

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

March 26, 2019

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

6:30 PM

WELCOME to a 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 __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

SPECIAL CEREMONIES

- 1) Honoring of Commissioner Delman

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 February 26, 2019, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

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

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 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.

HISTORIC PRESERVATION ITEMS

B. NINETEENTH ANNUAL MODEL COLONY AWARDS FILE NO. PHP19-002: A request for the Historic Preservation Commission to accept the nominations for the Nineteenth Annual Model Colony Awards; **submitted by City of Ontario. City Council presentation of Awards.**

1. File No. PHP19-002 (Model Colony Awards)

Motion to Approve/Deny

PLANNING COMMISSION ITEMS

C. ENVIRONMENTAL ASSESSMENT, CONDITIONAL USE PERMIT, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PCUP18-036 AND PDEV18-034: A Conditional Use Permit to establish a drive-thru retail use in conjunction with a Development Plan to construct a commercial drive-thru retail/restaurant building, totaling 7,354 square feet on 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0113-641-15) **submitted by Phelan Development Company.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

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

Motion to Approve/Deny

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

Motion to Approve/Deny

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

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15303

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

Motion to Approve/Deny

E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT AMENDMENT FOR FILE NO. PDA07-005: A Development Agreement Amendment (First Amendment - File No. PDA07-005) between the City of Ontario and STG Communities II, LLC, a California limited liability company, to modify certain infrastructure requirements associated with the development of Tentative Tract Maps Nos. 18026 (PMTT11-003) and 18027 (PMTT11-002), located on the northwest corner of Haven Avenue and Chino Avenue, and the northwest corner of Haven Avenue and Schaefer Avenue, within Planning Areas 4 and 8 of the West Haven Specific Plan. 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, 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 (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. (APNs: 2018-151-11 and 0218-151-38). **Submitted by STG Communities II, LLC. City Council action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PDA07-005 (Development Agreement Amendment)

Motion to recommend Approval/Denial

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

1. CEQA Determination

No action necessary – use of previous addendum to an EIR

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

Motion to continue this item to the April 23, 2019 Planning Commission meeting

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

1. **CEQA Determination**

No action necessary – use of previous addendum to an EIR

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

Motion to continue this item to the April 23, 2019 Planning Commission meeting

3. **File No. PMTT17-015 (TT 20136)** (Tentative Tract Map)

Motion to continue this item to the April 23, 2019 Planning Commission meeting

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

Motion to continue this item to the April 23, 2019 Planning Commission meeting

H. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW FOR FILE NO. PDA18-005**: A Development Agreement (**File No. PDA18-005**) between the City of Ontario and Haven Ontario NMC 1, LLC, a Florida limited liability company and Haven Ontario NMC 2, LLC, a Florida limited liability company, to establish the terms and conditions for the development of Tentative Tract Map No. 20134 (File No. PMTT17-013), for property located on the north east corner of Haven and Schaefer Avenues within the Planning Area 5A, 5B, 5C, and 5D (Residential – Small Lot SFD) land use designation of the Rich-Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to the Rich-Haven Specific Plan (File No. PSP05-004) Environmental Impact Report (SCH #2006051081) certified by City Council on December 4, 2007. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0218-161-01) **submitted by Haven Ontario NMC 1, LLC, a Florida limited liability company and Haven Ontario NMC 2, LLC, a Florida limited liability company. City Council Action is required.**

1. **CEQA Determination**

No action necessary – use of previous addendum to an EIR

2. **File No. PDA18-005** (Development Agreement)

Motion to continue this item to the April 23, 2019 Planning Commission meeting

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business

- Reports From Subcommittees
 - Historic Preservation (Standing): Did not meet this month.
- 2) New Business
 - Election of New Officers
- 3) Nominations for Special Recognition

DIRECTOR'S REPORT

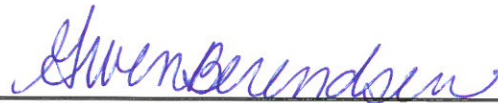
- 1) Monthly Activity Reports

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.

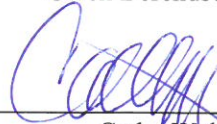
If you challenge any action of the Planning/Historic Preservation Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning/Historic Preservation Commission at, 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 **March 22, 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 Wahlstrom, Planning Director
Planning/Historic Preservation
Commission Secretary

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

MINUTES

February 26, 2019

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

MINUTES

February 26, 2019

REGULAR MEETING: City Hall, 303 East B Street
Called to order in memory and honor of Chairman Delman by
Vice-Chairman Willoughby at 6:30 PM

COMMISSIONERS

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

Absent: None

OTHERS PRESENT: Planning Director Wahlstrom, Assistant Planning Director
Zeledon, City Attorney Duran, Principal Planner Mercier, Senior
Planner Batres, Senior Planner Noh, Development Administrative
Officer Womble, Transportation Manager Bautista, and Planning
Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Reyes.

ANNOUNCEMENTS

Mr. Reyes asked that Agenda Item A-03 be pulled from the consent calendar for separate discussion.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

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

**A-02. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP TIME
EXTENTION FOR FILE NOS. PMTT10-002 (TT17449) AND PMTT10-001**

(TT17450): A Time Extension of the expiration date of approval for: 1) Tentative Tract Map (TT 17449) to subdivide 18.72 acres of land into 97 lots and 15 lettered lots within the Z-Lot (Neighborhood 5) land use designation of the Countryside Specific Plan, located on south of Chino Avenue, north of the SCE utility corridor and east of the Cucamonga Creek Channel; and 2) Tentative Tract Map (TT 17450) to subdivide 16.82 acres of land into 138 lots and 16 lettered lots within the Cluster Court (Neighborhood 6) land use designation of the Countryside Specific Plan, located on south of Chino Avenue and east of the Cucamonga Creek Channel and northwest of the Lower Deer Creek Channel. The environmental impacts of this project were previously reviewed in conjunction with Countryside Specific Plan (PSP04-001) for which an EIR (SCH# 2004071001), was certified by the City Council on April 18, 2006. This application introduces no new significant environmental impacts. (APNs: 0218-131-11, 12, 22, 40, and 43) **Submitted by Forestar Countryside, LLC. City Council action is required.**

It was moved by Downs, seconded by Gregorek, to approve the Consent Calendar which includes the Planning Commission Minutes of January 22, 2019, as written, and a Time Extension for PMTT10-001 and PMTT10-002. The motion was carried 6 to 0.

- A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-026:** A Development Plan (File No. PDEV18-026) to construct 464 single-family homes (138 4/6-Pack Courtyard Homes and 326 Conventional Single-Family Homes) within an age-qualified master planned, gated community on 137.56 acres of land located south of Eucalyptus Avenue between Hamner Avenue and Mill Creek Avenue and north of Bellegrave Avenue, within Planning Area 5 (RD-5 4/6-Pack Courtyard), Planning Area 6 (RD-4/SFD Cottages), Planning Areas 7 thru 9 (RD-1 and RD-2/SFD 50' and 55' wide lots) districts of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Esperanza Specific Plan (File No. PSP05-002), Environmental Impact Report (SCH#: 2002061047) certified by the City Council on February 6, 2007. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0218-252-17, 0218-332-11, 0218-722-04, 0218-722-05, 0218-722-06 and 0218-722-07) **submitted by Lennar Homes of California, Inc.**

Senior Planner Noh, presented the staff report. He stated that there are additional materials in front of the Commissioners that give further clarification of the design/architecture of the project. He described the location and the surrounding area and stated this is the first age-qualified, gated and all single-story product community within the Ontario Ranch area. He described the ingress and egress and the products proposed in each area, the paseos, clubhouse/recreation center, pocket parks and parking and the connectivity to the surrounding area. He stated that staff is recommending the Planning Commission approve File No. PDEV18-026, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Reyes wanted clarification on how the tract maps were originally laid out and how they

became the master planned community.

Mr. Noh stated that there were originally five different tract maps that were approved prior, which put into place the overall layout of the gated community that Lennar had envisioned, when they purchased all five tract map areas.

Mr. Reyes wanted clarification whether the plan fit well within the original Esperanza Specific Plan from 2007, or if adjustments needed to be made to the specific plan.

Mr. Zeledon gave a history on the planning areas and the specific plan, and stated the project is still consistent with the specific plan. He explained that the only difference is the location of the park areas, which were moved to make room for the clubhouse area.

Mr. Reyes wanted clarification regarding what the amenities within the park areas would be.

Mr. Zeledon stated that because it is an age-restricted community the idea was to focus the amenities in the clubhouse area, and the parks be passive areas and that there will be two paseos that lead to the neighborhood edge, which provides connectivity to future parks and the regional trails.

Mr. Reyes stated that he wanted to make sure they had age-qualified activities within the community.

Mr. Zeledon stated that across Eucalyptus Avenue there will be a neighborhood edge with a multi-purpose trail and a future park to the north.

Mr. Downs wanted clarification regarding the vehicular egress at Eucalyptus Avenue and if Bellegrave Avenue was egress only.

Mr. Noh stated that Eucalyptus Avenue had two signalized, gated entries, as well as a gated entry on Mill Creek Avenue and gated egress only on Hamner Avenue and Bellegrave Avenue.

Mr. Downs wanted to know if there was enough access for trash trucks and emergency vehicles.

Mr. Noh stated yes there would be.

Mr. Gage wanted clarification regarding the roofing material and if all the products would have those in earth tones.

Mr. Noh stated it would be a standard S style concrete tile on all the products, in reddish earth tones.

Mr. Gage wanted clarification on the size of the clubhouse.

Mr. Noh stated it would be approximately 8900 square feet.

Mr. Gage wanted clarification that all units have a two car garage, plus driveway and on street parking.

Mr. Noh stated that yes there will be a two car driveway with all the units, except within the cluster products, which only the back units would have driveway parking. He stated yes each product will have a two car garage, in addition to on-street parking.

Mr. Gage wanted clarification that the Tuscan style outside lighting shown is what we will get in the finished product.

Mr. Noh stated the architect is here and can answer those questions.

Mr. Reyes wanted clarification regarding the signage at the northwest corner of Bellegrave Avenue and Hamner Avenue.

Mr. Noh stated yes this will be where the City of Ontario community identity sign will be.

Mr. Willoughby asked if the work area in the garage shown on plan three of the cluster product was in any of the other products.

Mr. Noh stated the architect was here and could better answer that question.

Mr. Willoughby wanted clarification if any of the clusters have 0 lot lines.

Mr. Noh stated no, that the minimum would be 5 feet on the sides and 5 to 6 feet in the back.

Mr. Willoughby wanted clarification regarding the meaning of age-qualified.

Mr. Noh stated it was currently for sale to 55 and older, and the applicant could answer any more specific details to that qualification.

Mr. Gage wanted clarification regarding street pavers within the clusters, if there is a requirement regarding the material used.

Mr. Noh stated yes the middle portion within the clusters will have some sort of banding with enhanced pavers and/or colored concrete, and that the policy is that it can't be asphalt. He stated that it is conditioned that they must provide enhanced pavement and that they would work with the developer in regards to exactly what that would be.

Mr. Gage stated that he thought the policy included a certain amount of pavers and not just colored concrete, and trusts that the planning department would work with the developer on this.

Mr. Gage wanted clarification that the entries into community would also have pavers.

Mr. Noh stated yes, they are required to provide enhanced pavement there as well.

PUBLIC TESTIMONY

Mr. Ryan Combe and Ms. Amy Williams with Lennar appeared and spoke. Mr. Combe thanked Mr. Noh and the effort he has put into the project and he also agreed to the COA's.

Mr. Reyes wanted clarification on the parks and what specific amenities for this age group would

be provided, especially on the west side of the community.

Mr. Combe stated that there are additional trails outside the community and a circular 2 mile loop around the community.

Ms. Williams thanked Mr. Noh and Mr. Zeledon for their help with the project. She stated that the vision is that the rec center will be the hub and the two smaller parks would be where they could have outside classes and activities within a quieter area. She stated they have brought in an age-qualified expert to make sure they offer appropriate activities within all the areas of the community.

Mr. Reyes wanted clarification on the larger westerly park and the equipment.

Ms. Williams stated we have tried to add a little more to it, but have also tried to keep it as a quieter space.

Mr. Ganes, landscape architect for Lennar, stated that within the western park area there is a community garden, an enclosed dog park area, a flex lawn space and overhead shelter and bbq area and they are currently working with staff on flex play options, but not equipment.

Mr. Reyes asked regarding the easterly small park and what are the amenities there.

Mr. Ganes stated this was more passive relaxing area with seating and lighting.

Mr. Gage wanted clarification regarding the age qualified 55.

Ms. Williams stated you must be 55 and over to own and still working out younger spouses and children, which will be in the CCR's and home buyer disclosures.

Mr. Downs wanted to know how the bache court was chosen for the clubhouse area.

Ms. Williams state the age-qualified expert suggested that and there will be pickle ball as well.

Mr. Gage wanted clarification regarding the outside Tuscan style lighting on the products.

Ms. Williams stated that it will vary.

Mr. Combe stated that the lighting on the outside of the homes will be elevation driven.

Mr. Gage wanted to know if the applicant was okay with working with staff regarding the pavers within the cluster product driveway street area.

Ms. Williams stated they are working with staff regarding stamped pavers and colored concrete in other areas.

Mr. Reyes wanted to know if this product meets the caliber of other products the applicant has built throughout southern California and what do they see within the entries that will pull people in and let them know this a quality product.

Mr. Combe stated they have never built another age-qualified single story community with these high standards. He stated the architectural enhancement and details on these homes is of a very high standard. He stated that he sees these homes as being buyers forever home and Lennar is proud of product and feels buyers will be too. He stated the rec center is what will drive people into the community and will contain the sales office which will give people a feel of the lifestyle and the amenities being offered. He stated it's the first age-qualified community of single level homes and the product is so strong and there is a need for it.

Mr. Reyes wanted to know if all the products being built together.

Mr. Combe stated that yes they will be able to be built together and buyers will be able to walk through the rec center and view models of all the products.

Mr. Willoughby wanted to know if they would have all product types in this area.

Mr. Combe stated the models would be here and the first phase of construction will be in the area closer to Bellegrave. Mr. Combe described the areas where each product would be concentrated and stated that workshops or storage areas are in the garages in every home except for 2 styles.

Mr. Willoughby wanted clarification that the specifics for the age qualification is still being worked through and will be put in the CCR's.

Ms. Williams stated that is correct and that they have interviewed HOA people and met with their age-qualified expert and are getting a good perspective of what's out there, being this is their first age-qualified community in IE and they want to hit it out of the park.

Mr. Willoughby thanked the applicant for clarifying the design and quality of the product, and wanted clarification that this was their first age-qualified community in the IE.

Mr. Combe stated they acquired Cal Atlantic which was in the process of building Terramore in Corona, but they weren't the master developer.

Mr. Gage wanted clarification regarding personnel or staff in the clubhouse to help facilitate things.

Ms. Williams stated yes there will be 1 or 2 people that will help facilitate the activities.

Mr. Combe stated there will be a greeter with the HOA and a possible activities director.

Mr. Willoughby wanted clarification regarding the next gen suite and what does this say with the age restriction.

Mr. Combe stated there is only one plan that offers this and there is a unique buyer for that.

Mr. Willoughby wanted to know if golf carts were allowed and any sort of regular food service offered in the clubhouse.

Mr. Combe stated yes golf carts are allowed as they are private streets and no there won't be food service, just a bar with a wine locker and a full kitchen within the rec center.

Mr. Willoughby asked if this space could be rented for special occasions or events.

Mr. Combe stated yes it could be and this is also the space where they will have interactive video workouts available.

Mr. Willoughby wanted to know if Lennar had a price point yet.

Mr. Combe stated the market has slowed down, but most likely in the 400's range it just depends where the market is when they go to sell.

Mr. Willoughby asked if they had established a HOA cost.

Ms. Williams stated they were still working on that.

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

Mr. Gage stated it is a quality development and the clubhouse is a must for 55 and up, and it looks good with great amenities.

Mr. Reyes thanked staff for presenting the project with the details and the importance of the sign at Bellegrave and Hamner.

Ms. DeDiemar stated that as a target demographic she would like the applicant to think about incorporating art or music or gardening within the community.

PLANNING COMMISSION ACTION

It was moved by Gage, seconded by Downs, to adopt a resolution to approve the Development Plan, File No., PDEV18-026, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Downs, Gage, Reyes, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, none. The motion was carried 5 to 0.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT, PLANNED UNIT DEVELOPMENT, DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PUD17-003, PDEV17-034 & PCUP17-026:** 1) A Planned Unit Development (File No. PUD17-003) to establish development standards, design guidelines and infrastructure requirement for property located on 2.6 acres of land within the East Holt Mixed-Use (MU-2) zoning district; 2) A Development Plan (File No. PDEV17-034) to construct a phased commercial development on 2.6 acres of land, composed of a 4,662 square foot commercial car wash (Phase 1) and two multi-tenant retail buildings composed of 9,500 square feet (Phase 2); and 3) A Conditional Use Permit (File No. PCUP17-026) to establish a car wash use, on property located along the

northwest corner of Holt Boulevard and Grove Avenue, within the East Holt Mixed-Use (MU-2) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 1048-472-16, 1048-472-17, 1048-472-18, 1048-472-19, 1048-472-20, 1048-472-21) **submitted by Elba Inc. City Council action required for PUD only.**

Senior Planner Batres, presented the staff report. He described the zoning of the site and the surrounding area. He described the conditions within the PUD and the proposed site plan with three structures and their uses. He described the phasing for the project, the parking, ingress and egress, hours of operation and noise study that needs to be prepared as part of the CUP. He stated that staff is recommending the Planning Commission recommend approval for File No. PUD17-003 and approve File Nos. PCUP17-026 and PDEV17-034, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Ms. DeDiemar wanted clarification regarding the patio area and the intended use, lighting and if shade would be provided.

Mr. Bates stated it is intended for use from the surrounding businesses and residents and that it will have shading, down lighting and up lighting.

Ms. DeDiemar asked about potential vandalism.

Mr. Batres stated the police do require cameras to be installed.

Ms. Wahlstrom stated this is a critical location regarding mixed use on Holt Blvd., which is a transportation corridor. She stated route 61 of Omni Trans currently goes through there, which has the highest ridership in San Bernardino County, and has a stop nearby. She stated the center BRT is slated to have a stop nearby as well, so the vision for the patio area is an urban style gathering place, where people can stop to rest their feet and maybe grab a bite to eat, before continuing on. She stated the idea is with more eyes on the street that would help with vandalism. She stated this corner is really critical to anchor this as a livelier mixed use area and with the 101 housing units next door and no place to wash a car, this use will give them that opportunity.

Mr. Gregorek wanted to know if there would be an attendant.

Mr. Batres stated yes the car wash would have 2 – 4 individuals there to help the customers.

Attorney Duran stated page 87 of 104 is the Police COA's which address the issues of graffiti abatement, security and surveillance.

Mr. Willoughby stated that these items are important to address as there is a homeless population in this area.

Mr. Reyes wanted clarification regarding the trellis or low wall at the corner, and if this is

signage.

Mr. Batres stated the vision was to incorporate a low profile decorative block wall for a buffer and protection for those using the plaza.

Mr. Reyes asked if this would be an identification signage wall.

Mr. Batres stated at this point that wasn't what was envisioned, however this project does require a sign program and staff can work with the applicant to incorporate a sign on the wall.

Mr. Reyes stated this is a major intersection between the 10 and 60 freeways and wanted to know if any sort of opportunity for monument signage, art or water feature can be looked at to make this corner pop.

Mr. Zeledon reviewed the context on that corner, with the building project going in and the difficulty of the lot due to limited egress and ingress for this property, but they didn't want to close this corner off. He stated they wanted to open the plaza area for connectivity and that could have signage and be inviting. He explained that the BRT will have the Grove station on the corner and it will reflect the grove history of Ontario and the idea was to continue that theme and open up that corner for pedestrians.

PUBLIC TESTIMONY

Mr. Joseph Bashoura appeared and spoke and thanked the staff for working with them on this project.

Mr. Reyes wanted clarification on the thought behind just building the pads of the project.

Mr. Bashoura described the history and ongoing issues with the property and the thought was they wanted to have the tenant first so they don't have those same issues with empty buildings. He stated that they are very committed to this type of plan and development and just need the right tenant for it.

Mr. Willoughby wanted to know if they have built other car wash facilities similar to this.

Mr. Bashoura stated yes they have one in Fontana and one under construction and they have one in Santa Ana with similar architecture. He stated they depend on the carwash looking nice to attract customers, from the architecture to the employees and grounds being kept clean.

Mr. Willoughby wanted clarification on the north row parking area vacuums.

Mr. Bashoura stated yes that the row would have 10 vacuums, but the row to the south will also have vacuums.

Mr. Willoughby wanted to know with their proposed summer hours, if there would be adequate lighting for customers when it's dark.

Mr. Bashoura stated yes they would have a lit canopy for each spot.

Mr. Willoughby asked if there would be canopies on those two rows

Mr. Bashoura stated yes.

Mr. Willoughby wanted clarification on the location of the trash enclosures and if they are the typical roofed and gated enclosures.

Mr. Bashoura stated to the west of site there are two trash closures.

Mr. Batres stated yes the trash enclosures will be roofed and gated.

Mr. Downs wanted clarification on the architecture for the buildings and if it would be similar to the car wash.

Mr. Bashoura stated he will work with the city on making it look somewhat similar, but it will depend on the tenants.

Mr. Willoughby wanted to know if they have any interest from possible tenants.

Mr. Bashoura stated they haven't pursued anyone because the project wasn't approved yet.

Mr. Reyes wanted to know if the corner trellis area courtyard would be built with the car wash, and will it be complete or only a portion built.

Mr. Bashoura stated yes the entire patio area will be constructed at the same time as the car wash.

Mr. Reyes wanted clarification on the lighting in the patio area.

Mr. Batres stated there will be up lighting and down lighting within the landscaping and ballers as well.

Mr. Reyes stated this corner is so important and wanted to know if the applicant will work with staff on an attractive decorative wall for that corner.

Mr. Bashoura stated yes.

Ms. Wahlstrom stated that the applicant needs to agree with the conditions of approval for the record and explained that the PUD gives a lot of guidance on making this a prominent corner as far as the building design and entryway details.

Mr. Gage asked the applicant if he agreed with all the conditions of approval.

Mr. Bashoura stated yes he does.

Mr. Willoughby wanted clarification regarding the car wash staff policing the courtyard area until the other buildings are built in order to prevent vagrants and vandalism.

Mr. Bashoura stated that this would be covered most likely between the employees and a hired security company that will patrol it periodically.

Ms. DeDiemar stated she is pleased to see the patio area going in and wanted clarification on the plan ongoing maintenance so it stays inviting and succeeds.

Mr. Bashoura stated they will train the employees to take care and maintain the area until the buildings are constructed.

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

Mr. Reyes stated there isn't a clear understanding of what is going on in the courtyard and for this corner it is all about the details and the trellis needs to look outstanding. He stated he wants staff continue to work this applicant and would like to see some sort of display for art and more detailed elevations on the wall and courtyard area.

Mr. Downs stated he is glad someone is going to develop this corner and is happy with what he sees coming.

Mr. Gage stated impressed with applicant and feels like the applicant knows what they are doing and it will be better for the corner and is comfortable leaving the details to staff.

Mr. Gregorek stated he is glad something is going here.

Ms. Wahlstrom stated staff could bring the details of the corner back to briefing, so they can have a look at it.

Mr. Willoughby stated yes he would like to see that at briefing.

Mr. Reyes stated he is going to let staff work with the applicant, but he would like to see details because that corner is very important.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Downs, to recommend adoption to City Council a resolution to approve, the Planned Unit Development, File No. PUD17-003, Roll call vote: AYES, DeDiemar, Downs, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

It was moved by Downs, seconded by Gregorek, to adopt a resolution to approve the Conditional Use Permit, File No., PCUP17-026 and the Development Plan, File No. PDEV17-034, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Downs, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA19-001: A Development Code

Amendment revising Section 5.03.420.A.1 for the purpose of clarifying current provisions addressing the processing of wireless telecommunications facilities, and consistent with FCC orders, add provisions governing small cell wireless facilities and the alteration and/or expansion of existing wireless telecommunications facilities. This project is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder pursuant to Section 15061(b)(3) 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); **City Initiated. City Council action is required.**

Assistant Planning Director Zeledon, presented the staff report. He described the changes being proposed to comply with FCC regulations and the shot clock timelines. He stated that staff is recommending the Planning Commission recommend approval of File No. PDCA19-001, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Ms. DeDiemar wanted clarification if the request is expedited does this expedite the installation process.

Mr. Zeledon stated no, that the expedited portion is only for the review and approval period.

