-square foot medical office building on 0.918-acre of land generally located at the southeast corner of Begonia Avenue and Fourth Street, at 1129 West Fourth Street, within the CC (Community Commercial) zoning district (APN: 1010-132-05). **Development Advisory Board action required.**

PDEV19-067: Submitted by Gurvinder Singh

A Development Plan to construct a 273-room, 5-story dual hotel on 4.94 acres of land located at the southeast corner of Inland Empire Boulevard and Archibald Avenue, within the OH (Heavy Office) zoning district (APNs: 0210-191-29, 0210-191-30, 0210-191-31, and 0210-191-32). Related File: PCUP19-028. **Planning Commission action required.**

PDEV19-068: Submitted by AT&T (Crown Castle- Agent for AT&T)

A Development Plan to modify an existing monopine wireless facility (AT&T Wireless) that qualifies as an Eligible Facilities Request, to install a new row of antennas at a height of 78 feet, measured to the top of panel, and to increase the area of the ground mounted enclosure to facilitate additional new equipment on 0.48-acre of land located at 1278 North Hellman Avenue, within the IL (Light Industrial) zoning district (APN: 0210-062-58). Related Files: PDEV14-035 and PCUP14-016. **Zoning Administrator action required.**

PDIF19-008: Submitted by SC Ontario Development Company, LLC

A Development Impact Fee Credit and Reimbursement Agreement with SC Ontario Development Company, LLC, associated with the development of Tentative Tract Map 20316 (File No. PMTT19-020), located at the southwest corner of Archibald Avenue and Ontario Ranch Road, within the Parkside Specific Plan (APNs: 0218-231-06, 0218-231-08, 0218-231-09, 0218-231-10, 0218-231-11, 0218-231-12, 0218-231-13, 0218-231-14, 0218-231-15, 0218-231-16, 0218-231-17, 0218-231-18, 0218-231-19, 0218-231-20, 0218-231-21, 0218-231-22, 0218-231-28, 0218-231-30, 0218-231-31, 0218-231-39, 0218-221-09, and 0218-221-10). **City Council action required.**

PGPA19-008: Submitted by Ontario Schafer Holdings, LLC

An Amendment to the Land Use Element of the Policy Plan (General Plan) component of The Ontario Plan, changing the land use designation on 10.49 acres of land located at the northeast corner of La Avenida Drive and Manitoba Place, from School to Medium Density Residential and modifying Exhibit LU-03 (Future Buildout Table) to be consistent with the proposed land use designation change (APN: 218-652-27). Related Files: PMTT19-015 and PSPA19-011. **Planning Commission action required.**

PGPA19-009: Submitted by Blaise D'Angelo

An Amendment to the Land Use Element of the Policy Plan (General Plan) component of The Ontario Plan, changing the land use designation on 0.214-acre of vacant land abutting property

City of Ontario Planning Department
Monthly Activity Report—New Applications
Month of November 2019

addressed as 1526 South Euclid Avenue, from Rural Residential to Low Medium Density Residential, and modifying Exhibit LU-03 (Future Buildout Table) to be consistent with the proposed land use designation change (APN: 1050-061-16). **Planning Commission action required.**

PHP-19-017: **Submitted by Salvador Cardenas**

A Certificate of Appropriateness for various improvements to a property located at 562 West Ralston Avenue, within the LDR-5 (Low Density Residential - 2.1 to 5.0 DU/Acre) zoning district (APN: 1049-573-28). **Historic Preservation Commission action required.**

PHP-19-018: **Submitted by Ofelia Pankratz**

A Certificate of Appropriateness to reroof the existing residence located at 542 East Rosewood Court, within the LDR-5 (Low Density Residential - 2.1 to 5.0 DU/Acre) zoning district (APN: 1048-092-08). **Historic Preservation Commission action required.**

PMTT19-021: **Submitted by United Trust Realty Corporation**

A Parcel Map to subdivide 2.78 acres of land into two parcels, located at 1948 South Bon View Avenue, within the IL (Light Industrial) zoning district (APN: 1050-441-05). Related File: PDEV19-063. **Planning Commission action required.**

PSGN19-118: **Submitted by Signs of Success**

A Sign Plan for a temporary 20-square foot (2 FT x 10 FT) banner sign for YAMAMOTO OPTOMETRY, located at 417 North Euclid Avenue. Effective 11/6/2019 through 12/21/2019. **Staff action required.**