Ms. DeDiemar wanted to know if that matters to the planning department.

Mr. Zeledon stated no not for small cells, because they are already on existing poles within the right-of-way.

Ms. DeDiemar wanted clarification regarding the process if one user doesn't move forward with installation and another user wants to use that site.

Mr. Zeledon stated that once a building permit is issued it is good for 1 year then a second can come in.

Mr. Gage stated the FCC is putting down strict guidelines and regulations and wanted to know if this is different from what FCC normally does.

Attorney Duran stated no it's a continuation of the trend over the past 10 – 15 years that is from Congress and trickling down and cities have to align with them.

Mr. Gage wanted to know if broad band and 5G is something that has been known for awhile.

Attorney Duran stated yes that is part of what he is saying

Mr. Willoughby wanted to know if all small cell locations be on a city light pole.

Mr. Zeledon stated that is correct.

Mr. Willoughby wanted to know if there wasn't a pole where they needed would the city have to install one and who would the cost go to and would it have to match the poles in the area and

meet development code guidelines.

Mr. Zeledon stated that is correct and the developer would incur the cost and pole would need to match what is in the area.

Ms. Wahlstrom stated that if we didn't adopt guidelines they could come in a request to put the standards on a wooden pole.

Mr. Willoughby wanted to know if once the packet is complete if that is when the shot clock starts.

Mr. Zeledon stated that was correct.

Mr. Gage wanted to know if these sites could be used to turn phones off.

Mr. Zeledon explained an example of the need, by stating the offices by the arena, during an event, need additional coverage and these would provide that.

Mr. Gage wanted to know if we have IT people that have looked this over.

Mr. Zeledon stated we have been working with IT for over a year and they are the lead on this and have helped with the design guidelines.

PUBLIC TESTIMONY

No one responded.

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

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Reyes, to recommend adoption of a resolution to approve the Development Code Amendment, File No., PDCA19-001, subject to conditions of approval. Roll call vote: AYES, DeDietmar, Downs, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee did not meet.

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

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

New Business

Mr. Gregorek asked regarding the presentation to Petrina Delman.

Ms. Wahlstrom stated it would be on the agenda for next month as a Special Recognition.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Ms. Wahlstrom stated Monthly Activity Reports are in the packet. She explained about the Active Transportation Master Plan within the city and that Melanie Mullis has asked for a member of the Planning Commission to be on the technical committee, and to let her know if you are interested.

ADJOURNMENT

Mr. Willoughby motioned to adjourn the meeting in memory of Chairman Delman and acknowledge his service on the Planning Commission, the motion was unanimously passed. The meeting was adjourned at 8:52 PM.

Secretary Pro Tempore

Chairman, Planning Commission



**PLANNING COMMISSION
STAFF REPORT**
March 26, 2019

FILE NO.: PDEV17-045

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

PROPERTY OWNER: KB Home

RECOMMENDED ACTION: That the Planning Commission consider and approve a modification to File No. PDEV17-045, 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 40.20 acres of land located at the southeast corner of Archibald Avenue and Eucalyptus Avenue, within the Conventional Medium Lot Residential district of Planning Area 3 of the Subarea 29 Specific Plan, and is depicted in Figure 1: Project Location, right. The project site gently slopes from north to south and is currently under construction with single-family homes. The property to the north is improved with agricultural/dairy uses and is located within the future Great Park of the Grand Park Specific Plan. The properties to the east include rough graded lots and single-family homes currently under construction, which are located within Planning Areas 19 and 20 of the Subarea 29 Specific Plan. The property to the south is developed with single-family homes and is located within

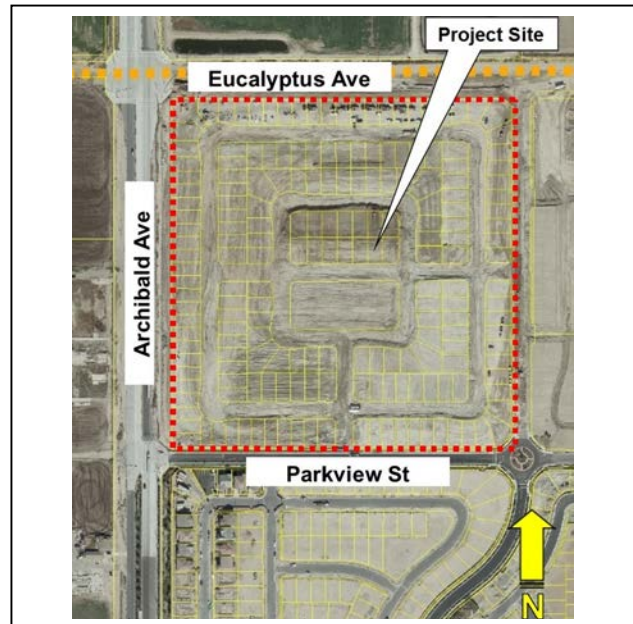


Figure 1: Project Location

Case Planner:	Henry K. Noh
Planning Director Approval:	
Submittal Date:	10/22/18

Hearing Body	Date	Decision	Action
DAB	3/18/19	Approve	Recommend
PC	3/26/19		Final
CC			

Planning Area 4 of the Subarea 29 Specific Plan. The properties to the west are rough graded and are located within Planning Areas 1 and 2 of the Subarea 29 Specific Plan.

PROJECT ANALYSIS:

[1] Background — On January 23, 2018, the Planning Commission approved a Development Plan (File No. PDEV17-045) to construct 190 conventional single-family homes on the above-described project site (see **Figure 1: Subarea 29 Specific Plan Land Use Map**). The model homes opened in August 2018, followed by the construction of phases 1 and 2 of Tract 18400. Since the tract’s grand opening, the housing market has softened; therefore, KB Home is requesting to add two new single-story floor plans (Plans 5 and 6), which range from 1,445 to 1,481 square feet in size, to provide a lower price point. Thirty-four lots within the northern portion of Tract 18400 are proposed to be plotted with the proposed new floor plans (see **Exhibit A: Site Plan, attached**).

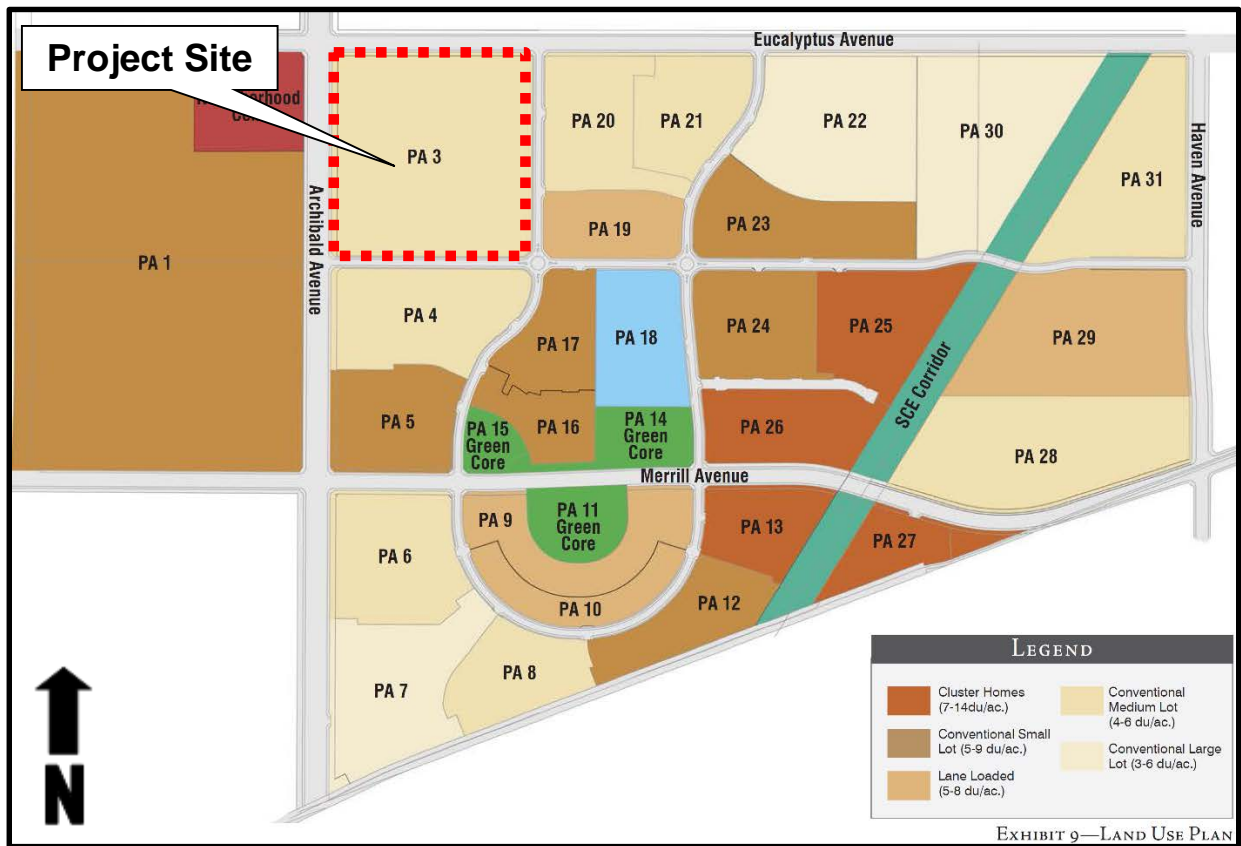


Figure 1: Subarea 29 Specific Plan Land Use Map

On March 18, 2019, the Development Advisory Board reviewed the subject application, and recommended that the Planning Commission approve the proposed project.

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

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

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

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

The two proposed single-story floor plans incorporate various design features, such as single-story massing, varied entries, and a great room. In addition, each home will have a two-car garage and two-car driveway. To minimize visual impacts of garages, techniques such as the use of single-story massing on the front entries, varied roof massing, and garage door header trim and details above garages will be incorporated on

the various elevations. Additionally, the homes feature recessed garages, which locates the face of each garage a minimum of 8 to 9 feet behind the front elevation/living space.

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

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

- Spanish Colonial: Varying gable and hipped roofs with “S” concrete roof tiles; stucco finish; arched entries; decorative eaves; potshel with decorative tile and a terra cotta cap; decorative recessed tile with iron below gable ends; arched headers above garage doors; and decorative shutters and window framing.

- Craftsman: Varying gable and hipped roofs with flat concrete roof tiles; wooden outlookers; knee braces and vertical siding below gable ends; stucco and shingle siding finishes; and covered porches with a simple tapered column and stone veneer bases.

- American Traditional: Varying gable; Dutch gable and hipped roofs with flat concrete roof tiles; decorative vents below gable ends; stucco and horizontal siding finishes; covered porches with a simple wood columns; and decorative shutters and window framing.

- Cottage: Varying gable and hipped roofs with flat concrete roof tiles; stucco finish; decorative vents and corbels below gable ends; covered porch entries with stone veneer; and decorative shutters and window framing.

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.

- Operate in a Businesslike Manner
- Focus Resources in Ontario’s Commercial and Residential Neighborhoods
- 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:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
 - LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics 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.

Housing Element:

▪ Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

➤ H2-4 New Model Colony. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.

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

▪ Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

Community Economics Element:

▪ Goal CE1: A complete community that provides for all incomes and stages of life.

➤ CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

▪ 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.

➤ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

▪ 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.
- CD2-13 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.

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 (190) and density (4.72 DUs/Acre) specified within the Subarea 29 Specific Plan. Per the Available Land Inventory, the Subarea 29 Specific Plan is required to provide 2,291 dwelling units at an overall density of 5 DUs/Acre.

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 addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

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

General Site & Building Statistics

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Maximum coverage (in %):</i>	50%	42%	Y
<i>Minimum lot size (in SF):</i>	3,400 SF	3,801 SF	Y
<i>Front yard setback (in FT):</i>	12'	12'	Y
<i>Side yard setback (in FT):</i>	5'	5'	Y
<i>Rear yard setback (in FT):</i>	15'	15'	Y
<i>Maximum height (in FT):</i>	35'	18'	Y
<i>Parking:</i>	2-car garage	2-car garage	Y

Exhibit A—SITE PLAN



Exhibit B1 — FLOOR PLANS & ELEVATIONS: Plan 5

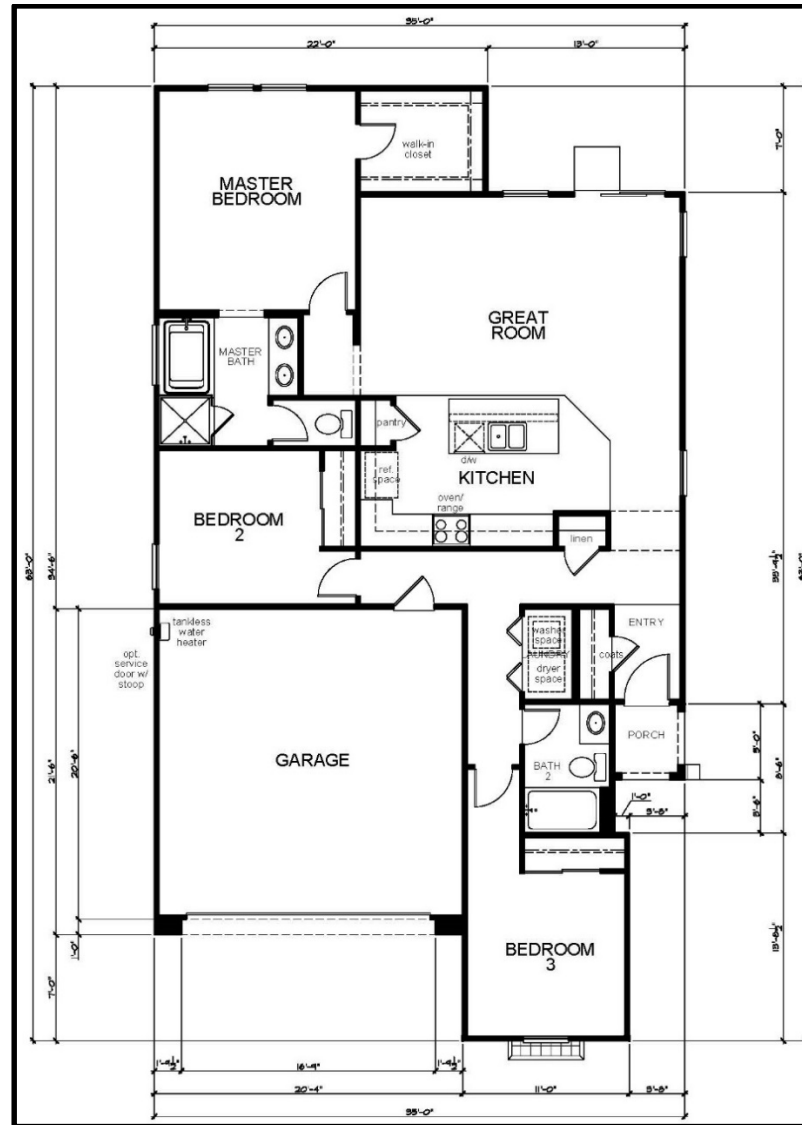
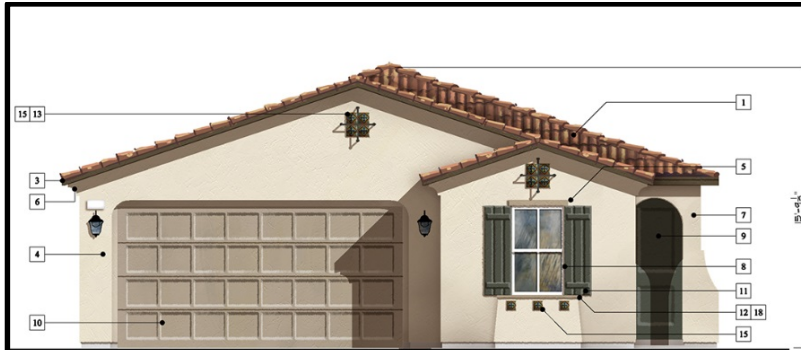
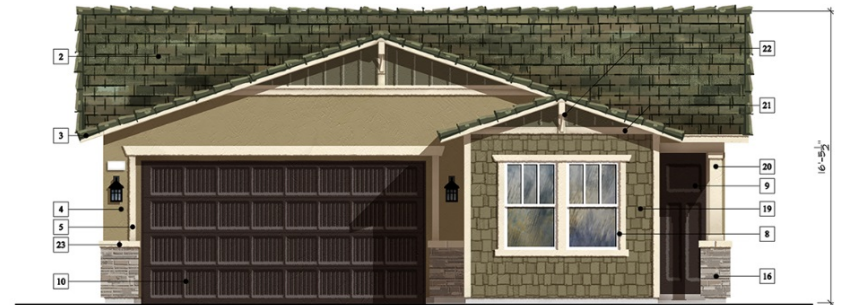


Exhibit B1 — FLOOR PLANS & ELEVATIONS: Plan 5



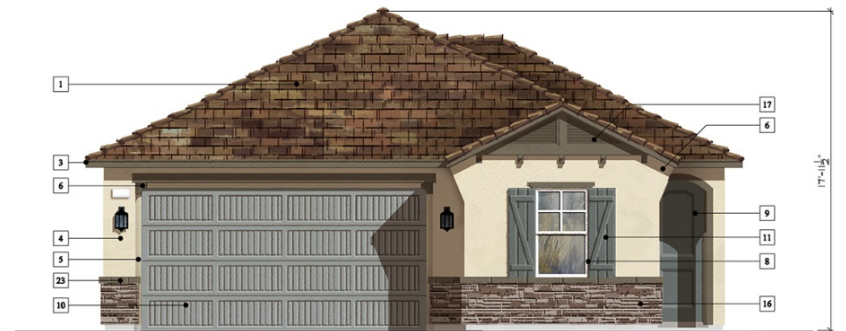
Elevation 'A' (Spanish Colonial)



Elevation 'B' (Craftsman)



Elevation 'C' (American Traditional)



Elevation 'D' (Cottage)

Exhibit B2 — FLOOR PLANS & ELEVATIONS: Plan 6

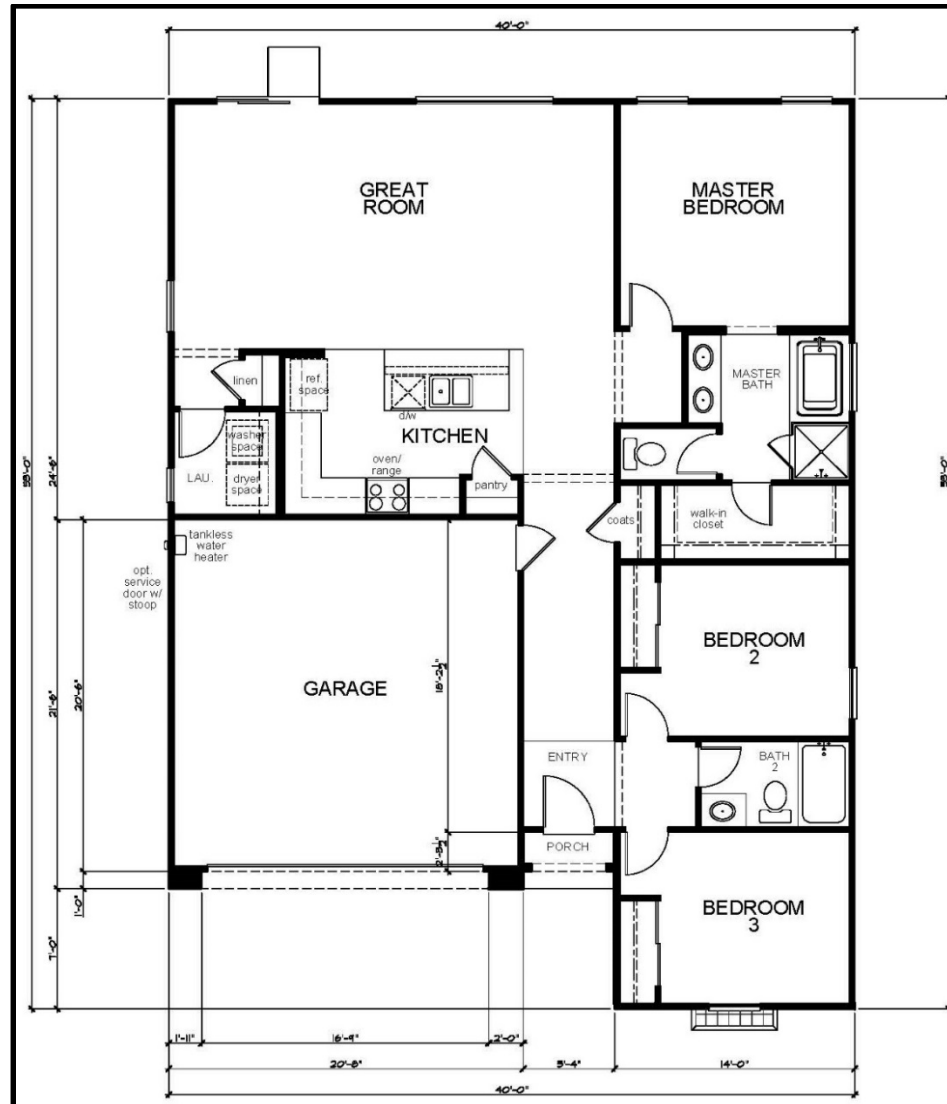
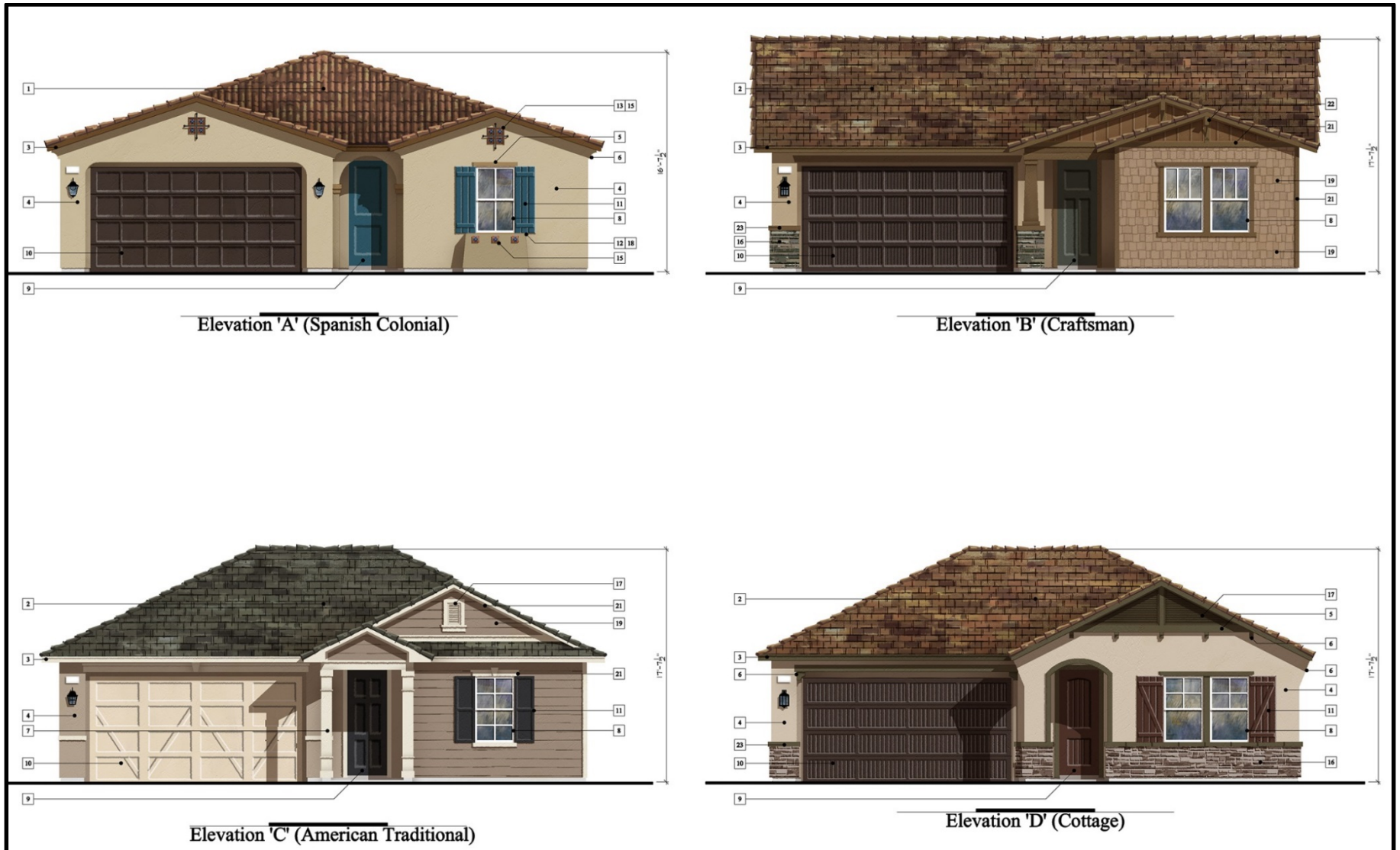


Exhibit B2 — FLOOR PLANS & ELEVATIONS: Plan 6



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING MODIFICATION TO FILE NO. PDEV17-045, A MODIFICATION TO A PREVIOUSLY APPROVED DEVELOPMENT PLAN (FILE NO. PDEV17-045), INTRODUCING TWO NEW SINGLE-FAMILY FLOOR PLANS, RANGING IN SIZE FROM 1,445 SQUARE FEET TO 1,481 SQUARE FEET, FOR 34 LOTS WITHIN TRACT 18400. THE PROJECT CONSISTS OF 40.20 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF ARCHIBALD AVENUE AND EUCALYPTUS AVENUE, WITHIN THE CONVENTIONAL MEDIUM LOT RESIDENTIAL DISTRICT OF PLANNING AREA 3 OF THE SUBAREA 29 SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF— APNS: 0218-281-15 AND 0218-281-16.

WHEREAS, KB Home ("Applicant") has filed an Application for the approval of a modification to a Development Plan, File No. PDEV17-045, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 40.20 acres of land generally located at the southeast corner of Archibald Avenue and Eucalyptus Avenue, within the Conventional Medium Lot Residential district of Planning Area 3 of the Subarea 29 Specific Plan, and is presently under construction for single-family homes; and

WHEREAS, the property to the north is agricultural/dairy land uses and is located within the future Great Park of the Grand Park Specific Plan. The properties to the east include rough graded lots and single-family homes under currently construction, which are located within Planning Areas 19 and 20 of the Subarea 29 Specific Plan. The property to the south is developed with single-family homes and is located within Planning Area 4 of the Subarea 29 Specific Plan. The properties to the west are rough graded and are located within Planning Areas 1 and 2 of the Subarea 29 Specific Plan; and

WHEREAS, the Development Plan proposes to construct 190 conventional single-family homes. The lots range in size from 4,500 to 9,450 square feet, with an average lot size of 4,841 square feet, which meets the minimum lot size of 4,000 square feet required by the Conventional Medium Lot (Village Homes) Development Standards of the Subarea 29 Specific Plan; and

WHEREAS, the original Development Plan approval included one, single-story floor plan and three two-story floor plans, each with four elevations per plan. The four floor plans ranged in size from 1,771 to 2,886 square feet; and

WHEREAS, the proposed modification will introduce two new single-family floor plans, ranging in size from 1,445 to 1,481 square feet, on 34 lots within Tract 18400.

Similar to the original development plan approval, the two new single-story floor plans are each proposed with four elevations per plan; and

WHEREAS, the architectural styles of the proposed single-family homes include Spanish Colonial, Craftsman, American Traditional and Cottage styles; 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 File No. PSPA14-002, a Subarea 29 Specific Plan Amendment for which an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was adopted by the City Council on April 21, 2015, and this Application introduces no new significant environmental impacts; and

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

WHEREAS, 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 March 18, 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. DAB19-005, recommending the Planning Commission approve the Application; and

WHEREAS, on March 26, 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 previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) and supporting documentation. Based upon the facts and information contained in the previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) 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 Subarea 29 Specific Plan Environmental Impact Report, certified by the City of Ontario City Council on April 21, 2015, in conjunction with File No. PSPA14-002.

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

(3) The previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

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

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009), and all mitigation measures previously adopted

with the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009), are incorporated herein by this reference.

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

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

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the 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. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the maximum number of dwelling units (190) and density (4.72 DU/AC) specified within the Subarea 29 Specific Plan. Per the Available Land Inventory, the Subarea 29 Specific Plan is required to provide 2,291 dwelling units with an overall density of 5 DU/AC.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the 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 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:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Low Density Residential land use district of the Policy Plan Land Use Map, and the Conventional Medium Lot Residential (Planning Area 3) land use district of

the Subarea 29 Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The Development Plan has been required to comply with all provisions of Conventional Medium Lot Residential Product: Village Homes Residential Development Standards of the Subarea 29 Specific Plan. Future neighborhoods within the Subarea 29 Specific Plan and surrounding area will provide for diverse housing and highly amenitized neighborhoods that will be compatible in design, scale and massing to the proposed development.

(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 Conventional Medium Lot Residential (Planning Area 3); (Conventional Medium Lot Residential Product: Village Homes) land use district of the Subarea 29 Specific Plan, as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(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 Subarea 29 Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Subarea 29 Specific Plan. Additionally, the environmental impacts of this project were previously reviewed in conjunction with the Subarea 29 Specific Plan Environmental Impact Report (SCH#2004011009). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts.

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Subarea 29 Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (conventional

single-family residential). As a result of this review, the 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 Subarea 29 Specific Plan. Additionally, the Development Plan complies with all provisions of Conventional Medium Lot Residential Product: Village Homes Residential Development Standards of the Subarea 29 Specific Plan.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, 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 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 regular meeting thereof held on the 26th day of March 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 Vice-Chairman

ATTEST:

Cathy Wahlstrom
Planning Director
Secretary to the Planning Commission

Planning Commission Resolution
File No. PDEV17-045
March 26, 2019
Page 9

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 regular meeting held on March 26, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

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

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

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

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Environmental Review.

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

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

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

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

2.5 Additional Fees.

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

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

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

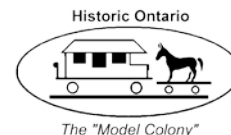
(b) All applicable conditions of approval of the previously approved Development Plan (File No. PDEV17-045, dated: 1/17/18) shall apply to this Development Plan modification.

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

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

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

PLANNING / HISTORIC PRESERVATION COMMISSION STAFF REPORT



DATE: March 26, 2019
FILE NO: PHP19-002
SUBJECT: 2019 "Model Colony" Awards
LOCATION: Citywide
APPLICANT: City Initiated
PROPERTY OWNER: N/A

RECOMMENDATION:

That the Planning/Historic Preservation Commission consider and approve the 2019 "Model Colony" Award nominations.


BACKGROUND:

In 2000, the City Council adopted the Model Colony Awards to recognize outstanding efforts to restore, rehabilitate, and preserve Ontario's historic places. This is the nineteenth consecutive year that the City has conducted the awards program. The award categories include: Restoration, Rehabilitation, John S. Armstrong Landscape, Founder's Heritage Award, George Chaffey Memorial, and Merit. Past Model Colony Award recipients included Ontario's schools, churches, single-family residences, historic multi-family properties, and joint public/private preservation projects.

There are 5 nominations this year which include 4 single-family residences and one community leader. On March 21, 2019, the Historic Preservation Subcommittee (HPSC) reviewed the nominations. The 2019 Model Colony Awards will be presented to award recipients by the City Council during a special ceremony and reception on May 7, 2019.

2019 AWARD NOMINEES:

For their outstanding efforts in the field of historic preservation, the nominees are:

Case Planner:	Elly Antuna, Assistant Planner	Hearing Body	Date	Decision	Action
Planning Director Approval:		HPSC:	03/21/2019	Approve	Review
Submittal Date:	N/A	PC / HPC:	03/26/2019		Final
Hearing Deadline:	N/A	CC:	05/07/2019		Presentation

Award of Merit:

The W.E. Baier House- 303 East Princeton Street

Award Recipient:

Gary Chatmajian and Robin Nelson

Built in 1939, this two-story Monterey style residence was designed by prominent local architect Jay Dewey Harnish. The original owner, W.E. Baier, was head chemist for Exchange Orange Products (Sunkist) and was the director of research for 44 years. Mr. Baier was a graduate of California Institute of Technology and his wife Anita was a teacher. This Monterey style residence is one of the few and one of the best examples of this style in Ontario.



The Monterey style home is located on the northeast corner of Princeton Street and Columbia Avenue within the College Park Historic District. The Monterey style is one of the few American born styles, with origins in Spanish Colonial Revival, New England Colonial, and Caribbean architecture. The W.E. Baier House is T-shaped in plan with a low-pitched, cross-gabled tile roof. It has exposed eaves and rafters, and is clad with stucco. Board and batten siding are on the walls of the cantilevered second-story balcony. The balconies on the front and back of the house extend about three-quarters the length of the building, and have square posts with vertical slat railings. The home features multi-paned French doors and double-hung wood windows with wood shutters. The front yard is enclosed by a wooden split rail fence and hedges and a narrow brick walkway leads to the main entrance. A mature Canary Island Palm makes a stately presence at the front of the home. The rear yard features a variety of landscaping with tropical plants surrounding the pool. Also present on the property is a detached 2-car garage constructed in the same architectural style.

The interior of the home features a formal living room with a simple fireplace flanked by built-in shelves and cupboards that are topped with a decorative arch. The original hardwood floors, wood trim, bathroom shower tile and flooring, doors and hardware are present throughout the home. The downstairs bathroom features a small porcelain wall mounted sink, checkered shower tiles and linoleum flooring which all appear to be original to the home. The home is artfully staged with antique furniture and framed artwork adorning the walls, creating the feeling that time has stood still inside and outside the home.

The current property owners purchased the home in 2017 with an understanding and appreciation for historic buildings, having previously completed other restorations in the Los Angeles area. As the third occupants of the home, the current property owners were attracted to this property because of the abundance of historic fabric intact and the move-in ready condition of the home. The interior and exterior remains almost entirely intact

and in pristine condition. All of the original windows are in excellent working order, having been carefully maintained by the current and previous property owners. Besides a kitchen remodel and a few new light fixtures, the home has been preserved in its original state. Through the property owner's outstanding stewardship, this home is an excellent example of the Monterey architectural style and a significant Contributor to the College Park Historic District.

Award of Merit: The Patrick King House- 324 West Sixth Street
Award Recipient: Patrick and Virginia King

This one-story, single-family residence, was constructed in 1960 in the Modern Ranch architectural style. The home was designed by Fred W. McDowell and Theodore Criley, Jr. McDowell and Criley contributed significantly to the modernist movement in Claremont, collaborating on custom homes for well-known local artist and on various institutional and civic buildings.



Modern architecture was born in California, in large part due to economic, social, and environmental conditions after World War II. California experienced extraordinary population growth which created a demand for housing. In response, buildings were constructed using non-traditional materials, techniques, and designs. Structural transparency was desirable and evident in the popularization of post and beam style construction, plumbing lines were grouped, and walls were layered with plywood, waterproofing paper and covered with board and batten. Architects experimented with different forms using clean lines, simple organic curves, geometric forms and strong roof angles. California offered the cultural and artistic freedom so that architects could experiment and create a new approach to style, design, and form. New materials were readily available after World War II, such as metal, glass, plywood panels, asphalt and plastics giving more opportunity for innovation. Modernism was new, exciting, and different. Modern designs introduced new building materials, open floor plans and more of an emphasis on the integration of indoor and outdoor living space. California's ideal climate and predominately liberal population allowed for this creativity in architecture.

The 2,255 square foot residence has a wide rambling façade, a shallow pitch roof with front facing gable and wide overhanging eaves which are key character-defining features

of post and beam construction. The primary façade of the house is clad primarily in a natural brick material. The centrally located entry is recessed creating a small porch with a cantilever cover that is connected to the carport roof. The entry features ornate wood double doors, and metal-framed, fixed windows from ceiling to floor. The porch walls are covered with vertical wood siding. The post and beam construction is evident in the side facing carport with a matching shallow pitch roof. The carport is screened with a block wall covered in ivy and the front yard is fully landscaped and manicured. The rear of the house is clad in stucco and features large expanses of floor to ceiling metal-framed fixed and transom windows. The full glass sliding doors connect the central living space to the landscaped yard with pool, integrating the interior living space of the home with the exterior landscape.

While current property owners, Patrick and Virginia King, lived next door at 334 West Sixth Street, the Modern Ranch home at had caught Mr. King's attention. When the home was listed for sale in 1980, they immediately put in an offer to purchase and made the move next door. For the past 39 years, the Kings have carefully maintained this home, preserving its status as a familiar and iconic focal point along Sixth Street.

Award of Merit: The Miss Lela McClelland House- 1258 North Euclid Avenue
Award Recipient: Armando Villa

The Miss Lela McClelland House is a two-story residence constructed in the Spanish Colonial architectural style. The home is located on the southeast corner of Euclid Avenue and Fifth Street within the Euclid Avenue Historic District. Lela McClelland, an art teacher at Chaffey High School, built this 2,500 square foot home in 1924. T-shaped in plan with a hipped roof covered in tile, the two-story residence has exposed eaves, stucco siding, a cantilevered balcony with decorative exposed beams and a single-story wing at the front of the home. The home features a deeply recessed wooden entry door, recessed multi-paned steel casement and fixed windows, a round Moorish style window overlooking the entry patio, and a stucco covered chimney.



The interior of the home features a formal entry with tile floor and the original iron railing staircase leading to the second floor. A ceramic of the Christ Child was fired by the original owner and is placed on the wall near the second landing of the staircase. The inscription "L. McClelland" is carved into the bottom corner of the piece. Original hardwood floors, arched doorways, textured plaster walls, bullnose trim and original iron fixtures and hardware are present throughout the home. The interior also features an impressive fireplace with a tile hearth, original built-in cabinets and several arched wall niches.

The property received an Award of Merit in 2004 when Jack and Jane Mercer owned the property for their restoration and preservation efforts. The current property owner purchased the home in 2015 and applied for a Mills Act Contract that was approved and recorded on the property that year. Some improvements completed under the Mills Act Contract include removal of carpet and original hardwood floor refinish, cracked roof tile repair, and primary water main replacement. The current property owner has a fondness for historic homes and understands the effort required to maintain them. This will be the second home he has owned to be honored with a Model Colony Award, the first was in 2015 for 205 Plaza Serena Street. The current property owner is aware that the most minor alterations can have significant impacts on a historic resource and is careful to ensure that all improvements are appropriate and as minimally invasive as possible. The Miss Lela McClelland House has been impeccably maintained by the current and previous property owners.

Rehabilitation Award: The Edward Smith House- 407 East Fourth Street
Award Recipient: Home Equity Corporation

The single-family residence is located within the College Park Historic District and was constructed in the Craftsman Bungalow architectural style in 1921 (est.). The one-story home features a moderately pitched double gabled roof, with a wide eave overhang, exposed rafters and decorative beams at the gable ends. Other elements that are representative of the Craftsman style include horizontal wood siding, wood framed hung, fixed and multi-pane ribbon windows, and a charming front porch supported by substantial square posts. The home sits on a rock foundation and is located on 0.28 acres of land. An oversized garage, in the same architectural style, is located at the rear of the home. In the summer of 2018, the residence was purchased by Home Equity Corporation as an investment property. The property had been neglected for some time and several unpermitted alterations had occurred that needed to be addressed as part of the project. United Construction was hired on as the project team to complete the rehabilitation project. The same team has successfully and appropriately rehabilitated numerous historic homes in the City.



The project team made a significant effort to preserve and restore many of the building's original features. The unpermitted kitchen and enclosed patio additions at the rear of the building were removed, restoring the original form of the home. Interior work included the installation of a custom built galley kitchen with country cabinets, quartz countertops and facade backsplash tile, original trim and built-ins were refinished, and the bathrooms were remodeled with period appropriate tile and fixtures. The interior floor plan was slightly

modified to allow for a more functional design and new flooring was installed throughout. New footings and foundation were constructed and new electrical, plumbing, a central HVAC system and a tank-less water heater were installed.

Exterior work includes removal of vinyl siding to expose the original redwood siding underneath. The original wood siding and windows were repaired and painted. Inappropriate aluminum windows were removed from the kitchen and bathroom and replaced with appropriate salvaged wood windows. The detached garage was repaired and painted and an unpermitted and deteriorated detached patio was removed. Overgrown vegetation was removed and the front yard landscaping and fencing were installed. The rehabilitation project uncovered this beautiful Craftsman home in one of the most desirable neighborhoods in the City.

**George Chaffey Memorial Award:
Award Recipient:**

Richard Delman
Petrina Delman

Richard Delman was born and raised in Ontario and attended Chaffey High School. His grandparents Frances and Charles Logan founded Logan's Candies which is still in operation today. Mr. Delman was active in several community organizations, including Ontario Heritage, Chaffey High School Alumni Association, Ontario Rotary, Ontario Community Foundation, Ontario Rotary Police Museum, and Pomona Valley Model A Club.

Richard Delman was a leader in historic preservation in many capacities. As Vice-President of Ontario Heritage, Mr. Delman partnered with other local preservation advocates to protect, preserve, and promote the historical environment and cultural heritage of the Model Colony. Mr. Delman founded the annual Ontario Heritage Cemetery Tour at Historic Bellevue Memorial Park which showcases the local cultural landscape and highlights the lives of people that have made a contribution to the history and development of Ontario. For ten years, Mr. Delman served on the Historic Preservation Commission and Historic Preservation Subcommittee where he reviewed and approved local historic landmark and district designations, Mills Act Contracts, Certificates of Appropriateness and other projects affecting historic properties. It was common for Mr. Delman to share personal stories associated with these historic buildings, places and sites, providing a greater understanding of the context that may not be available in a book, newspaper or archived map. His wealth of knowledge in the field of preservation made him a valuable resource to his community and neighbors that would often seek advice on repairs to their historic properties.

In particular, Mr. Delman made significant contributions to the history of aviation in Ontario. Mr. Delman provided invaluable guidance and insight on the design and function of aviation related buildings given his lifetime of professional and personal experiences in aeronautics. Mr. Delman volunteered to conduct a series of oral histories related to aeronautics, both as an interviewer and an interviewee. He collaborated and coordinated

with representatives of the Air National Guard, General Electric Aeronautics, Lockheed and the FAA Air Traffic Control to document and record local histories.

In 2009, Mr. Delman and his wife Petrina received a Model Colony Award for their restoration and rehabilitation of the prominent Herbert C. Oakley House, an 1887 Stick Victorian style home that is highly recognizable and is frequently featured in City publications. The project included interior renovations and an exterior restoration of the porch, gable end and widow's walk. Attention to each and every detail and appreciation of preserving the historic features of the Oakley House remains as an example and an inspiration to refer to for similar projects.

The George Chaffey Memorial Award is reserved for distinguished leaders that have made significant contributions to the preservation of Ontario's historic resources and the stories behind those resources. Richard Delman was a leader in historic preservation and his contributions have ensured that countless historic resources are protected, preserved and documented for future generations to enjoy.

COMPLIANCE WITH THE ONTARIO PLAN:

The Model Colony Awards Program is consistent with the principles, goals and policies contained in the following components of The Ontario Plan (TOP), including: (1) Vision, (2) Governance, and (3) Policy Plan (General Plan):

[1] City Council Priorities

Goals:

- Invest in the Growth and Evolution of the City's Economy
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities.

[2] Vision

Distinctive Development

- Development Quality: A community that is so well maintained and litter-free that its properties uniformly convey a sense of prosperity that is readily apparent and a symbol of community pride.

Dynamic Balance

- An appreciation for the “personality and charm” of this community, preserving important characteristics and values even as growth and change occur, all the while retaining a distinctive local feel where people love to be.

[3] Governance

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
 - G1-1 Consistency with Policies. We require that staff recommendations to the City Council be consistent with adopted City Council Priorities (Goals and Objectives) and the Policy Plan.
 - 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)

Community Design – Image & Identity

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

Community Design – Historic Preservation

- Goal CD4: Historic buildings, streets, landscapes and neighborhoods, as well as the story of Ontario's people, businesses, and social and community organizations, that have been preserved and serve as a focal point for civic pride and identity.
 - CD4-6: Promotion of Public Involvement in Preservation. We engage in programs to publicize and promote the City's and the public's involvement in preservation efforts.
 - CD4-7: Public Outreach. We provide opportunities for our residents to research and learn about the history of Ontario through the Planning Department, Museum of History and Art, Ontario and the Robert E. Ellingwood Model Colony History Room.

Community Design – Protection of Investment

- 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.
 - CD5-4: Neighborhood Involvement. We encourage active community involvement to implement programs aimed at the beautification and improvement of neighborhoods.



PLANNING COMMISSION STAFF REPORT

March 26, 2019

FILE NOS.: PCUP18-036 and PDEV18-034

SUBJECT: A Conditional Use Permit (File No. PCUP18-036) to establish a drive-thru retail use in conjunction with a Development Plan (File No. PDEV18-034) to construct a commercial drive-thru retail/restaurant building, totaling 7,354 square feet on 1.16 acres of land located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. (APN: 0113-641-15) **submitted by Phelan Development Company.**

PROPERTY OWNER: A & E Leasing

RECOMMENDED ACTION: That the Planning Commission consider and approve File Nos. PCUP18-034 and PDEV18-034, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 1.16 acres of land located at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan, and is depicted in Figure 1: Project Location, below. The project site is currently vacant and is completely surrounded by fully developed properties. The land to the north of the project site is developed with a multi-tenant office building and is located within the Business Park land use district of the Grove Avenue Specific Plan. The land to the south of the project site is developed with retail uses and is located within the Commercial land use district of the Grove Avenue Specific Plan. The land to the east of the project site is developed with a warehouse use and is located within the Business Park land use district of the Grove Avenue Specific Plan. The land to the west of the project site is developed with a gas station and is located within the Commercial land use district of the Grove Avenue Specific Plan.



Figure 1: Project Location

Case Planner:	Alexis Vaughn
Planning Director Approval:	
Submittal Date:	11/01/2018

Hearing Body	Date	Decision	Action
DAB	3/18/19	Approve	Recommend
PC	3/26/19		Final
CC			

PROJECT ANALYSIS:

[1] Background —On November 1, 2018, the applicant applied for a Development Plan (File No. PDEV18-034) and related Conditional Use Permit (File No. PCUP18-036) to establish and construct a 7,354 square-foot multi-tenant retail/restaurant building and associated drive-thru on the above-described project site.

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

On March 18, 2019, the Development Advisory Board reviewed the subject application, and recommended that the Planning Commission approve the proposed project.

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

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

[4] Parking — As verified in the Parking Summary Table, below, the project is required to provide a minimum of 75 off-street parking spaces pursuant to the off-street parking standards specified in the City’s Development Code. The project proposes to provide a total of 76 off-street parking spaces, which includes 15 spaces within the drive-thru lane, meeting the minimum off-street parking requirements for the uses proposed.

Parking Table Summary				
Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
Retail	2,400 SF	4 spaces per 1,000 SF of GFA	10	10
Fast Food Restaurants	4,954 SF 379 LF of drive-thru lane	13.3 spaces per 1,000 SF of GFA. Restaurants with drive-thru may be credited one space for each 24 lineal feet of drive-thru lane behind the pickup window	65	51 (parking spaces)

Parking Table Summary				
Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
				15 (drive-thru spaces)
TOTAL			75	76

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

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

[6] Landscaping — A 20 foot wide landscaped area has been provided along the project’s Grove Avenue and Philadelphia Street frontages. The Development Code requires that a minimum 18 percent landscape coverage must be provided for corner lots. The project is providing 19 percent landscape coverage, which exceeds the minimum requirement (see **Exhibit D: Conceptual Landscape Plan**, attached). A variety of trees will be planted on-site, including Western Redbud, Australian Willow, Afghan Pine, Chinese Elm, Date Palms, Southern Magnolia, and London Plane Tree in box sizes ranging from 24 to 48 inches. The site will also be planted with an assortment of shrubs, grasses, and ground covers, such as Dwarf Bottle Brush, Japanese Privet, New Zealand Flax, Native Blue Rye, Pine Muhly, Deer Grass, Putah Creek Myoporum, Blue Chalk Sticks, and more.

The applicant is proposing outdoor seating in front of the tenant spaces, along the eastern elevation of the building (see **Exhibit B: Proposed Site Plan**). The outdoor seating area will feature planter boxes to soften the area and to delineate seating space. A variety of shading options may be used, such as umbrellas or shade sails, and will be determined as tenants are established through the construction plan check process.

[7] Signage — The project will be required to submit a sign plan application prior to installation of any signage at the site.

[8] Conditional Use Permit — Pursuant to the Grove Avenue Specific Plan, Conditional Use Permit (CUP) approval is required for “Fast Food Restaurants with Drive-Thrus” within the Business Park land use district. The intent of a CUP application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure that the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties, or improvements in the vicinity. The drive-thru restaurant will be constructed as one of the three in-line tenants within the shopping center and will feature a single-lane drive-thru having sufficient stacking to accommodate 8 to 9 vehicles behind the drive-thru pickup window (a minimum of 6 stacking spaces is required). The proposed project, implemented in conjunction with the departmental conditions of approval, is consistent with the standards and guidelines of the Grove Avenue Specific Plan and the City’s Development Code. Therefore, staff supports the granting of the requested Conditional Use Permit.