PSGN19-119: **Submitted by Toyota Arena**

A Sign Plan for the completion of a Freeway Marquee Sign update, changing out CBBA to Toyota Area, located at 4000 Ontario Mills Parkway, within the Ontario Center Specific Plan (APN: 0210-205-01). **Staff action required.**

PSGN19-120: **Submitted by 88 Sign**

A Sign Plan for the installation of one wall sign for Q PET GROOMING, located at 2665 East Riverside Drive, Unit A, within the CN (Neighborhood Commercial) zoning district (APN: 1083-061-07). **Staff action required.**

PSGN19-121: **Submitted by Martinez Electric**

A Sign Plan for the installation of one wall sign for ASAP STAFFING, located at 2207 South Euclid Avenue, within the CC (Community Commercial) zoning district (APN: 1051-081-01). **Staff action required.**

Monthly Activity Report—New Applications

Month of November 2019

PSGN19-122: **Submitted by Machan Sign Co**

A Sign Plan for the installation of two wall signs for THE LOVE STORE, located at 4421 East Ontario Mills Parkway, within the Commercial Office land use district of the Ontario Mills Specific Plan (APN: 0238-014-10). **Staff action required.**

PSGN19-123: **Submitted by William Sign Co**

A Sign Plan for the relocation of an existing previously approved freeway sign for the CENTRELAKE SPECIFIC PLAN, located at 3330 East Centrelake Boulevard (APN: 0210-551-14). The request is being made due to a freeway widening project. **Staff action required.**

PSGN19-124: **Submitted by Alcon Signs**

A Sign Plan for the installation of two illuminated wall signs for HANASAB INSURANCE, located at 3333 East Concours Street, Suite 5100, within the Garden Commercial land use district of the Ontario Center Specific Plan (APN: 0210-521-05). **Staff action required.**

PSGP19-005: **Submitted by Prime A Investments - Ontario, LLC**

A Sign Program to establish sign regulations for a proposed development located at the southeast corner of Haven Avenue and Guasti Road (3520 through 3580 East Guasti Road) within the Mixed Use land use district of the Ontario Gateway Specific Plan (APN: 0210-212-57). **City Council action required.**

PSPA19-011: **Submitted by Ontario Schafer Holdings, LLC**

An Amendment to the Avenue Specific Plan, changing the land use designation on 10.49 acres of land from School to Medium Density Residential, located at the northeast corner of La Avenida Drive and Manitoba Place (APN: 0218-652-27). Related Files: PMTT19-015 and PGPA19-008. **City Council action required.**

PTUP19-073: **Submitted by Smart and Final**

A Temporary Use Permit for a special event hosted by Smart and Final, to include KOST 103.5 radio station and prize giveaway within a 10-foot x 10-foot EZ up, located at 1337 Fourth Street. Event to be held on 11/19/2019, 3:00PM to 5:00PM. **Staff action required.**

PTUP19-074: **Submitted by American Legion Post 112**

A Temporary Use Permit for a Holiday Toy Run hosted by American Legion Post 112, located at 310 West Emporia Street. Event to be held on 12/01/2019. **Staff action required.**

PTUP19-075: **Submitted by Hooters of Ontario**

A Temporary Use Permit for a Car Show & Toy Drive hosted by Hooters, located at 725 North Milliken Avenue. Event to be held on 12/8/2019, from 8:00AM to 6:00PM. Related File: PTUP18-086. **Staff action required.**

Monthly Activity Report—New Applications

Month of November 2019

PTUP19-076:

Submitted by The Office Bar

A Temporary Use Permit for an outdoor event (ugly Christmas sweater party) at 2425 South Grove Avenue, hosted by The Office Bar. Event to be held on 11/27/2019, from 1:00PM to 1:00AM. **Staff action required.**

PTUP19-077:

Submitted by Bob's Discount Furniture

A Temporary Use Permit for a Black Friday tent sales event for Bob's Discount Furniture, located at 4195 East Inland Empire Boulevard (APN: 0210-501-32). Event to be held on 11/29/2019 to 12/2/2019. **Staff action required.**

PTUP19-078:

Submitted by Prayer + Praise Ministries

A Temporary Use Permit to conduct an annual Thanksgiving Dinner hosted by Prayer + Praise Ministries, located at 130 West Phillips Street. Event to be held on 11/23/2019, 11:30AM to 3:30PM. **Staff action required.**