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

[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:

➤ LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).

▪ Goal LU3: Flexibility in staff, regulations, and processes in order to respond to special conditions and circumstances in order to achieve the vision.

Community Economics Element:

▪ Goal CE1: A complete community that provides for all incomes and stages of life.

➤ 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.

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.

- CD2-8 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.

- CD2-13 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.

- 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.

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 (In-Fill Development Projects) of the CEQA Guidelines, which consists of projects characterized as in-fill developments, which meet the following criteria:

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

The project is consistent with all General Plan and zoning regulations and policies, including those of the Grove Avenue Specific Plan, occurs entirely within the City's limits on a 1.16-acre site totally surrounded by developed parcels, and will be adequately served by all required utilities and public services. The project site has been previously graded; therefore there is no habitat value. The project site is consistent with The Ontario Plan and Grove Avenue Specific Plan Business Park Land Use Designation; therefore, the project will not result in any significant effects relating to traffic, noise, air quality, or water quality.

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	Business Park (0.6 FAR)	Grove Avenue Specific Plan	Business Park
<i>North:</i>	Offices	Business Park (0.6 FAR)	Grove Avenue Specific Plan	Business Park
<i>South:</i>	Retail	General Commercial (0.4 FAR)	Grove Avenue Specific Plan	Commercial
<i>East:</i>	Warehousing	Business Park (0.6 FAR)	Grove Avenue Specific Plan	Business Park
<i>West:</i>	Gas Station	Business Park (0.6 FAR)	Grove Avenue Specific Plan	Commercial

General Site & Building Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	1.16 AC	N/A	

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Lot/Parcel Size:</i>	1.16 AC	1 AC (Min.)	Y
<i>Building Area:</i>	7,354	N/A	
<i>Floor Area Ratio:</i>	0.145	0.4 (Max.)	Y
<i>Building Height:</i>	25'-6"	35' (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>
Retail	2,400 SF	4 spaces per 1,000 SF of GFA	10	10
Fast Food Restaurants	4,954 SF 379 LF of drive-thru lane	13.3 spaces per 1,000 SF of GFA. Restaurants with drive-thru may be credited one space for each 24 lineal feet of drive-thru lane behind the pickup window	65	51 (parking spaces) 15 (drive-thru spaces)
TOTAL			75	76

Exhibit A—AERIAL PHOTOGRAPH



Exhibit B—PROPOSED SITE PLAN

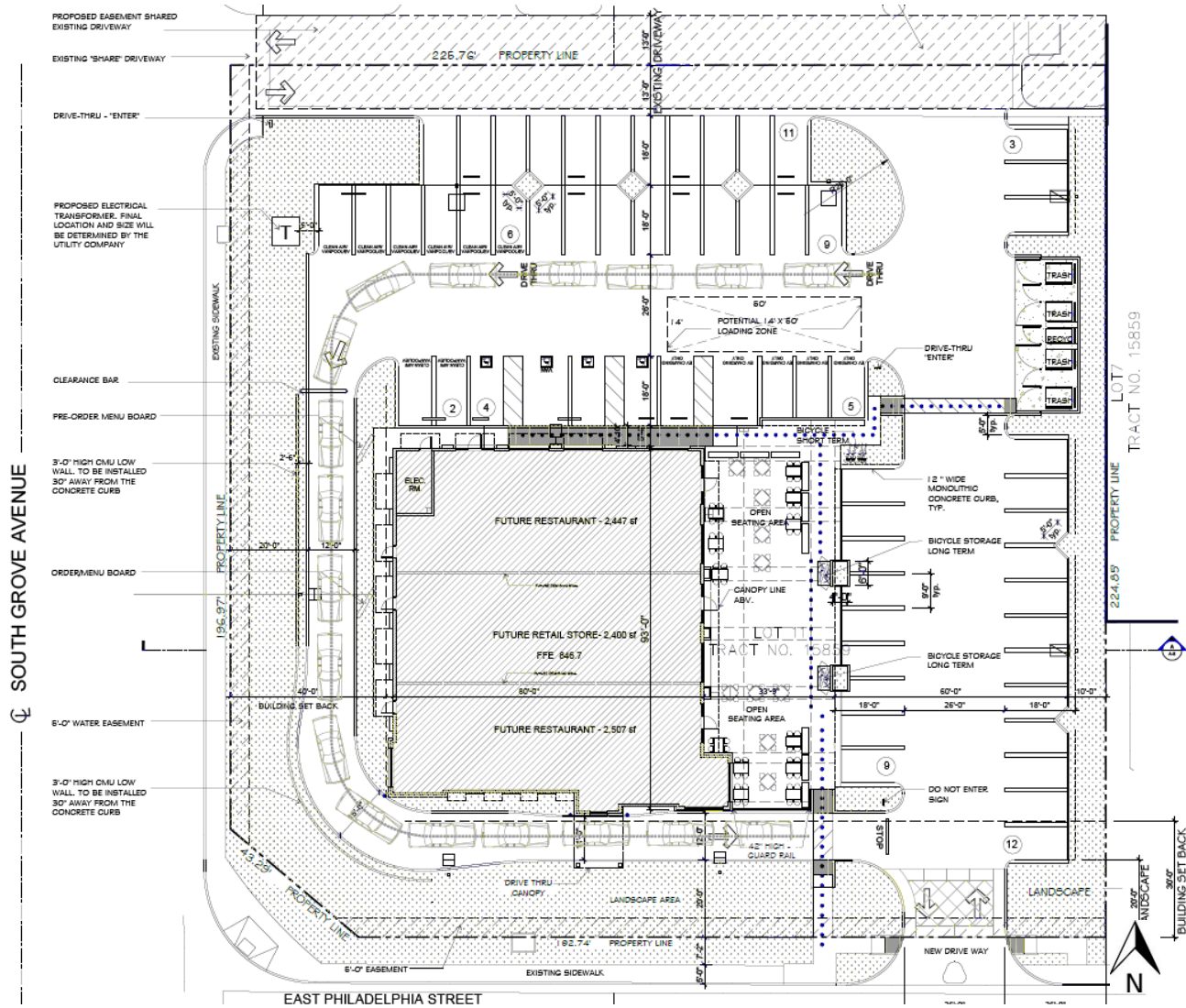


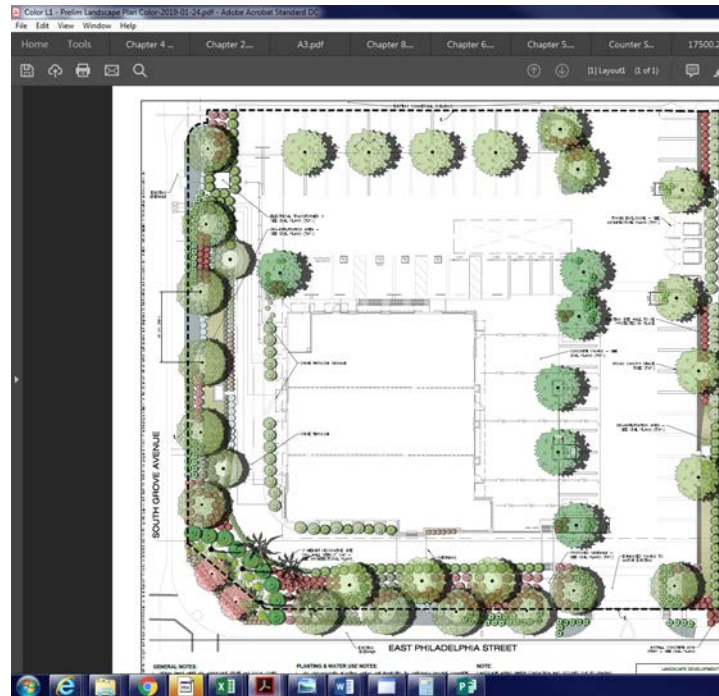
Exhibit C—ELEVATIONS





Exhibit D—LANDSCAPE PLAN

ASHLEY IS WORKING ON UPDATED SITE PLAN TO REFLECT OUTDOOR PLAZA AREA



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP18-036, A CONDITIONAL USE PERMIT TO ESTABLISH A COMMERCIAL RETAIL/RESTAURANT BUILDING WITH DRIVE-THRU TOTALING 7,354 SQUARE FEET ON 1.16 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF GROVE AVENUE AND PHILADELPHIA STREET, AT 2195 SOUTH GROVE AVENUE, WITHIN THE BUSINESS PARK LAND USE DISTRICT OF THE GROVE AVENUE SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0113-641-15.

WHEREAS, PHELAN DEVELOPMENT COMPANY ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. PCUP18-036, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.16 acres of land generally located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 South Grove Avenue within the Business Park land use district of the Grove Avenue Specific Plan, and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Business Park land use district of the Grove Avenue Specific Plan, and is developed with a multi-tenant office building. The property to the east is within the Business Park land use district of the Grove Avenue Specific Plan, and is developed with a warehouse. The property to the south is within the Commercial land use district of the Grove Avenue Specific Plan, and is developed with retail land uses. The property to the west is within the Commercial land use district of the Grove Avenue Specific Plan, and is developed with a gas station; and

WHEREAS, the Conditional Use Permit application proposes to establish a drive-thru facility in conjunction with a 7,354 square-foot multi-tenant retail building; and

WHEREAS, the Grove Avenue Specific Plan requires Conditional Use Permit approval for drive-thru facilities; and

WHEREAS, the Conditional Use Permit application was submitted in conjunction with a Development Plan (File No. PDEV18-034) to construct the building and related site improvements; 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

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 March 18, 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. DAB19-003 recommending the Planning Commission approve the Application; and

WHEREAS, on March 26, 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 have 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 (In-Fill Development Projects) of the CEQA Guidelines, which consists of projects characterized as in-fill developments, which meet the following criteria:

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

The project is consistent with all General Plan and zoning regulations and policies, including those of the Grove Avenue Specific Plan, occurs entirely within the City's limits on a 1.16-acre site totally surrounded by developed parcels, and will be adequately served by all required utilities and public services. The project site has been previously graded; therefore there is no habitat value. The project site is consistent with The Ontario Plan and Grove Avenue Specific Plan Business Park Land Use Designation; therefore, the project will not result in any significant effects relating to traffic, noise, air quality, or water quality; 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 scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the Business Park land use district of the Grove Avenue Specific Plan, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed multi-tenant retail with drive-thru land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the Business Park land use district of the Grove Avenue Specific Plan. Moreover, the single-story building will be located on a project site located within an area

surrounded by existing light industrial, office, and retail uses, and thus, will not have a major impact on the surrounding land uses. Conditions of approval have been established for the project to ensure that the multi-tenant retail facility and associated drive-thru facility will maintain a safe site operation and will not become a nuisance to neighboring properties; and

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

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

(4) ***The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*** The Planning Commission has required certain safeguards, and imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code and the Grove Avenue Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in

harmony with the surrounding area in which it is proposed to be located. The project site will be required to be maintained, including ample site lighting, landscaping, and prompt removal of trash on-site. The project will be required to operate within all parameters of the Development Code, Grove Avenue Specific Plan, and Municipal Code, with regards to noise and safe and orderly parking and circulation. Moreover, the Police Department has required the business to install a security camera surveillance system to help ensure the safety of the general public.

SECTION 5: *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 regular meeting thereof held on the 26th day of March, 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 Vice-Chairman

ATTEST:

Cathy Wahlstrom
Planning Director
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 regular meeting held on March 26, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PCUP18-036
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: March 18, 2019

File No: PCUP18-036

Related Files: PDEV18-034

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

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

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

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

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

2.1 Time Limits.

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

2.2 Landscaping.

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

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

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

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

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

2.4 Parking, Circulation and Access.

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

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

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

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

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

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

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

2.5 Maintenance.

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

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

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

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

2.6 Site Lighting.

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

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

2.7 Mechanical and Rooftop Equipment.

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

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

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

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

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

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

2.11 Environmental Review.

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

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

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

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

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

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

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

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

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

2.13 Additional Requirements.

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



CITY OF ONTARIO

MEMORANDUM

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

FROM: Alexis Vaughn, Assistant Planner

DATE: January 30, 2019

SUBJECT: FILE #: PCUP18-036

Finance Acct#:

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

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

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

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



CITY OF ONTARIO

MEMORANDUM

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

FROM: Alexis Vaughn, Assistant Planner

DATE: November 08, 2018

SUBJECT: FILE #: PCUP18-036

Finance Acct#:

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

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

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

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

Building
Department

Signature

Title

Date

CITY OF ONTARIO

MEMORANDUM

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

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

KS:lr



CITY OF ONTARIO

MEMORANDUM

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

FROM: Alexis Vaughn, Assistant Planner

DATE: November 08, 2018

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

Finance Acct#:

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

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

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

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

Broadband Operations *Anna Vaca*
Department Signature

Sr. Systems Analyst
Title

11/14/2018
Date

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV18-034, A DEVELOPMENT PLAN TO CONSTRUCT A COMMERCIAL RETAIL/RESTAURANT BUILDING WITH DRIVE-THRU, TOTALING 7,354 SQUARE FEET, ON 1.16 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF GROVE AVENUE AND PHILADELPHIA STREET, WITHIN THE BUSINESS PARK LAND USE DISTRICT OF THE GROVE AVENUE SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0113-641-15.

WHEREAS, PHELAN DEVELOPMENT COMPANY ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV18-034, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.16 acres of land generally located at the northeast corner of Grove Avenue and Philadelphia Street, at 2195 South Grove Avenue within the Business Park land use district of the Grove Avenue Specific Plan, and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Business Park land use district of the Grove Avenue Specific Plan, and is developed with a multi-tenant office building. The property to the east is within the Business Park land use district of the Grove Avenue Specific Plan, and is developed with a warehouse. The property to the south is within the Commercial land use district of the Grove Avenue Specific Plan, and is developed with retail land uses. The property to the west is within the Commercial land use district of the Grove Avenue Specific Plan, and is developed with a gas station; and

WHEREAS, the Development Plan proposes to construct a 7,354 square-foot multi-tenant drive-thru building; and

WHEREAS, the Development Plan was submitted in conjunction with a Conditional Use Permit (File No. PCUP18-036) to allow for the establishment of the drive-thru land use; 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

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 March 18, 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. DAB19-004, recommending the Planning Commission approve the Application; and

WHEREAS, on March 26, 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 (In-Fill Development Projects) of the CEQA Guidelines, which consists of projects characterized as in-fill developments, which meet the following criteria:

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

The project is consistent with all General Plan and zoning regulations and policies, including those of the Grove Avenue Specific Plan, occurs entirely within the City's limits on a 1.16-acre site totally surrounded by developed parcels, and will be adequately served by all required utilities and public services. The project site has been previously graded; therefore there is no habitat value. The project site is consistent with The Ontario Plan and Grove Avenue Specific Plan Business Park Land Use Designation; therefore, the project will not result in any significant effects relating to traffic, noise, air quality, or water quality; 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 Business Park (0.6 FAR) land use district of the Policy Plan Land Use Map, and the Business Park land use district of the Grove Avenue Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained are consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed multi-tenant retail building will provide the neighborhood with a walkable, added commercial convenience, per policy LU-6 (Complete Community) of the Policy Plan. Additionally, the project will be well-landscaped, and the overall site improvements will contribute to both the streetscape along Grove Avenue and Philadelphia Street per Policies CD209 (Landscape Design) and CD3-6 (Landscaping) of the Policy Plan; and

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

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

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

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 regular meeting thereof held on the 26th day of March, 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 Vice-Chairman

ATTEST:

Cathy Wahlstrom
Planning Director
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 regular meeting held on March 26, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV18-034
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: March 18, 2019

File No: PDEV18-034

Related Files: PCUP18-036

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

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

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

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

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

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

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

2.6 Maintenance.

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

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

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

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

2.7 Site Lighting.

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

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

2.8 Mechanical and Rooftop Equipment.

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

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

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

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

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

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

2.12 Environmental Review.

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

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

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

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

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

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

2.14 Additional Fees.

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

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

2.15 Additional Requirements.

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

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

(c) The applicant shall work with staff to finalize all details relating to building architecture and open patio seating, plantings, layout, and functionality.



CITY OF ONTARIO

MEMORANDUM

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

FROM: Alexis Vaughn, Assistant Planner

DATE: January 30, 2019

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

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

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

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

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



CITY OF ONTARIO

MEMORANDUM

DEVELOPMENT PLAN REVIEW COMMENTS Engineering Department/Land Development Section

DATE: February 25, 2019 (DPR1)

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

LOCATION: 2195 South Grove Avenue

PROJECT ENGINEER: Matthew Holmes, Assistant Engineer

PROJECT PLANNER: Alexis Vaughn, Associate Planner

A. General Comments:

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

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

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

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

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

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



CITY OF ONTARIO

MEMORANDUM

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

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

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

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

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

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



CITY OF ONTARIO

MEMORANDUM

Development Plan Review

Project: PDEV18-034

Date: February 22, 2019

Location: 2195 S Grove Avenue

By: David Tan

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

Conditions:

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

dt;



CITY OF ONTARIO MEMORANDUM



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

BRIEF DESCRIPTION

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

THIS SUBMITTAL IS COMPLETE AND RECOMMENDED FOR APPROVAL.

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

General Conditions:

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

Potable Water Comments:

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

Recycled Water Comments:

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

Sanitary Sewer Comments:

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

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

Michael Birmelin, Environmental Programs Manager

omucenvironmental@ontarioca.gov

Phone: (909) 395-2661

Solid Waste Comments:

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



SOLID WASTE HANDLING PLAN (SWHP) REQUIREMENTS:

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

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



CITY OF ONTARIO
MEMORANDUM

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

FROM: Alexis Vaughn, Assistant Planner

DATE: January 30, 2019

SUBJECT: FILE #: PDEV18-034

Finance Acct#:

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

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

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

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

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Architect

3/4/19
 Date

Reviewer's Name:
Carolyn Bell, Sr Landscape Architect

Phone:
(909) 395-2237

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

Case Planner:
 Alexis Vaughn

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

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

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

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

Civil/ Site Plans

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

Landscape Plans

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

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

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

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



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Planning Department

FROM: Douglas Sorel, Police Department

DATE: November 14, 2018

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

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

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

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

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

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

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

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



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner
Planning Department

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

DATE: November 26, 2018

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

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

SITE AND BUILDING FEATURES:

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

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

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

3.0 WATER SUPPLY

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

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

4.0 FIRE PROTECTION SYSTEMS

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

5.0 BUILDING CONSTRUCTION FEATURES

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

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

6.0 OTHER SPECIAL USES

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



CITY OF ONTARIO

MEMORANDUM

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

FROM: Alexis Vaughn, Assistant Planner

DATE: November 08, 2018

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

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

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

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

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

Building
Department

Signature

Title

Date

CITY OF ONTARIO

MEMORANDUM

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

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr

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

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

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

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

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

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

CONDITIONS OF APPROVAL – PDEV18-034

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

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



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

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

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

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

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

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

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



**PLANNING COMMISSION
STAFF REPORT**
March 26, 2019

FILE NO.: PDEV18-012

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

PROPERTY OWNER: Southern California Edison

RECOMMENDED ACTION: That the Planning Commission consider and adopt a Mitigated Negative Declaration and approve File No. PDEV18-012, 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 12.3 acres of land located on the north side of Francis Avenue, approximately 1,000 feet of Milliken Avenue, and is depicted in Figure 1: Project Location, below. The area to the north, south, and west are developed with an industrial warehousing, and the I-15 Freeway abuts the project site on the east.

PROJECT ANALYSIS:

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

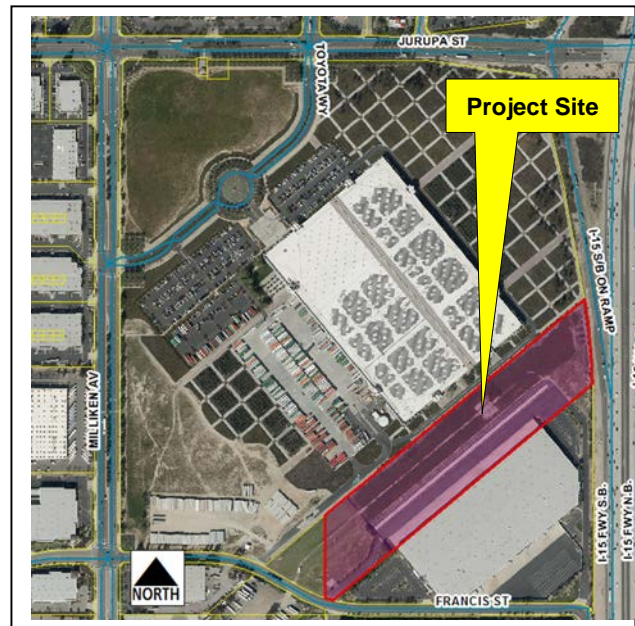


Figure 1: Project Location

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	
Submittal Date:	03/30/2018

Hearing Body	Date	Decision	Action
DAB	03/18/2019	Approved	Recommend
PC	03/26/2019		Final
CC			

On March 18, 2019, the Development Advisory Board reviewed the subject application, and recommended that the Planning Commission approve the proposed project.

[2] Site Design/Building Layout — The proposed non-stealth telecommunications facility will be located on an existing SCE transmission tower located on the northeast portion of the project site, within an SCE corridor. Currently, the existing SCE transmission tower measures 139 feet to the top of the tower, with the proposed telecommunications antennas measuring 65 feet to the top of the antenna array. The proposed T-Mobile facility will enhance coverage within the surrounding industrial areas, as shown on the attached existing and proposed condition propagations maps (**see Exhibits E and F, attached**).

The maximum height allowed for a single-carrier telecommunication facility is 55 feet, and 65 feet for a collated (two or more carriers) facility. The existing SCE tower is 139 feet in height and can easily accommodate at least two carriers; therefore, the proposed mounting height of the proposed wireless telecommunications antenna array is in compliance with the Development Code's maximum height restriction for collocated facilities. As shown on the tower elevations (**Exhibit D – Elevations**), a future second carrier could install their equipment on the SCE tower without creating interference with the other carrier, due to the extended tower height.

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

[4] Architecture — The proposed project is consistent with the design guidelines set forth in the Ontario Development Code. The proposed non-stealth telecommunications facility meets the City's design guidelines, and will blend in with the surrounding scenery.

The proposed location provides an opportunity for the carrier (T-Mobile) to provide telecommunication coverage on industrially zoned properties to the north, south, and west. Furthermore, the telecommunication facility has been designed for collocation, which will potentially eliminate the need for an additional separate facility in the area. The facility location is separated from the I-15 Freeway to the east and is set back more than 1,000 feet northeast of the street property line. These separations will provide a buffer between the telecommunication facility and neighboring industrial uses.

[5] Signage — Pursuant to Development Code requirements, an informational sign (measuring 2 feet x 2 feet), which includes the carriers information and an emergency contact number, will be installed outside the facility enclosure.

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

[2] 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 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.

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.

- CD2-7 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.

- CD2-13 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 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 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines, which consists of construction and location of limited numbers of new, small facilities or structures as well as the installation of small new equipment and facilities in small structures.

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

Exhibit A—PROJECT LOCATION MAP

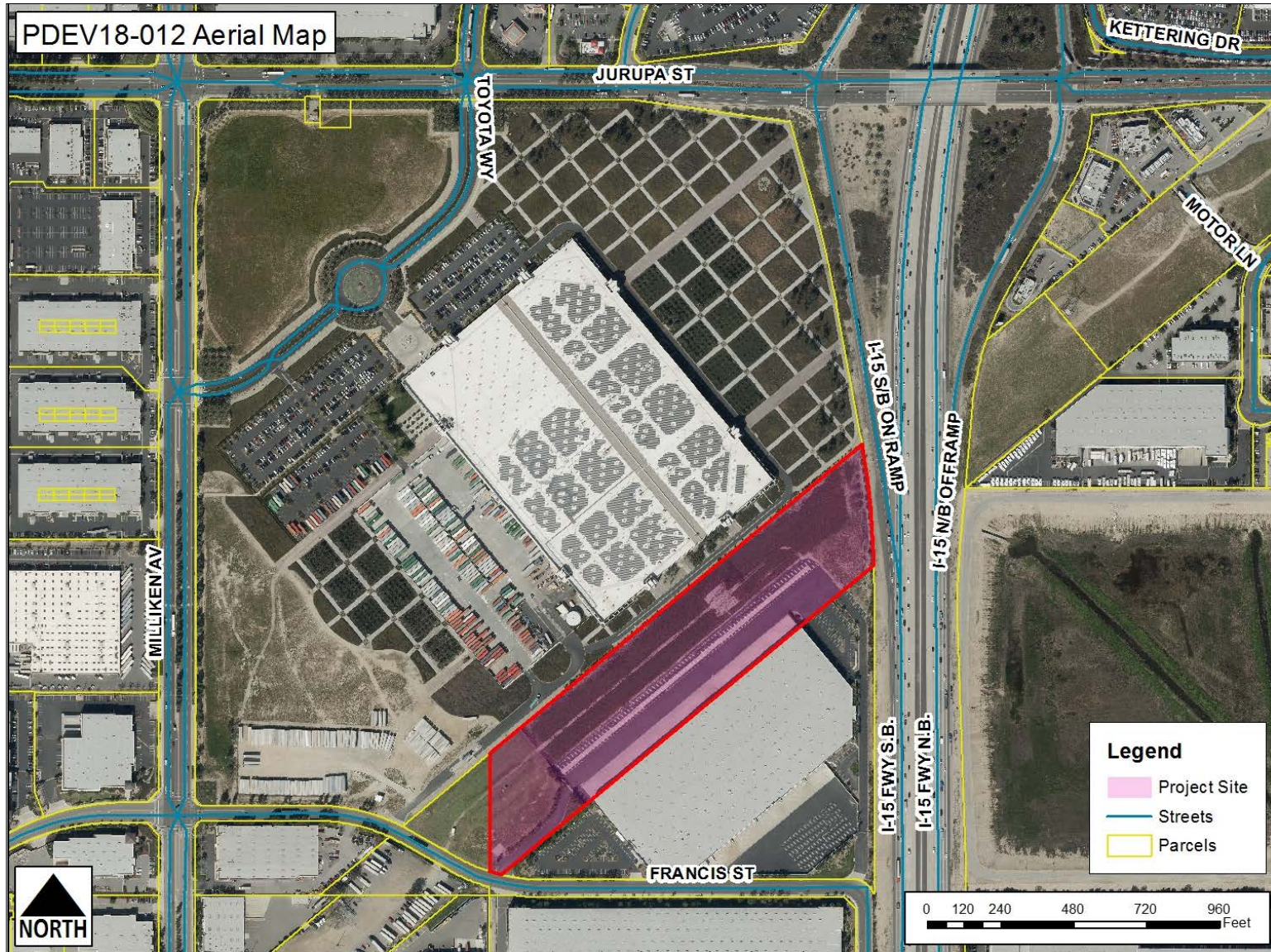


Exhibit B—PROJECT SITE PLAN

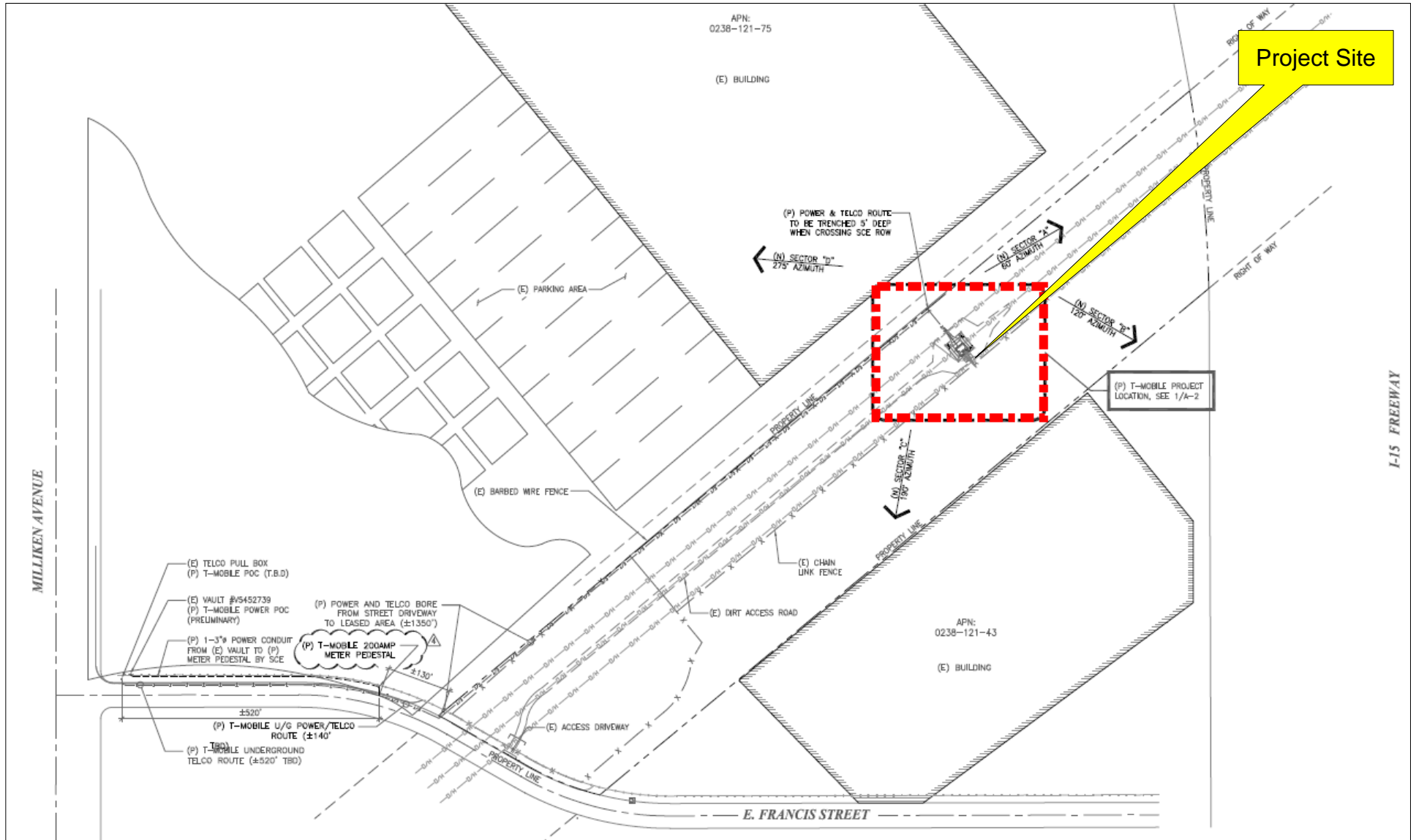


Exhibit C—ENLARGED SITE PLAN

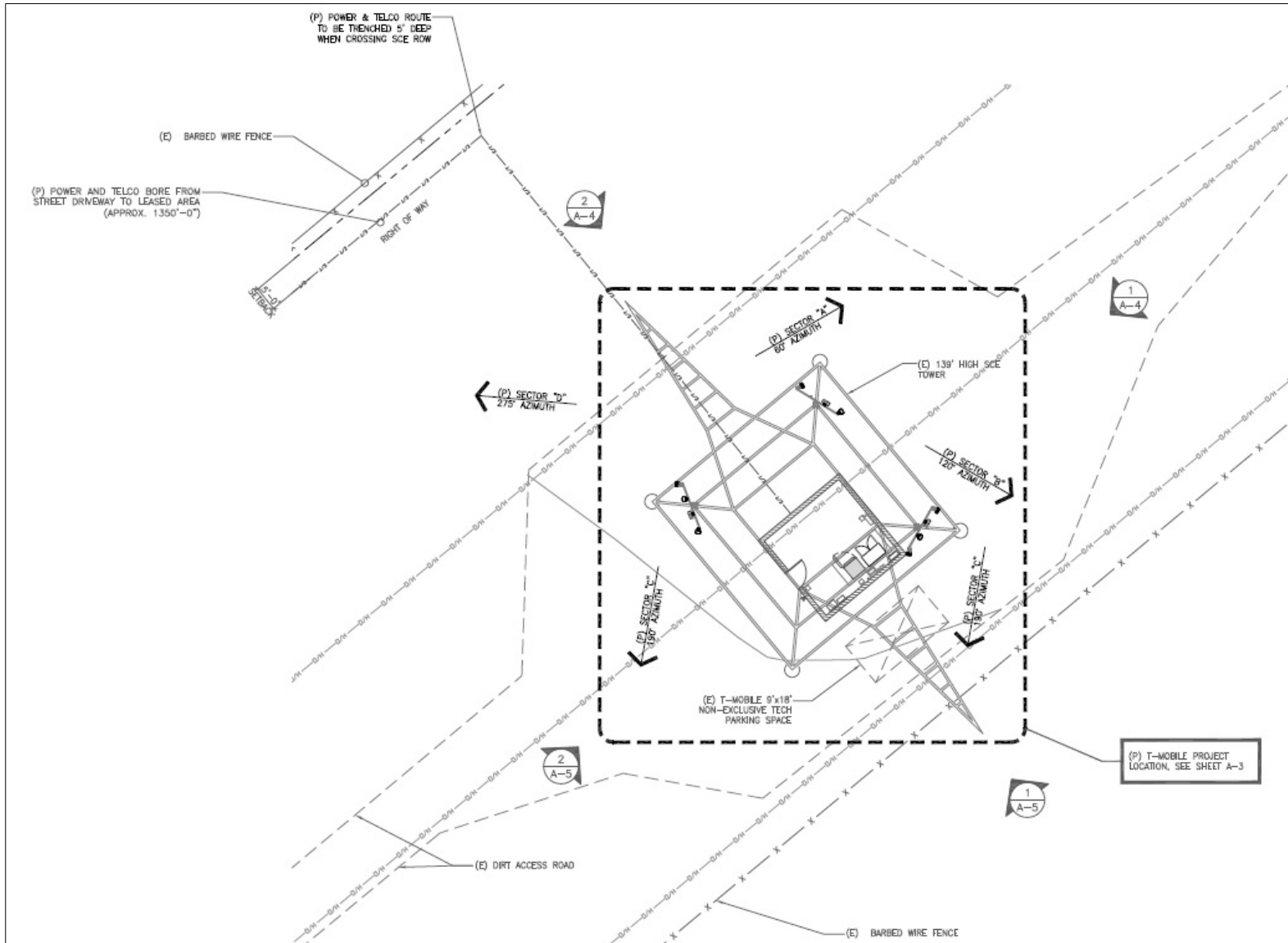


Exhibit D—ELEVATIONS

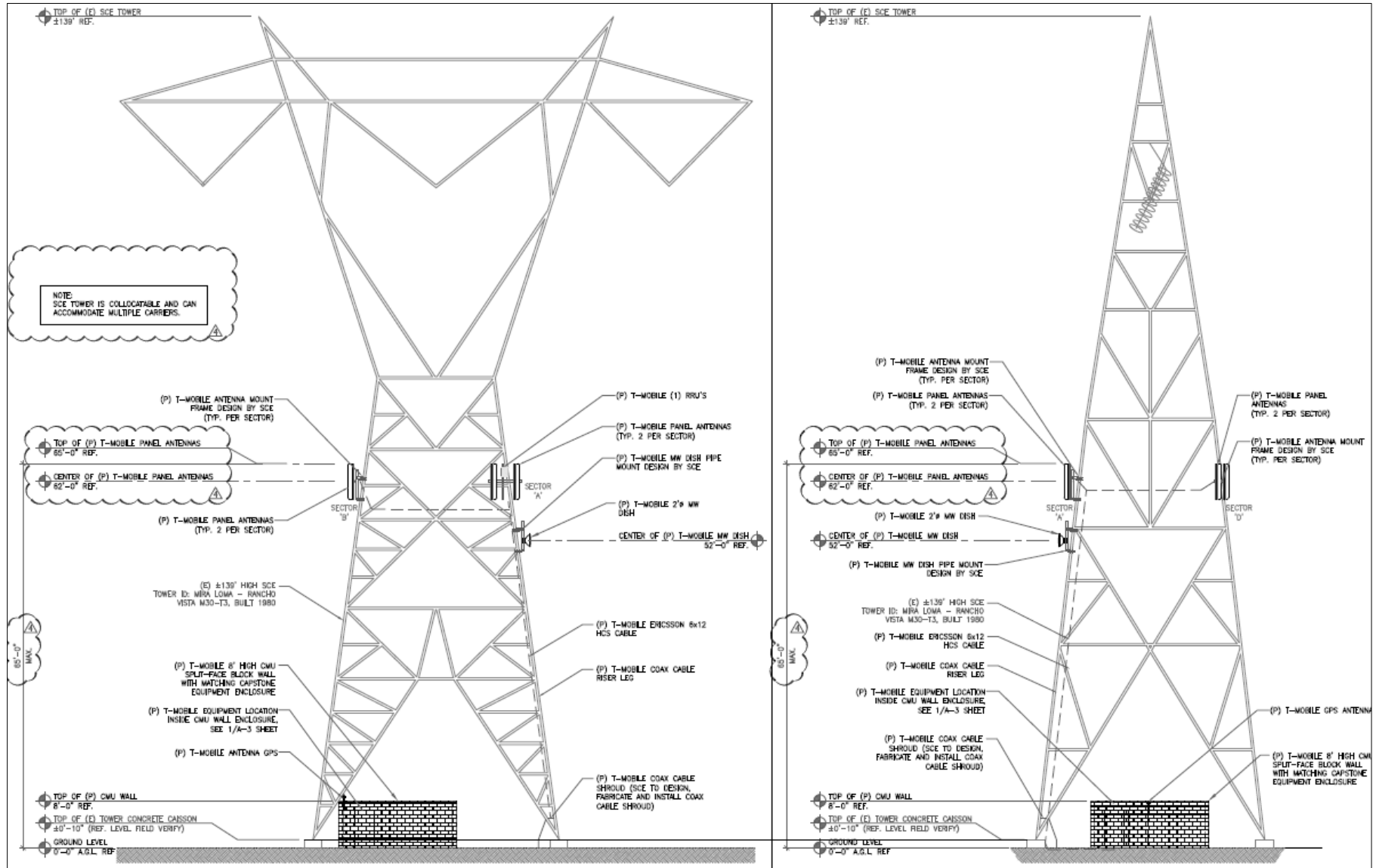


Exhibit D—ELEVATIONS

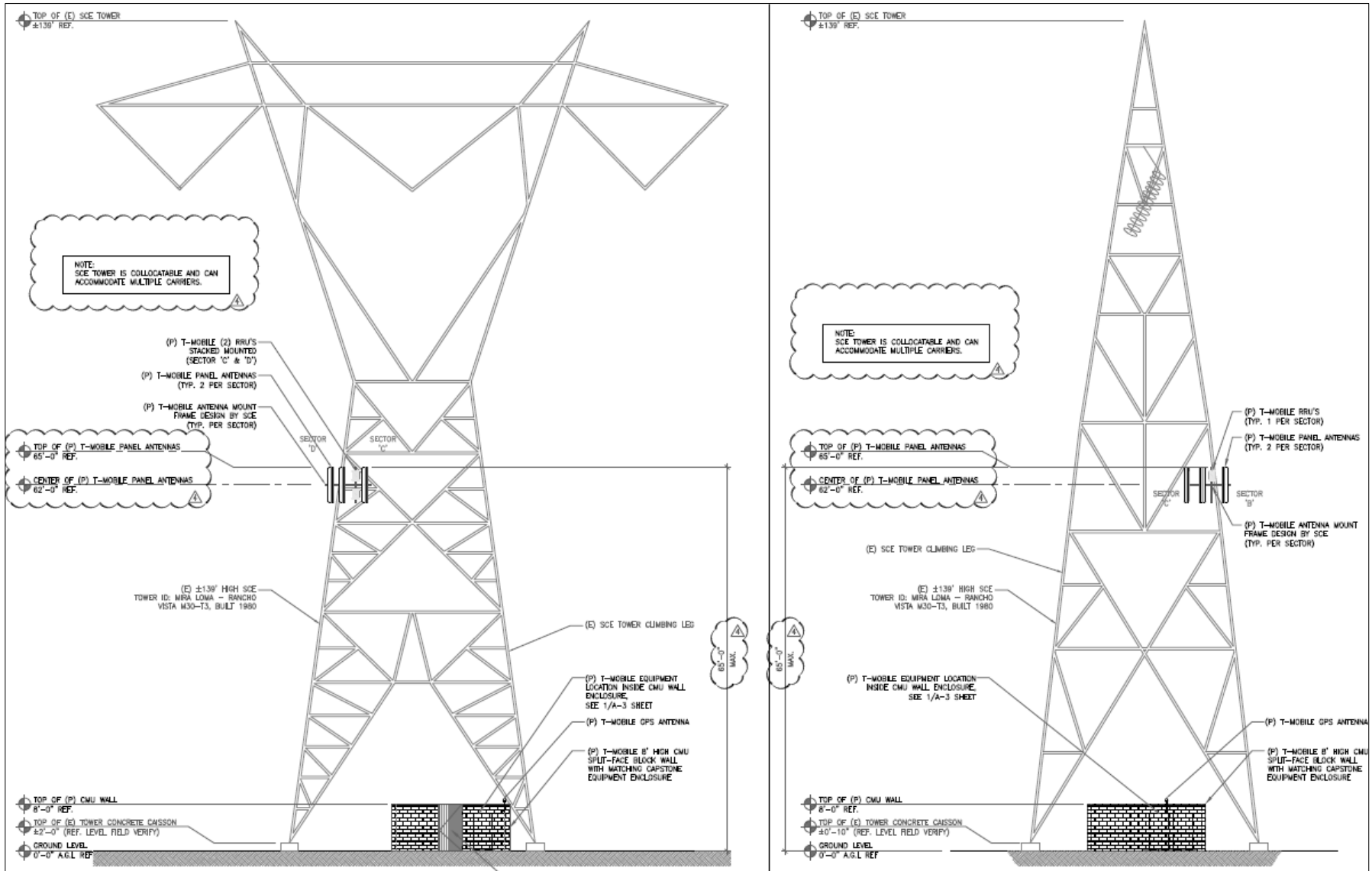


Exhibit E—PROPAGATION MAP, EXISTING COVERAGE

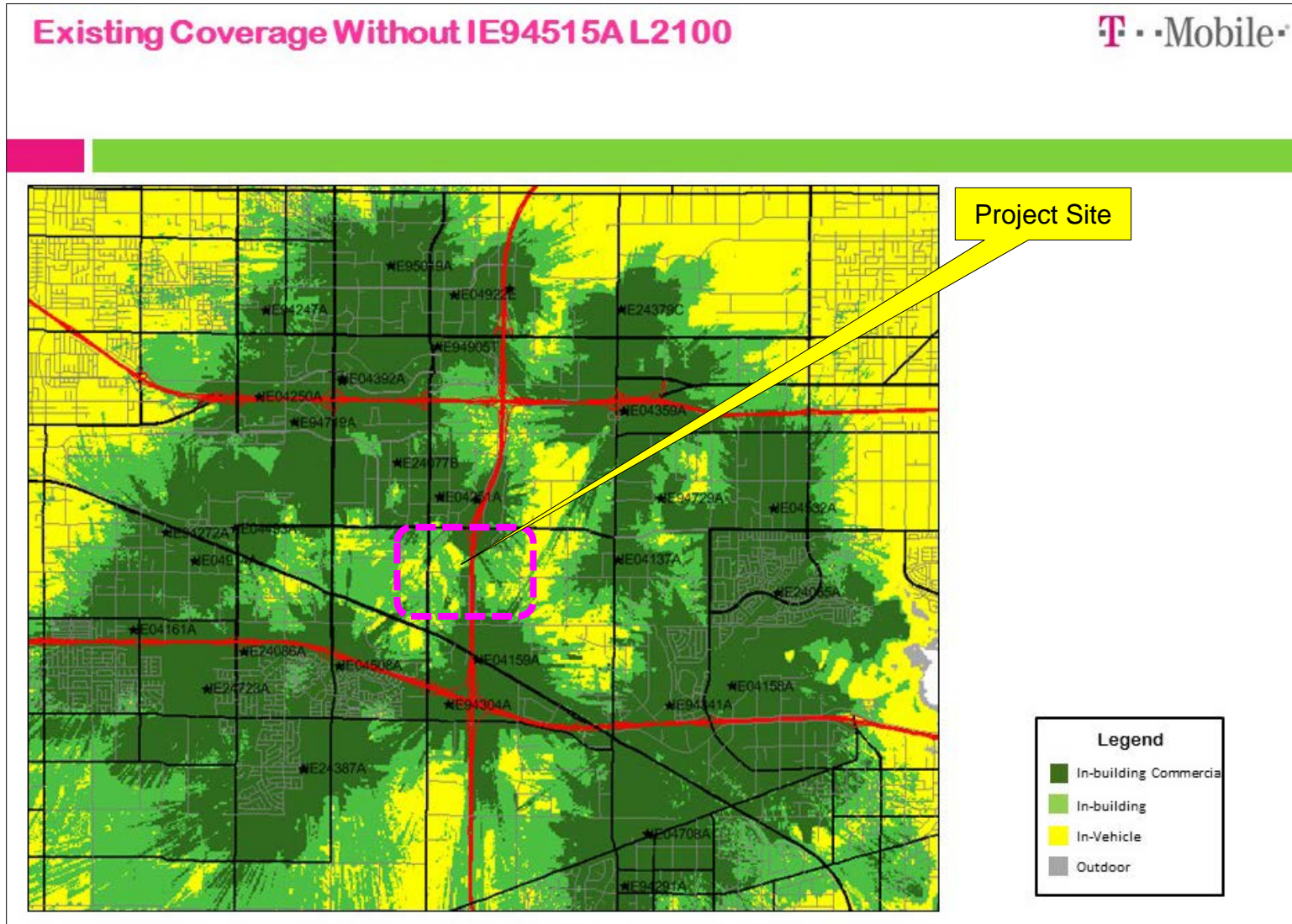
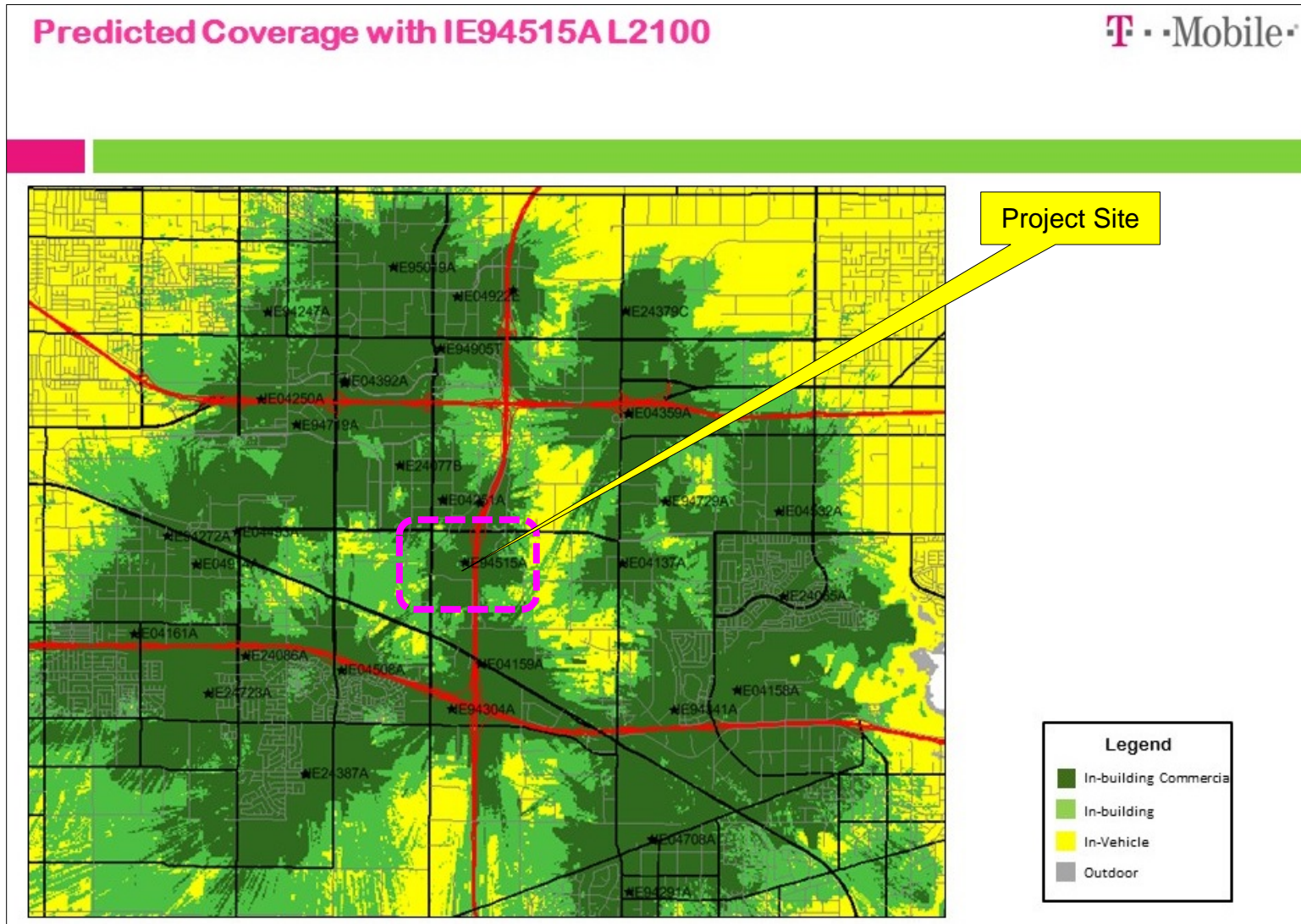


Exhibit F—PROPAGATION MAP, PREDICTED COVERAGE



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV18-012, A DEVELOPMENT PLAN TO CONSTRUCT A WIRELESS TELECOMMUNICATIONS FACILITY (T-MOBILE) ON AN EXISTING 139-FOOT TALL SCE TRANSMISSION TOWER ON 12.3 ACRES OF LAND GENERALLY LOCATED ON THE NORTH SIDE OF FRANCIS AVENUE, APPROXIMATELY 1,000 FEET OFF MILLIKEN AVENUE, WITHIN THE SCE EASEMENT LAND USE DESIGNATION OF THE ENTRATTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—
APN: 0238-121-44.