PTUP19-079:

Submitted by Muslim American Society

A Temporary Use Permit for an event hosted by the Muslim American Society, located at Parking Lot A of the Ontario Convention Center. Outdoor activities include a carnival for children, which consists of Euro Bungee, Pirate Revenge Ride, Zip Line Ride, Mechanical Surfboard, Titanic Slide. The event will be held on 11/29/2019 through 11/30/2019, 10:00AM to 8:00PM. **Staff action required.**

PTUP19-080:

Submitted by M-K Associates

A Temporary Use Permit for a two-year extension of previously approved Temporary Use Permit (PTUP17-080) for temporary vehicle storage (excluding tractor/trailer storage) on approximately 20 acres of land located on the north side of Guasti Road, between the Cucamonga Channel and Archibald Avenue (APN: 0110-322-08, 0110-322-21, 0110-322-29, 0110-322-30, and portions of 0110-322-22 and 0110-322-31). Permit effective 1/25/2020 through 1/25/2022. **Staff action required.**

PTUP19-081:

Submitted by Christopher Allen

A Temporary Use Permit to conduct car show and toy drive event within the parking lot adjacent to the Pep Boys, located at 2415 South Vineyard Avenue. Event to be held on 12/7/2019, 10:00AM to 4:00PM. **Staff action required.**

PTUP19-082:

Submitted by Lowes

A Temporary Use Permit for Lowes Christmas tree sales lot, located at 2390 South Grove Avenue, within the CC (Community Commercial) zoning district. Event to be held on 11/25/2019 through 12/25/2019. **Staff action required.**

Monthly Activity Report—New Applications

Month of November 2019

PTUP19-083: Submitted by Knights of Columbus Council #13619

A Temporary Use Permit for a Mardi Gras event within an existing church located at 2713 South Grove Avenue. Event to be held on 2/22/2020, 6:00PM to 12:00AM. **Staff action required.**

PVER19-066: Submitted by Zoning Info Inc

A Zoning Verification for property located at 1990 South Vintage Avenue, within the IH (Heavy Industrial) zoning district (APN: 0238-161-51). **Staff action required.**

PVER19-067: Submitted by PZR

A Zoning Verification for property located at 630 South Mountain Avenue, within the IL (Light Industrial) zoning district (APN: 1011-181-10). **Staff action required.**

PVER19-068: Submitted by PZR

A Zoning Verification for property located at 112 South Mountain Avenue, within the IL (Light Industrial) zoning district (APN: 1011-131-18). **Staff action required.**

PVER19-069: Submitted by PZR

A Zoning Verification for property located at 1291 South Vintage Avenue, within the IH (Heavy Industrial) zoning district (APN: 0238-101-51). **Staff action required.**

PVER19-070: Submitted by Stutzman, Bromberg, Esserman and Plifka, PC

A Zoning Verification for property located at 720, 740, 760 and 780 South Milliken Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan (APNs: 0211-222-35 and 0221-222-36). **Staff action required.**

PVER19-071: Submitted by PZR

A Zoning Verification for property located at 1930 South Rochester Avenue, within the IG (General Industrial) zoning district (APN: 0238-152-31). **Staff action required.**

PVER19-072: Submitted by PZR

A Zoning Verification for property located at 1920 South Rochester Ave within the IG (General Industrial) zoning district. (APN: 0238-152-31). **Staff action required.**

PVER19-073: Submitted by PZR

A Zoning Verification for property located at 2260 South Archibald Avenue within the Business Park land use district of the Archibald Center Specific Plan (APN: 1083-011-16). **Staff action required.**

Monthly Activity Report—New Applications

Month of November 2019

PVER19-074:

Submitted by PZR

A Zoning Verification for property located at 2850 East Philadelphia Street within the Business Park land use district of the Archibald Center Specific Plan (APN: 1083-011-16). **Staff action required.**

PZC-19-003:

Submitted by Blaise D'Angelo

A Zone Change, amending the zoning designation on 0.214 acres of land from AR-2 (Residential–Agricultural – 0 to 2.0 DU/Acre) zoning district to MDR-11 (Medium Density Residential – 5.1 to 11.0 DU/Acre) zoning district, located at 1528 South Euclid Avenue (APN: 1050-061-16). Related File: General Plan Amendment PGPA19-009. **City Council action required.**