WHEREAS, T-MOBILE ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV18-012, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 12.3 acres of land generally located north side of Francis Avenue, approximately 1,000 feet off Milliken Avenue, and is presently improved with an SCE Easement; and

WHEREAS, the property to the north of the Project site is within the Toyota Ontario Business Park Specific Plan, and is developed with warehousing. The property to the east is within the I-15 Freeway. The property to the south is within the Entratter Specific Plan, and is developed with warehousing. The property to the west is within the Toyota Ontario Business Park Specific Plan and Utilities Corridor zoning district, and is developed with warehousing and the SCE Easement; and

WHEREAS, on March 18, 2019, the Development Advisory Board reviewed the subject application, and recommended that the Planning Commission approve the proposed project; and

WHEREAS, the proposed non-stealth telecommunications facility will be located on an existing SCE transmission tower located northeast portion of the project site within an SCE corridor. Currently, the existing SCE transmission tower measures at 139 feet to the top of the tower, with the proposed telecommunications antennas measured at 65 feet to the top of the antenna array. The proposed T-Mobile facility will enhance coverage within the surround industrial areas, which is currently lacking, as shown on the attached existing and proposed condition propagations maps; and

WHEREAS, the maximum height allowed for a single-carrier telecommunication facility is 55 feet, and 65 feet for a collated (two or more carriers) facility. The existing SCE tower is 139 feet in height and can accommodate at least two carriers; therefore, the proposed mounting height of the proposed wireless telecommunications antenna array is

in compliance with the Development Code's maximum height restrictions. A future second carrier could install their equipment on the SCE tower without creating interference with the other carrier, due to the extended tower height; and

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

WHEREAS, the proposed project is consistent with the design guidelines set forth in the Ontario Development Code. The proposed non-stealth telecommunications facility meets the City's design guidelines, and will blend in with the surrounding scenery; and

WHEREAS, the proposed location provides an opportunity for the carrier (T-Mobile) to provide telecommunication coverage on industrially zoned properties to the north, south, and west. Furthermore, the telecommunication facility has been designed for collocation, which will potentially eliminate the need for an additional separate facility in the area. The facility location is separated from the I-15 Freeway to the east and is set back more than 1000 feet northeast of the street property line. These separations will provide a buffer between the telecommunication facility and neighboring industrial uses; and

WHEREAS, pursuant to Development Code requirements, an informational sign (measuring 2 feet x 2 feet), which includes the carriers information and an emergency contact number, will be installed outside the facility enclosure; 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 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 March 18, 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. DAB19-006, recommending the Planning Commission approve the Application; and

WHEREAS, on March 26, 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 have 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 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines, which consists of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure; 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 Open Space Non-Residential land use district of the Policy Plan Land Use Map, and the Entratter Specific PI. 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.

(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 Entratter Specific PI, including standards relative to the particular land use proposed (non-stealth wireless telecommunications facility), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

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

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

Specific Plan that are applicable to the proposed Project, including 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 ([insert land use]). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Entratter Specific Plan.

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 regular meeting thereof held on the 26th day of March 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director
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 regular meeting held on March 26, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV18-012
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: March 18, 2019

File No: PDEV18-012

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

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

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

2.5 Parking, Circulation and Access.

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

2.6 Site Lighting.

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

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

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

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

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

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

2.11 Environmental Review.

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

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

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

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

2.13 Additional Fees.

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

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



CITY OF ONTARIO

MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

DAB MEETING DATE: March 18th, 2019

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

APN: 0238-121-44

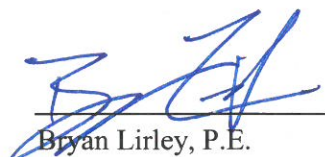
LOCATION: N/S of Francis Street, approximately 1,000 feet East of Milliken Avenue

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

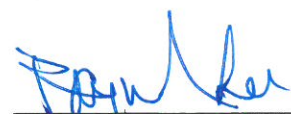
PROJECT PLANNER: Jeanie Aguilo, Associate Planner (909) 395-2418

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

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


Bryan Lirley, P.E.
Principal Engineer

2/28/19
Date


Raymond Lee, P.E.
Assistant City Engineer

2/28/19
Date

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-012

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

APN: 0238-121-44

Existing Land Use: 139 Ft tall SCE Transmission Tower

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

Site Acreage: 12.2 Proposed Structure Height: 76 ft

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 5/17/18

CD No.: 2018-026

PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

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

Airport Planner Signature: _____

CITY OF ONTARIO

MEMORANDUM

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

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

KS:lm



CITY OF ONTARIO

MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: April 02, 2018

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

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

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

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

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

Building
Department

Signature

Title

Date



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Assistant Planner
Planning Department

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

DATE: April 10, 2018

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

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

CONDITIONS OF APPROVAL:

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

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

28. The developer shall transmit a copy of these requirements to his on-site contractor to foster a mutual understanding between on-site personnel and the Fire Marshal's office. It is highly recommended that the developer and fire protection designer obtain a copy of the Ontario Fire Department Fire Protection System Information Checklist to aid in system design. Development Advisory Board comments are to be included on the construction drawing.

ADDITIONAL COMMENTS:

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

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



CITY OF ONTARIO
MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: April 02, 2018

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

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



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
Scott Murphy, Assistant Development Director (Copy of memo only)
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Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department
David Simpson, IT Department (Copy of memo only)

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: April 02, 2018

SUBJECT: FILE #: PDEV18-012

Finance Acct#:

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Police
Department

Douglas Sorel
Signature

MANAGEMENT ANALYST
Title

4-19-18
Date



CITY OF ONTARIO MEMORANDUM

TO: Hassan Haghani, Development Director
 Scott Murphy, Assistant Development Director (Copy of memo only)
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
 Charity Hernandez, Economic Development
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 David Simpson, IT Department (Copy of memo only)

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: April 02, 2018

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

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

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



**PLANNING COMMISSION
STAFF REPORT**
March 26, 2019

FILE NO.: PDA07-005

SUBJECT: A Development Agreement Amendment (First Amendment – File No. PDA07-005) between the City of Ontario and STG Communities II, LLC, a California limited liability company, to modify certain infrastructure requirements associated with the development of Tentative Tract Map Nos. 18026 (PMTT11-003) and 18027 (PMTT11-002), located on the northwest corner of Haven Avenue and Chino Avenue, and the northwest corner of Haven Avenue and Schaefer Avenue, within Planning Areas 4 and 8 of the West Haven Specific Plan (APNs: 0218-151-11 and 0218-151-38). **Submitted by STG Communities II, LLC. City Council action is required.**

PROPERTY OWNER: STG Communities II, LLC, a California limited liability company

RECOMMENDED ACTION: That the Planning Commission recommend City Council adoption of an ordinance approving the Development Agreement Amendment (First Amendment - File No. PDA 07-005), between the City of Ontario and STG Communities II, LLC.

PROJECT SETTING: The project site, depicted in Figure 1: Project Location, is comprised of 48.73 acres of land (TT18026 and TT18027) located at the northwest corner of Haven Avenue and Chino Avenue and the northwest corner of Haven Avenue and Schaefer Avenue, within Planning Areas 4 and 8 of the West Haven Specific Plan, respectively. The properties to the north and east, are developed with agriculture and dairy uses. The property to the west is currently developed with single family homes. The property to the south is developed with a Southern California Edison (SCE) utility corridor.



Figure 1: Project Location

Case Planner:	Derrick Womble, Administrative Officer
Planning Director Approval:	
Submittal Date:	February 12, 2019

Hearing Body	Date	Decision	Action
DAB	N/A	N/A	N/A
PC	03/26/2019		Recommend
CC	04/16/2019		Final

PROJECT ANALYSIS:

[1] Background — On July 17, 2007, the City Council approved the West Haven Specific Plan (“Specific Plan”), File No. PSP03-006, and the corresponding Environmental Impact Report (EIR). The Specific Plan established the land use designations, development standards, and design guidelines for approximately 202 gross acres of land, which included the potential development of 753 single-family units and 87,000 square feet of commercial space, bounded by Riverside Drive to the north, Schaefer Avenue to the south, Haven Avenue to the east, and the SCE utility corridor and Turner Avenue to the west. Subsequently, the City Council approved a Development Agreement, File No. PDA07-005 (“Original Agreement”), to develop 48.73 acres of land within Planning Areas 4 and 8 of the Specific Plan.

The main points of the Original Agreement address Development Impact Fees (DIF), public service funding, Community Facilities District (CFD) for maintenance of public facilities, park/open space requirements, affordable housing fees, and school facilities requirements, and remain in full force and effect.

State law and Section 2.5 of the Original 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 Agreement.

[2] Staff Analysis – The proposed First Amendment continues to apply to the same area as the Original Agreement and proposes to modify certain public infrastructure requirements to serve Tentative Tract Map Nos. 18026 (PMTT11-003) and 18027 (PMTT11-002). As most of the public infrastructure previously required per the Original Agreement have been completed by other developers, their inclusion in the Development Agreement is no longer necessary. This will allow STG Communities II, LLC to update their public infrastructure requirements to better reflect current development conditions in the Ontario Ranch area. Key points of the First Amendment are as follows:

- Continuing funding of Fire Station No. 9;
- Payment for the construction of a portion of Schaefer Avenue to serve Tract No. 18027;
- Continuing requirement for public infrastructure (streets, sewer, water, recycled water, storm drain, fiber) to serve Tentative Tract Map Nos. 18026 and 18027, to the extent that such public infrastructure has not been constructed and completed by others;
- City’s acknowledgement that Tentative Tract Map Nos. 18026 and 18027 have an approved Water Quality Management Plan; and
- Conditions of Approval for Tentative Tract Map Nos. 18026 and 18027, as previously approved by the City, shall be modified to be consistent with the provisions of the First Amendment.

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 acceptable, a recommendation of approval to the City Council would be appropriate.

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
- 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:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
 - LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics 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.

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.
 - H2-4 New Model Colony. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.
 - H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.
- Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.

- CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

- 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.

➤ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

➤ 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.

➤ CD2-10 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.

➤ CD2-11 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.

➤ CD2-12 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. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (753) and density (4-7 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 West Haven Specific Plan, for which an EIR (SCH# 2004071095) was adopted by the City Council on July 17, 2007. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

EXHIBIT "A"

West Haven Specific Plan Land Use Map

SECTION 3 • LAND USE PLAN



Exhibit 3-1
WEST HAVEN LAND USE PLAN

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT, FILE NO. PDA07-005, BETWEEN THE CITY OF ONTARIO AND STG COMMUNITIES II, LLC, TO MODIFY CERTAIN INFRASTRUCTURE REQUIREMENTS TO SERVE TENTATIVE TRACT MAP NOS. 18026 AND 18027 FOR PROJECTS LOCATED AT THE NORTHWEST CORNER OF HAVEN AVENUE AND CHINO AVENUE AND THE NORTHWEST CORNER OF HAVEN AVENUE AND SCHAEFER AVENUE, WITHIN PLANNING AREAS 4 AND 8 OF THE WEST HAVEN SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 0218-151-11 AND 0218-151-38.

WHEREAS, CALIFORNIA GOVERNMENT CODE SECTION 65864 NOW provides, in pertinent part, as follows:

“The Legislature finds and declares that:

(a) The lack of certainty in the approval process of development projects can result in a waste of resources, escalate the cost of housing and other developments to the consumer, and discourage investment in and commitment to comprehensive planning which would make maximum efficient utilization of resources at the least economic cost to the public.

(b) Assurance to the Applicant for a development project that upon approval of the project, the Applicant may proceed with the project in accordance with existing policies, rules and regulations, and subject to conditions of approval, will strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic costs of development.”

WHEREAS, California Government Code Section 65865 provides, in pertinent part, as follows:

“Any city ... may enter into a Development Agreement with any person having a legal or equitable interest in real property for the development of such property as provided in this article ...”

WHEREAS, California Government Code Section 65865.2 provides, in part, as follows:

“A Development Agreement shall specify the duration of the Agreement, the permitted uses of the property, the density of intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The Development Agreement may include conditions, terms, restrictions, and requirements for subsequent

discretionary actions, provided that such conditions, terms, restrictions, and requirements for discretionary actions shall not prevent development of the land for the uses and to the density of intensity of development set forth in this Agreement ...”

WHEREAS, on April 4, 1995, the City Council of the City of Ontario adopted Resolution No. 95-22 establishing procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, on September 10, 2002, the City Council of the City of Ontario adopted Resolution No. 2002-100 which revised the procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, on March 3, 2015, the City Council of the City of Ontario, adopted Ordinance No. 3015, approving a Development Agreement (File No. PDA 07-005), between Stratham Properties Inc., and the City; and

WHEREAS, Stratham Properties, Inc. has assigned the Development Agreement to STG Communities II, LLC and STG Communities II, LLC has been assigned certain rights and obligations of the Development Agreement, and STG Communities II, LLC has accepted such rights and obligations under the provisions of the Assignment and Assumption Agreement between Stratham Properties Inc. and STG Communities II, LLC; and

WHEREAS, attached to this resolution, marked Exhibit “A” and incorporated herein by this reference, is the proposed First Amendment to the Development Agreement between STG Communities II, LLC and the City of Ontario, File No. PDA07-005. Hereinafter in this Resolution, the First Amendment to Development Agreement is referred to as the “Amendment”; and

WHEREAS, on March 26, 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, the environmental impacts of this project were reviewed with the West Haven Specific Plan Environmental Impact Report (SCH#2004071095) certified by the City Council on July 17, 2007. This project introduces no new significant environmental impacts. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference; 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 body for the Project, the Planning Commission has reviewed and considered the information contained in the previously adopted West Haven Specific Plan (SCH#2004071095) that was adopted by the City Council on July 17, 2007, and supporting documentation. Based upon the facts and information contained in the addendum to the West Haven Specific Plan EIR (SCH#2004071095) and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with the previously adopted West Haven Specific Plan EIR (SCH#2004071095) that was adopted by the City Council on July 17, 2007. This application introduces no new significant environmental impacts; and

(2) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts.

(3) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference.

(4) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the West Haven Specific Plan EIR, all related 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 Environmental Impact Report 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 Consistency.* 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. 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 (753) and density (4-7 DU/AC) specified within West Haven Specific Plan.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the 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 substantial evidence presented to the Planning Commission during the above-referenced hearing on March 26, 2019, including written and oral staff reports, together with public testimony, the Planning Commission hereby specifically finds as follows:

a. The Amendment applies to approximately 48.73 acres of land generally located at the northwest corner of Haven Avenue and Chino Avenue, and the northwest corner of Haven Avenue and Schaefer Avenue within Planning Areas 4 and 8 of the West Haven Specific Plan; and

b. The properties to the north and east, are developed with agriculture and dairy uses. The property to the west is currently developed with single family homes. The property to the south is developed with a Southern California Edison (SCE) utility corridor; and

c. The Amendment continues to apply to the same area as the original Development Agreement and proposes to modify certain infrastructure requirements associated with the development of Tentative Tract Map Nos. 18026 and 18027. The main points of the original agreement addressing Development Impact Fees (DIF); public service funding; Community Facilities District (CFD) for maintenance of public facilities; park/open space requirements; affordable housing fees; and, school facilities requirements remain in force; and

d. This Amendment will not be materially injurious or detrimental to the adjacent properties and will not have a significant impact on the environment or the surrounding properties. The environmental impacts of this project were previously reviewed in conjunction with the West Haven Specific Plan EIR (SCH#2004071095) that was adopted by the City Council on July 17, 2007. This application introduces no new significant environmental impacts; and

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

SECTION 6. Planning Commission Action. Based upon the findings and conclusions set forth in paragraphs 1, 2, 3, 4 and 5 above, the Planning Commission hereby RECOMMENDS APPROVAL of the First Amendment of the Development Agreement, File No. PDA07-005, to the City Council.

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 regular meeting thereof held on the 26th day of March 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 Vice Chairman

ATTEST:

Cathy Wahlstrom
Planning Director
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 No. PC19-____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 26, 2019 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit "A"

**First Amendment to the Development Agreement (File No. PDA07-005)
Between The City of Ontario, a California municipal corporation, and
STG Communities II, LLC, a California limited liability company**

(Document follows this page)

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

City of Ontario
303 East "B" Street
Ontario, California 91764
Attn: City Clerk

Exempt from Fees Per Gov. Code § 6301

Space above this line for Recorder's Use Only

**FIRST AMENDMENT TO THE
DEVELOPMENT AGREEMENT
(File No. PDA07-005)**

By and Between

City of Ontario, a California municipal corporation,

and

STG Communities II, LLC, a California limited liability company

_____, 2019

San Bernardino County, California

**FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND
BETWEEN THE CITY OF ONTARIO AND STG COMMUNITIES II, LLC
FILE NO. PDA07-005**

This First Amendment (hereinafter "First Amendment") is entered into as of the _____ day of _____ 2019, by and among the City of Ontario, a California municipal corporation (hereinafter "CITY"), and STG Communities II, LLC, a California Limited Liability Company (hereinafter "OWNER").

RECITALS

WHEREAS, the CITY and OWNER have previously entered into a Development Agreement (File No. PDA07-005) dated March 3, 2015 and recorded in San Bernardino County, California on July 13, 2015 as Instrument No. 2015-0296532 pursuant to Section 65864, et seq., of the Government Code, (hereinafter the "Original Development Agreement"); and

WHEREAS, Section 2.5 of the Development Agreement specifies that the Development Agreement may be amended in whole or in part only in the manner provided for in Government Code Section 65868.1 and the procedure for adopting and entering into an amendment to the Development Agreement shall be the same as the procedure for adopting and entering into the Development Agreement; and

WHEREAS, OWNER has requested, and CITY has agreed to modify certain provisions and the related Exhibits in the Original Development Agreement to reduce or eliminate certain requirements on OWNER to construct public improvements as such improvements have been constructed by others or are no longer determined to be necessary; and

WHEREAS, Stratham Properties Inc. has assigned the Original Development Agreement to STG Communities II, LLC and STG Communities II, LLC has been assigned certain rights and obligations of the Original Development Agreement, and STG Communities II, LLC has accepted such rights and obligations under the provisions of the Assignment and Assumption Agreement between Stratham Properties Inc. and STG Communities II, LLC dated March _____, 2019 as instrument no. 2019-_____ in the official records of the San Bernardino County Recorder; and

WHEREAS, the CITY and OWNER agree that execution of this First Amendment shall constitute Certification of Agreement Compliance under Section 6.4 of the Original Development Agreement and City shall issue "Certificate of Agreement Compliance" within 10 days following the Effective Date of this First Amendment.

AGREEMENTS

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

1. DEFINITIONS AND EXHIBITS.

1.1 Existing Definitions. Unless the context otherwise requires, all capitalized terms in this First Amendment not expressly defined in this First Amendment shall have the meaning given that term in the Original Agreement. All references herein to “Articles,” “Sections” and other subdivisions are to the corresponding Articles, Sections or subdivisions of this First Amendment, and the word “herein,” “hereof,” “hereunder” and other words of similar import refer to this First Amendment as a whole and not to any particular Article, Section or subdivision hereof.

1.2 Exhibits. The revised Exhibits attached to, and by this reference made a part of, this First Amendment: Exhibit “F-R” — Infrastructure Improvements Exhibits for Tract Nos. 18026 and 18027.

2. MODIFICATIONS TO DEVELOPMENT AGREEMENT TO MODIFY OR REDUCE REQUIREMENTS FOR CONSTRUCTION OF SPECIFIED PUBLIC IMPROVEMENTS

2.1 Requirements for the Construction of Public Infrastructure and Improvements. The following provisions shall replace Section 3.7 and Section 4.3.1 of the Original Development Agreement:

“3.7 Public Works; Utilities. If OWNER is required by this Agreement to construct any public works facilities which will be dedicated to CITY or any other public agency upon completion, and if required by applicable laws to do so, OWNER shall perform such work in the same manner and subject to the same requirements as would be applicable to CITY or such other public agency should it have undertaken such construction. As a condition of development approval, OWNER shall connect the Project to all utilities necessary to provide adequate water, recycled water, sewer, gas, electric, and other utility service to the Project. As a further condition of development approval, OWNER shall contract with the CITY for CITY-owned or operated utilities for this purpose, for such price and on such terms as may be available to similarly situated customers in the CITY.

3.7.1 Continuing Requirement for the Funding of Fire Station No. 9 by NMC Builders for Issuance of Building Permits. The issuance of building permits for Production Units within the Property is contingent upon, among other things, the provision of payments from NMC Builders for the completion of the construction of CITY’s Fire Station No. 9. CITY shall not issue building permits for the construction of Production Units within the Property unless and until CITY receives payments from NMC Builders in the amount estimated by CITY to be necessary and sufficient for the completion of the design and construction of Fire Station No. 9. If OWNER

requests that CITY issue building permits for any units, including Model Units, prior to CITY's receipt of payments from NMC Builders in an amount deemed by CITY to be necessary and sufficient for the design and construction of Fire Station No. 9, then prior to and as a condition precedent to CITY's issuance of any such building permits for the construction of any units, OWNER shall deposit, or shall have deposited, with NMC Builders an amount equal to the OWNER's Fire Station No. 9 Capital Contribution allocable to such unit(s).

3.7.2 Continuing Requirement for the Funding of Regional Water and Storm Water Treatment Improvements. Prior to, and as a condition precedent to, CITY's approval of any final Tract Maps for the Property, CITY shall require OWNER to provide evidence of sufficient Water Availability Equivalents for the number of units included in the respective Tract Map. Prior to, and as a condition precedent to, CITY's issuance of grading permits for any grading of the Property or prior to, and as a condition precedent to, CITY's approval of any final Tract Maps for the Property, OWNER shall provide evidence of sufficient Storm Water Treatment Capacity Availability for the Project. CITY and OWNER agree that the evidence of Storm Water Treatment Capacity Availability for the Project shall be based on the net acreage of OWNER's Project for Tract Map Nos. 18026 and 18027, as defined in the Construction Agreement Amendment. CITY hereby acknowledges that Tract Nos. 18026 and 18027 have an approved preliminary Water Quality Management Plan and are grandfathered into the Mill Creek Wetlands solution.

3.7.3 Requirement for Construction of "Phillips Zone" Water Improvements to Serve Tract No 18026. OWNER shall be responsible for the construction of the necessary extension of permanent master planned potable water infrastructure and improvements within the CITY'S Phillips Zone Pressure Zone to the Property in Tract No. 18026 including the construction of master planned potable water infrastructure and improvements as shown on Exhibit "F-R" hereto, to the extent that such potable water utility infrastructure has not been constructed by others. OWNER shall only initiate grading after recordation of the Final Tract Map for Tract No. 18026. OWNER also acknowledges and agrees that no Building Permits shall be issued by CITY for Production Units prior to the completion of the extension of permanent master planned potable water utility infrastructure and Improvements within the Phillips Pressure Zone to serve the portion of the Project in Tract No. 18026.

3.7.4 Requirement for Construction of "Francis Zone" Water Improvements to Serve Tract No. 18027. OWNER shall be responsible for the design and construction of the necessary extension of permanent master planned potable water infrastructure and improvements within the CITY's Francis Pressure Zone to the Property in Tract No. 18027 including the construction of master planned potable water infrastructure and

improvements as shown on Exhibit "F-R" hereto, to the extent that such potable water utility infrastructure has not been constructed and completed by others. OWNER shall only initiate grading after recordation of the Final Tract Map for Tract No. 18027. OWNER also acknowledges and agrees that no Building Permits shall be issued by CITY for Production Units prior to the completion of the extension of permanent master planned potable water utility infrastructure and improvements within the Francis Pressure Zone to serve the portion of the Project in Tract No. 18027.

3.7.5 Requirement for Construction of Recycled Water Improvements. OWNER shall design and construct permanent master planned recycled water utility infrastructure as described in Exhibit "F-R" as the "Phase 1 Recycled Water Improvements," consisting of the construction of permanent master planned recycled water for Tract Numbers 18026 and 18027, to the extent that such master planned recycled water utility infrastructure has not been constructed and completed by others. OWNER agrees that no building permits shall be issued by CITY for Production Units for the portion of the Project in Tract No. 18027 prior to completion of the Phase 1 Recycled Water Improvements as described in Exhibit "F-R" for Tract 18027. OWNER also agrees that no building permits shall be issued by CITY for Production Units for the portion of the Project in Tract 18026 prior to completion of the Phase 1 Recycled Water Improvements as described in the Exhibit "F-R" for Tract 18026. CITY agrees that OWNER may, at OWNER's option, complete the construction of improvements that provide for connection of the portion of the Project in Tract 18026 to either the 930 recycled water pressure zone on an interim basis or the 1050 recycled water pressure zone to the extent that such alternatives are identified and shown in Exhibit "F-R" for Tract No 18026. If OWNER elects to connect the portion of the Project in Tract 18026 to the 930 recycled water pressure zone, on an interim basis, OWNER shall be responsible for the construction of a permanent connection of the portion of the Project in Tract 18026 to the 1050 recycle water pressure zone when the Phase 2 Recycled Water Improvements are constructed to extend the recycled water improvements in Riverside Drive and Haven Drive by OWNER, NMC Builders or others. Additionally, OWNER or NMC Builders shall be responsible for the design and construction of an additional extension of master planned recycled water infrastructure in Riverside Drive and Haven Avenue (the "Phase 2 Recycled Water Improvements") to serve the entire Project as described in the attached Exhibit "F-R".

3.7.6 Requirement for Construction of Sewer System Improvements. OWNER shall design and construct permanent master planned sewer system improvements to serve the portions of the Project in Tract Nos. 18026 and 18027 and as shown in the attached Exhibit "F-R", to the extent that such sewer system improvements have not been constructed and completed by others. OWNER agrees that no building permits shall be issued by CITY for Production Units unless and until the

respective sewer system improvements to serve for Tract Nos. 18026 and 18027 are completed.

3.7.7 Requirement for Construction of Storm Drain Improvements. OWNER agrees that development of the Project shall require the construction of a significant portion of Storm Drain facilities known as the "Turner Avenue Storm Drain" from the northern boundary of the Property to the connection with the County Line Channel. OWNER shall be responsible for the construction of the necessary extension of master planned Storm Drain facilities to serve Tracts Nos. 18026 and 18027 respectively, to the extent that such Storm Drain Improvements have not been constructed and completed by NMC Builders or others. OWNER also acknowledges and agrees that no Building Permits shall be issued by CITY for Production Units prior to the completion of the connections to the permanent master planned Storm Drain facilities in Turner Avenue to the County line Channel as described in Exhibit "F-R".

3.7.8 Requirement for Construction of Street Improvements. OWNER shall construct a portion of Chino Avenue and Haven Avenue and OWNER shall be required to design the signalized intersection on Haven Avenue north of Schaefer Avenue and design other signalized intersections to serve Tracts Nos. 18026 and 18027 respectively, as shown in the attached Exhibit "F-R", to the extent that such improvements have not been constructed and completed by others. OWNER agrees that no Building Permits shall be issued by CITY for Production Units prior to the completion of the master planned street improvements as described in Exhibit "F-R".

3.7.9 Requirement for Construction of Fiber Optic Improvements. OWNER agrees that development of the Property shall require the extension of permanent master planned fiber optic communications infrastructure, at OWNER's sole cost and expense, to serve Tracts Nos. 18026 and 18027 respectively, as described in the attached Exhibit "F-R" consisting generally of the construction of the extension of fiber optic communications infrastructure to serve the Property, to the extent such master planned fiber optic communications have not been constructed and completed by others. OWNER agrees that no Building Permits shall be issued by CITY for Production Units prior to the completion of the master planned fiber optic improvements as described in Exhibit "F-R".

4.3.1 Responsibility for Construction of Improvements. The phasing of the area wide infrastructure construction within the New Model Colony will be as approved by the City Manager. OWNER shall be responsible for the timely construction and completion of all public infrastructure required for the Project to serve Tracts Nos. 18026 and 18027 respectively, as shown on the attached Exhibit "F-R" and any and all tentative tract map conditions. CITY agrees that OWNER may initiate grading after recordation

of the Final Tract Map; however, OWNER acknowledges and agrees that no building permits for any Model Units or Production Units shall be issued by City for the Project prior to the completion of the permanent master planned water and recycled water utility infrastructure to serve the project as shown on the attached Exhibit "F-R".

4.3.1.1 Responsibility for In-Lieu Payments. OWNER shall also be required to pay the amount of three hundred forty-two thousand and one hundred eighteen dollars (\$342,118) to CITY in-lieu of the OWNER's construction of a portion of Schaefer Avenue. Such payment shall be made by OWNER prior to and as a condition precedent to, CITY's issuance of the first building permit for any units for Tract No. 18027.

3. OTHER MODIFICATIONS.

3.1 Revisions to Conditions of Approval for the Respective Tentative Tract Maps for Tract Nos. 18026 and 18027. CITY and OWNER agree that the Conditions of Approval for Tentative Tract Nos. 18026 and 18027 as previously approved by CITY shall be modified to be consistent with the provisions of this First Amendment.

4. INTEGRATION.

4.1 Integration of Previous Understandings and Clarifications. 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(s). In all other respects, the parties hereto re-affirm and ratify all other provisions of the Development Agreement and First Amendment. The Property covered by this First Amendment is as described in the legal description of the Property attached hereto as Exhibit "A" of the Original Development Agreement. This First Amendment shall be recorded against the Property.

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

{Signature Page to Follow}

SIGNATURE PAGE
TO FIRST AMENDMENT TO DEVELOPMENT AGREEMENT BY AND BETWEEN
THE CITY OF ONTARIO AND STG COMMUNITIES II, LLC

"OWNER"

STG COMMUNITIES II, LLC a California Limited
Liability Company

By: _____
Name: _____
Its: _____

Date: _____

"CITY"

CITY OF ONTARIO

By: _____
Scott Ochoa, City Manager

Date: _____

ATTEST:

City Clerk, Ontario

APPROVED AS TO FORM:
BEST, BEST & KRIEGER 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

Tentative Tract Map 18026

IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA BEING A SUBDIVISION OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN.

APN: 0218-151-11

Tentative Tract Map 18027

IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA BEING A SUBDIVISION OF PARCEL 2 OF PARCEL MAP NO. 4117 FILED IN BOOK 38, PAGES 37 AND 38 OF PARCEL MAPS, SAN BERNARDINO COUNTY RECORDS.

APN: 0218-151-38

EXHIBIT "B"

West Haven Specific Plan Land Use Map

SECTION 3 • LAND USE PLAN



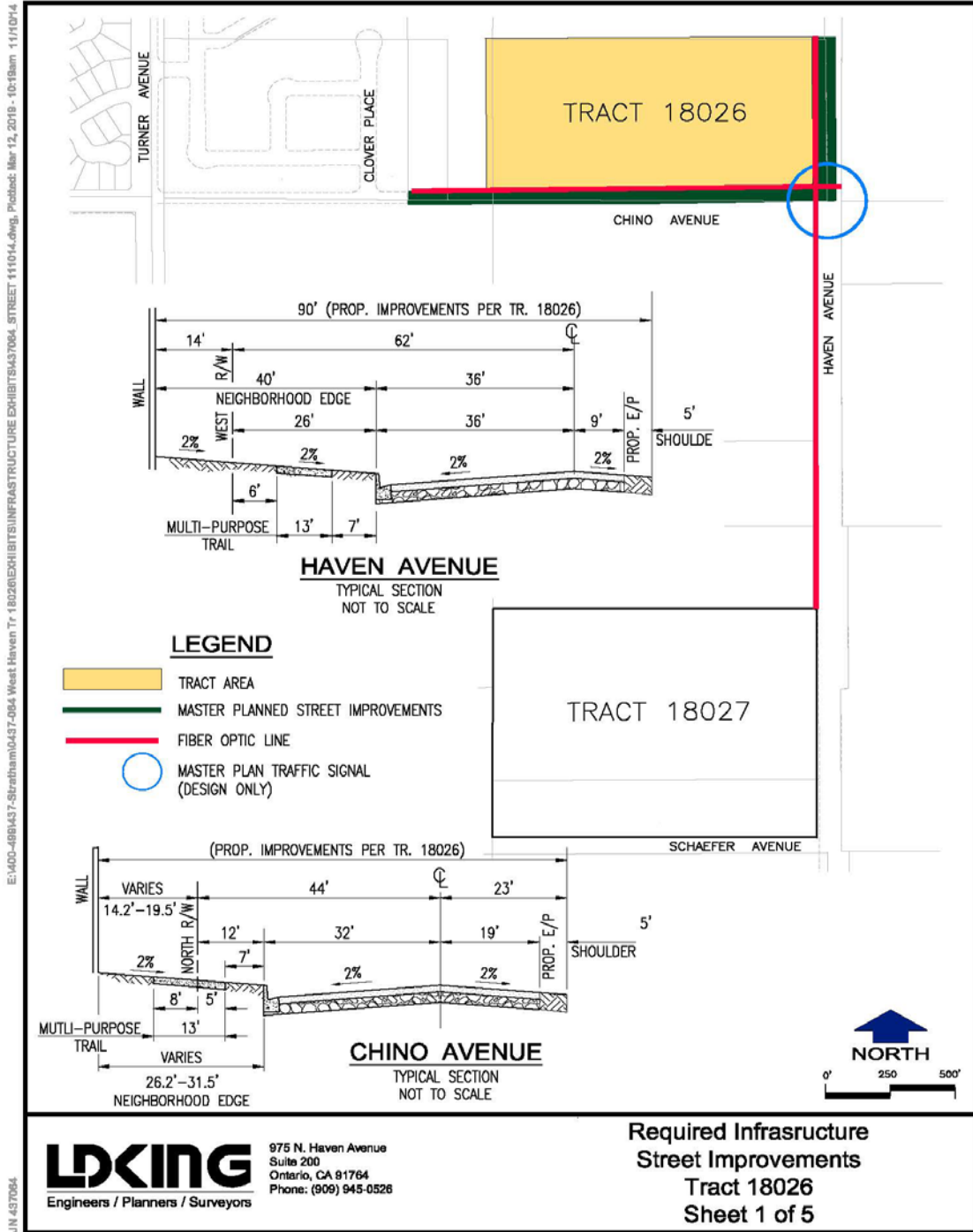
Exhibit 3-1
WEST HAVEN LAND USE PLAN

EXHIBIT "F-R"

Required Street Infrastructure Improvements

Tentative Tract Map No. 18026

EXHIBIT F-R



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JIN 437084

EXHIBIT "F-R"

Required Sewer Infrastructure Improvements

Tentative Tract Map No. 18026

EXHIBIT F-R

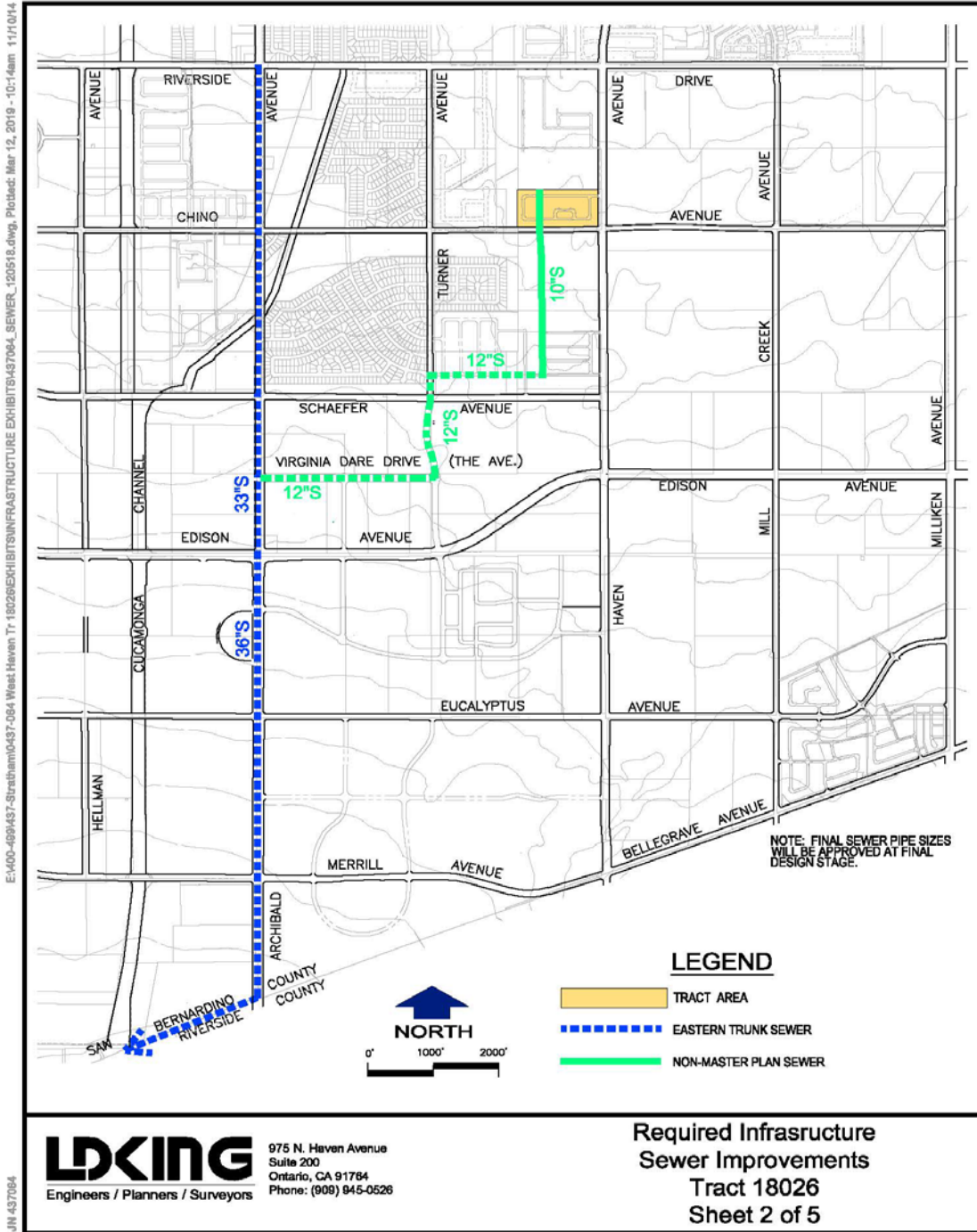
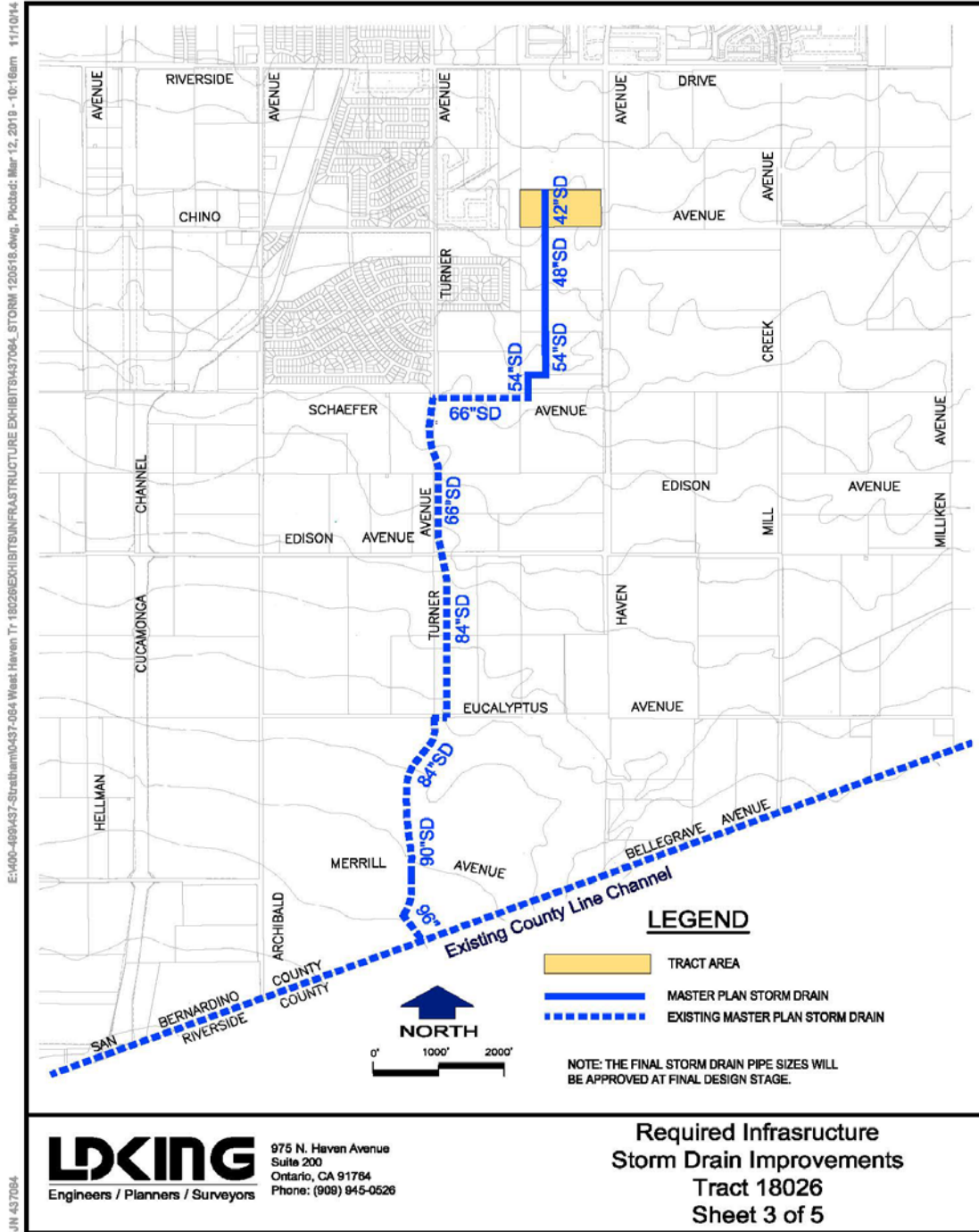


EXHIBIT "F-R"

Required Storm Drain Infrastructure Improvements

Tentative Tract Map No. 18026

EXHIBIT F-R



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JIN 437064

EXHIBIT "F-R"

Required Domestic Water Infrastructure Improvements

Tentative Tract Map No. 18026

EXHIBIT F-R

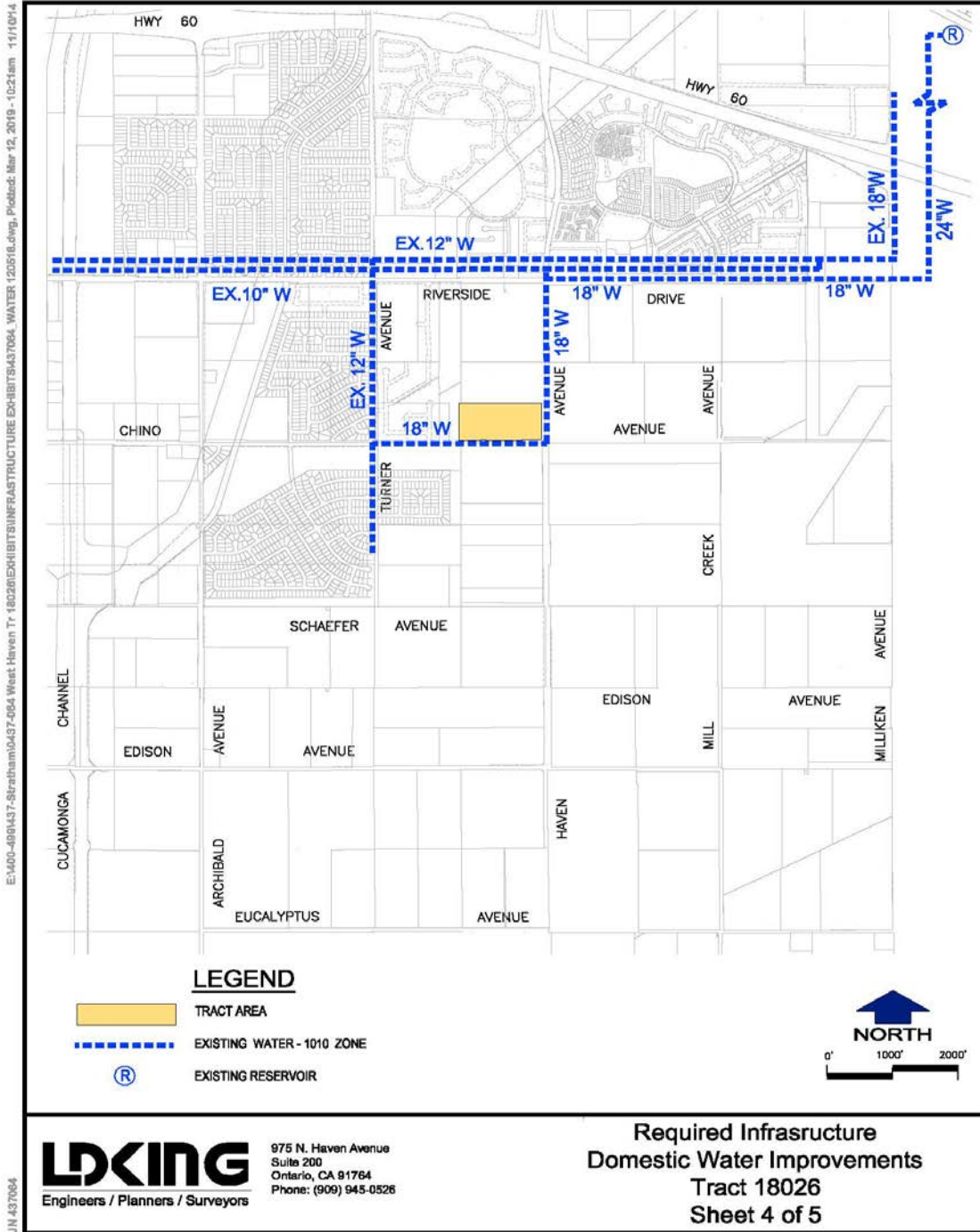
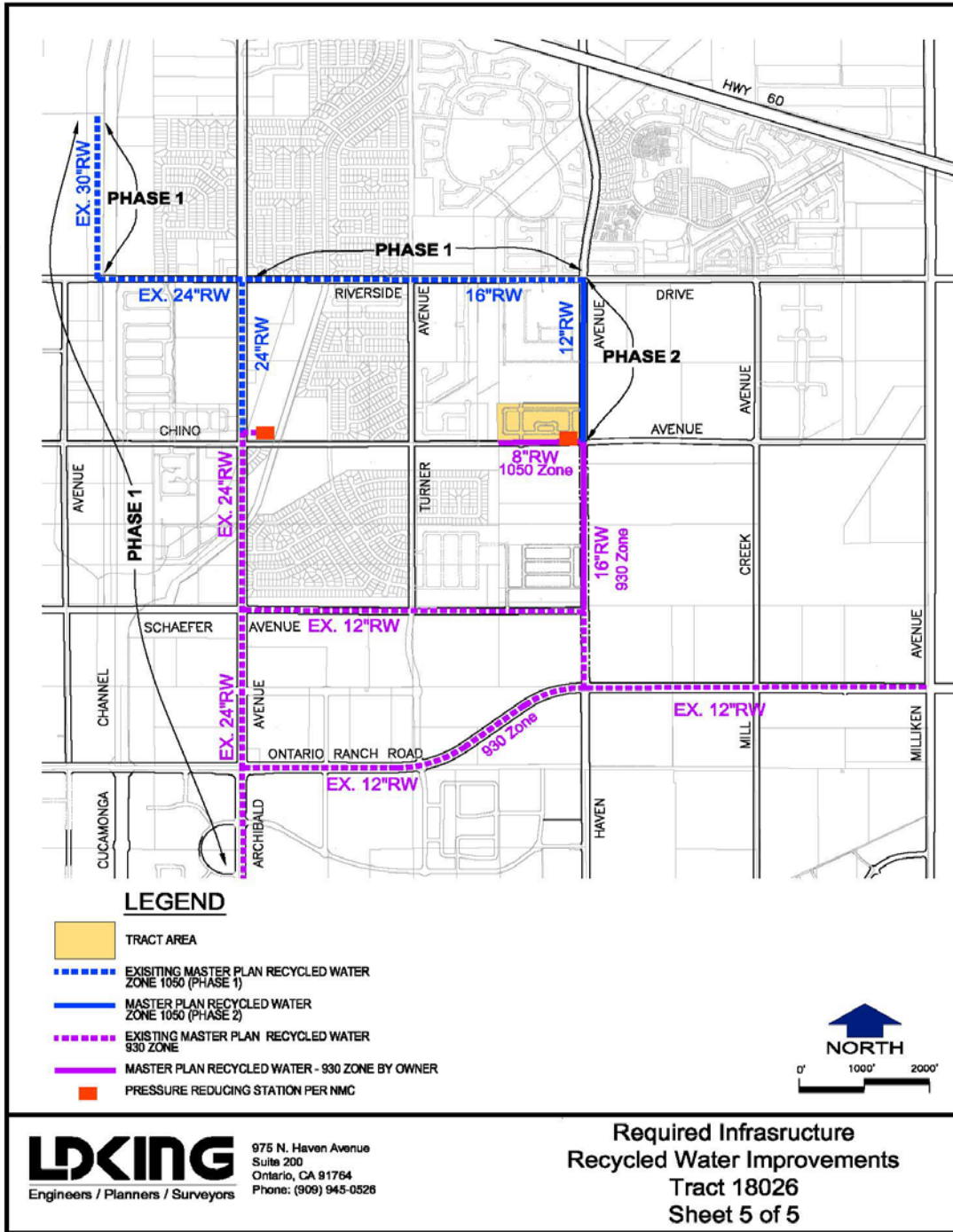


EXHIBIT "F-R"

Required Recycled Water Infrastructure Improvements

Tentative Tract Map No. 18026

EXHIBIT F-R



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JN 437064

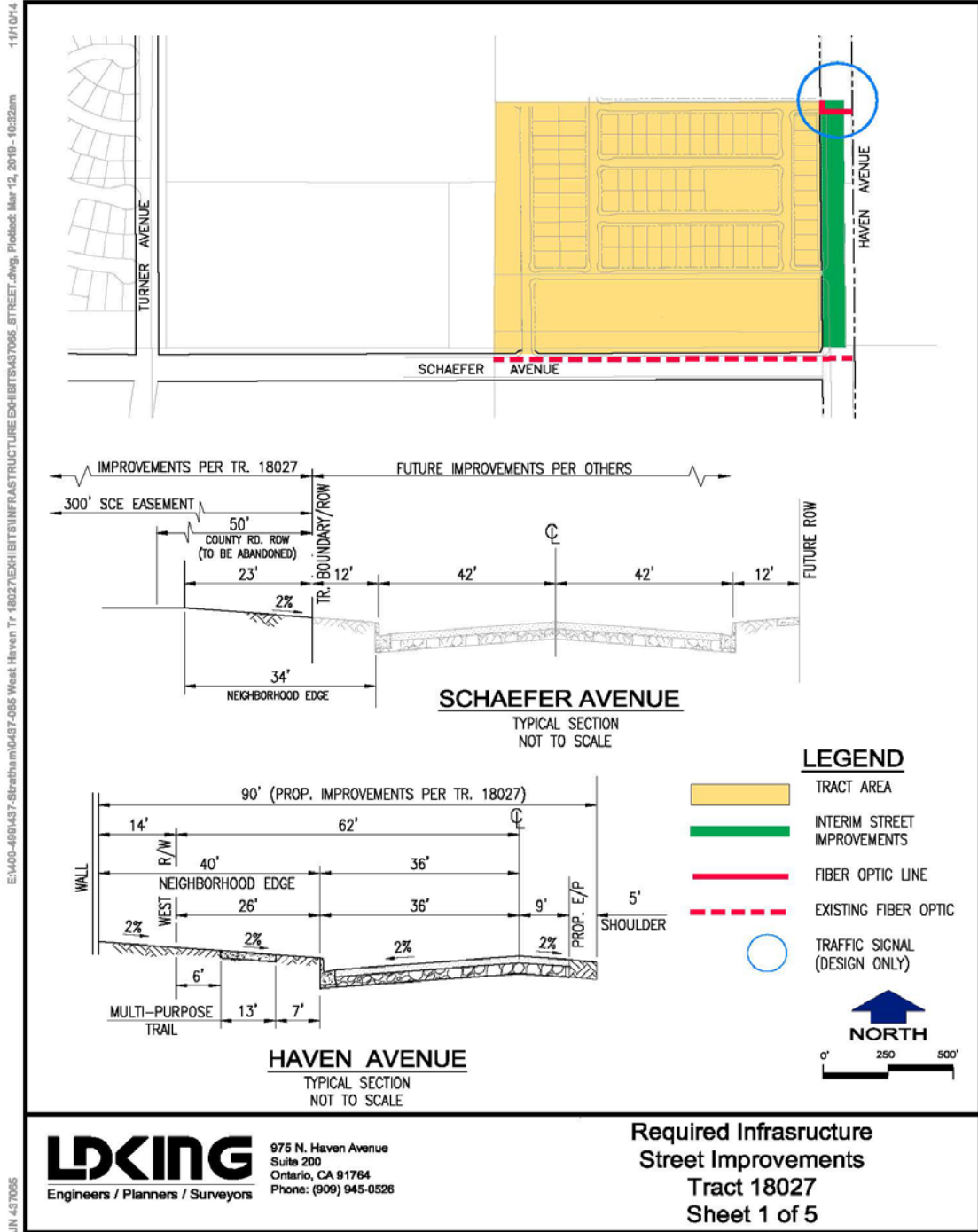
LDKING
 Engineers / Planners / Surveyors
 975 N. Haven Avenue
 Suite 200
 Ontario, CA 91764
 Phone: (909) 945-0526

EXHIBIT "F-R"

Required Street Infrastructure Improvements

Tentative Tract Map No. 18027

EXHIBIT F-R



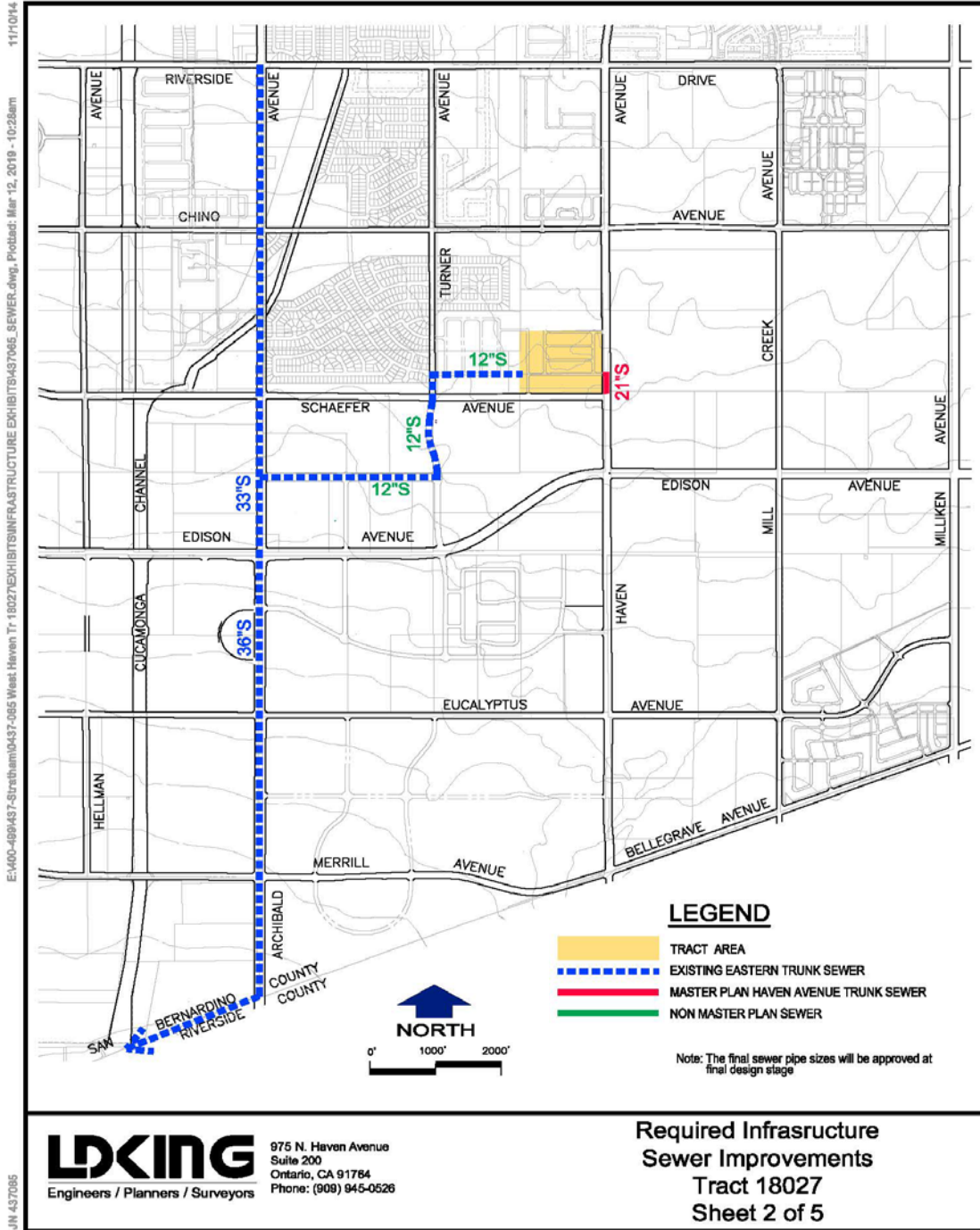
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 11/10/14
 JIN 437065

EXHIBIT "F-R"

Required Sewer Infrastructure Improvements

Tentative Tract Map No. 18027

EXHIBIT F-R



11/10/14
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EXHIBIT "F-R"

Required Storm Drain Infrastructure Improvements

Tentative Tract Map No. 18027

EXHIBIT F-R

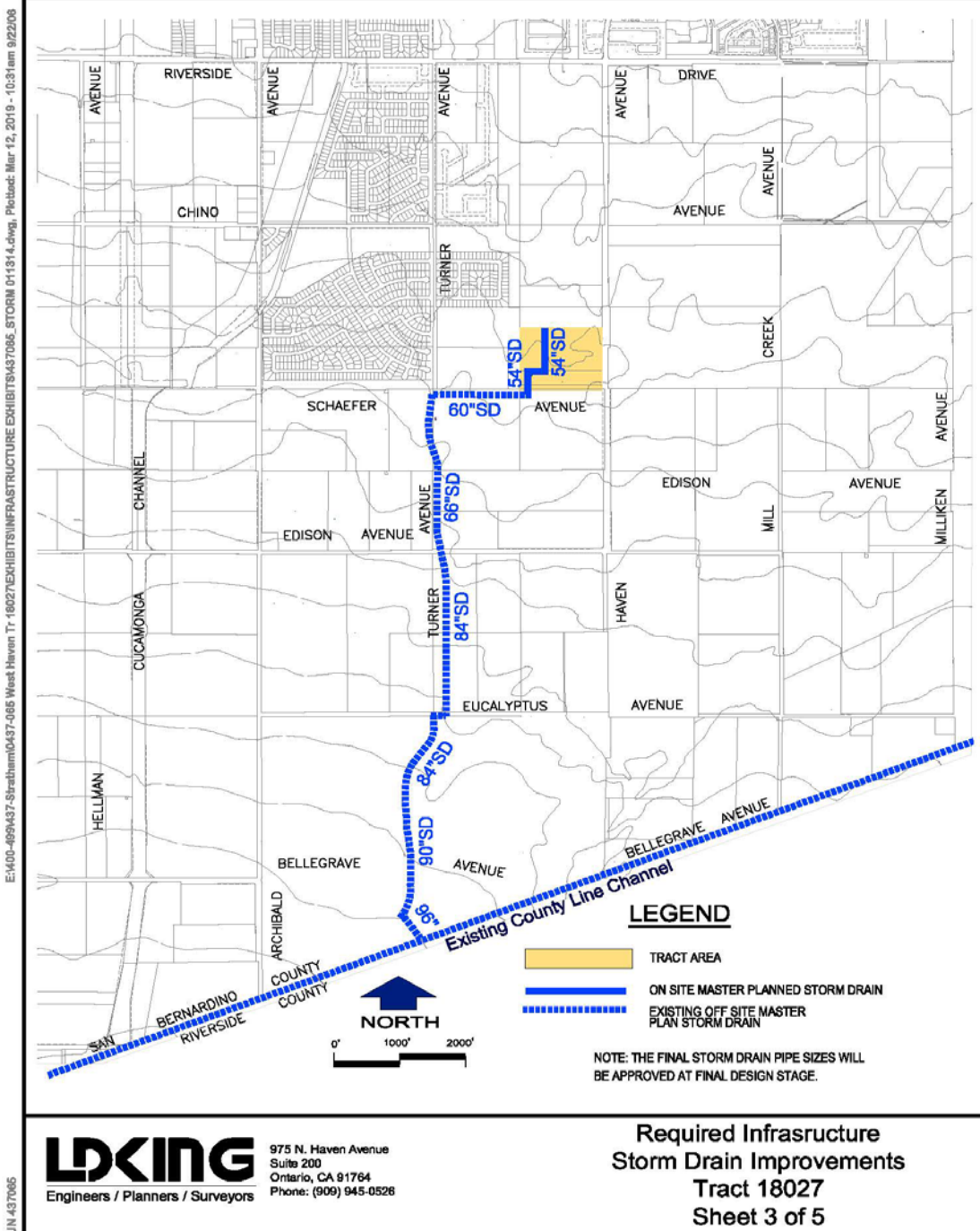


EXHIBIT "F-R"

Required Domestic Water Infrastructure Improvements

Tentative Tract Map No. 18027

EXHIBIT F-R

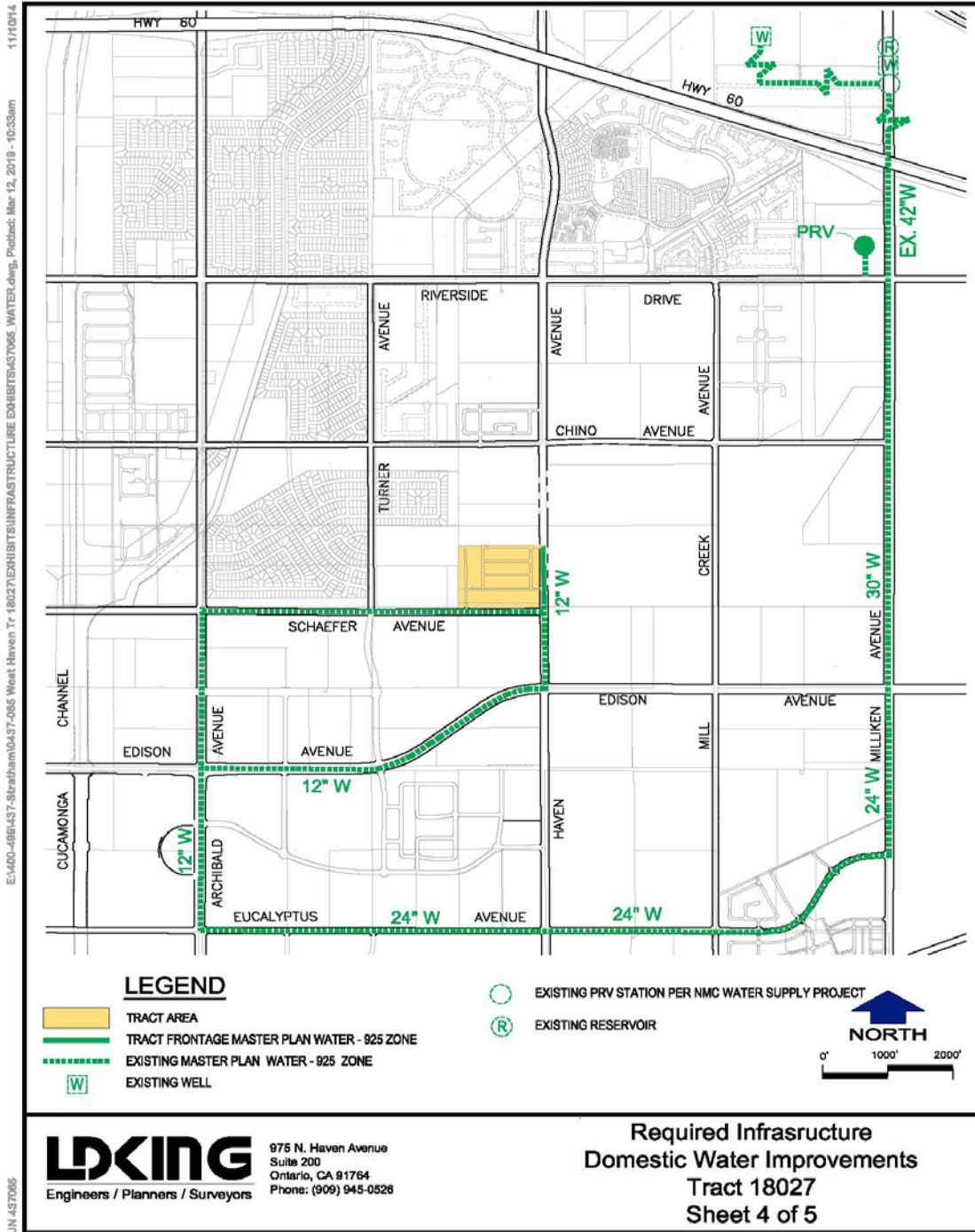
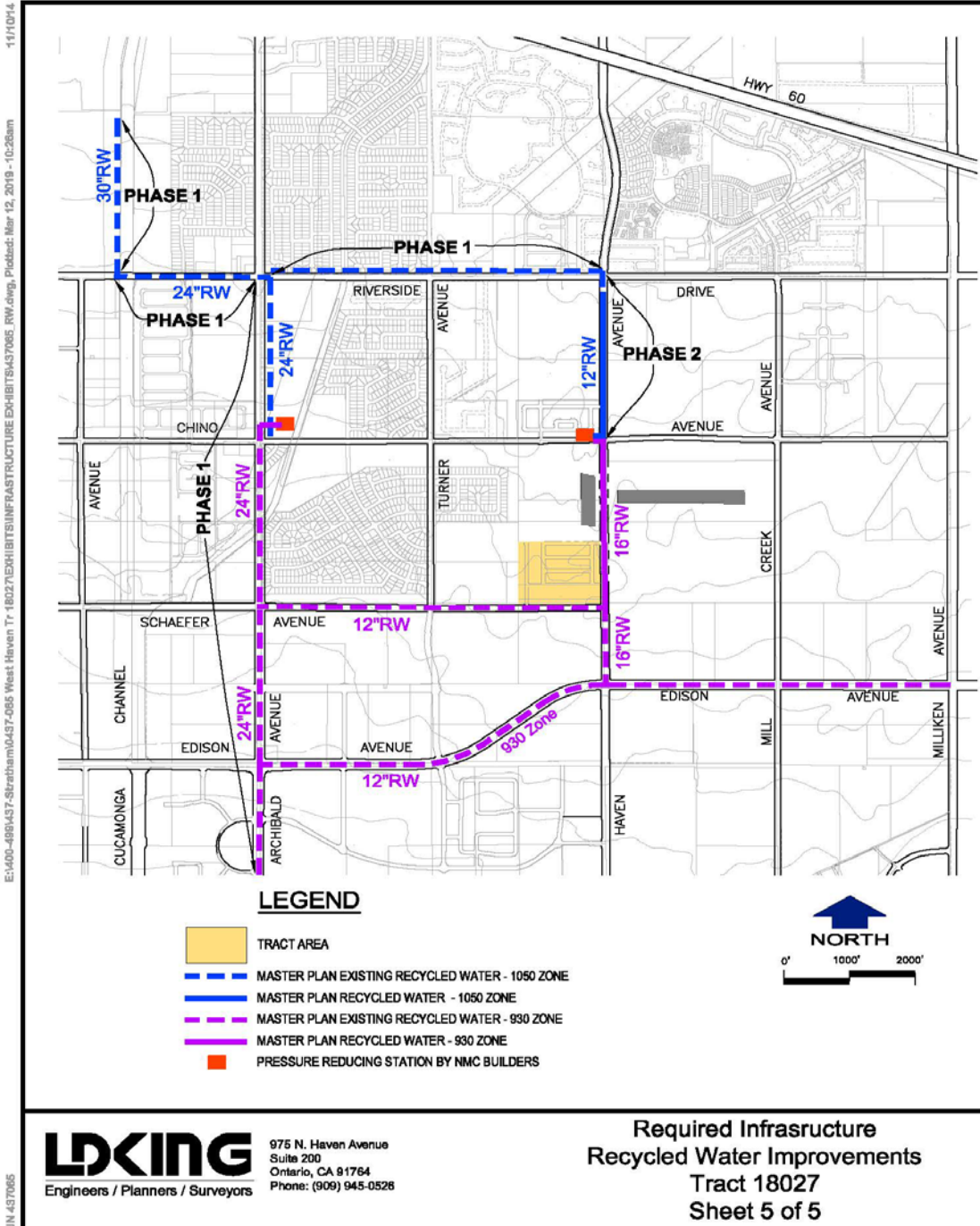


EXHIBIT "F-R"

Required Recycled Water Infrastructure Improvements

Tentative Tract Map No. 18027

EXHIBIT F-R



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CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Cathy Wahlstrom, Planning Director *CW*

DATE: March 26, 2019

SUBJECT: AGENDA ITEMS F, G AND H: ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEWS FOR FILE NOS. PMTT17-013, PMTT17-014, PMTT17-015, AND PMTT17-016; AND A DEVELOPMENT AGREEMENT REVIEW FOR FILE NO. PDA18-005; A request for the following Tentative Tract Map entitlements: 1) **File No. PMTT17-013** (TTM 20134) to subdivide 80.61 acres of land into 15 numbered lots and 12 lettered lots for residential and public/private streets, landscape neighborhood edges and common open space purposes; 2) **File No. PMTT17-014** (TTM 20135) to subdivide 6.22 acres of land into 10 numbered lots and 13 lettered lots for residential and private streets; 3) **File No. PMTT17-015** (TTM 20136) to subdivide 8.52 acres of land into 100 numbered lots and 20 lettered lots for residential, private streets and landscape neighborhood edges; 4) **File No. PMTT17-016** (TTM 20137) to subdivide 9.10 acres of land into 18 numbered lots and 13 lettered lots for residential and private streets; and 5) A Development Agreement (**File No. PDA18-005**) between the City of Ontario and Haven Ontario NMC 1, LLC, a Florida limited liability company and Haven Ontario NMC 2, LLC, a Florida limited liability company, to establish the terms and conditions for the development of Tentative Tract Map No. 20134 (File No. PMTT17-013), for a property located on northeast corner of Schaefer Avenue and Haven Avenue, within Planning Area 5A, 5C and 5D (Residential – Small Lot SFD) of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan (File No. PSP05-004) EIR (SCH# 2006051081) certified by the City Council on December 4, 2007. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0218-161-01) **submitted by Richland Communities, Haven Ontario NMC 1, LLC, a Florida limited liability company and Haven Ontario NMC 2, LLC, a Florida limited liability company. City Council action is required for the Development Agreement.**

Staff is recommending that the above-described items be continued to the April 23, 2019, Planning Commission meeting, to allow staff additional time to finalize the timing of the tract map phasing improvements.



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Cathy Wahlstrom, Planning Director *CW*

DATE: March 26, 2019

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

Attached, you will find the Planning Department Monthly Activity Report for the month of February 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 February 2019

DEVELOPMENT ADVISORY BOARD MEETING

February 4, 2019

Meeting Cancelled

ZONING ADMINISTRATOR MEETING

February 4, 2019

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP18-038: A Conditional Use Permit to establish alcoholic beverage sales for consumption on the premises (Type 70 ABC License, On-Sale General Restrictive Service) in conjunction with a new 131-room hotel (Element Hotel by Westin) totaling 92,823 square feet on 4.5 acres of land located at the north east corner of Ontario Center Parkway and Via Piemonte, at 900 North Via Piemonte, within the Piemonte Overlay District of the Ontario Center Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0210-204-18) **submitted by Glacier House Hotels.**

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

CITY COUNCIL/HOUSING AUTHORITY MEETING

February 5, 2019

PROFESSIONAL SERVICE AGREEMENT WITH APPLIED PLANNING, INC.: Approval of an agreement with Applied Planning, Inc. for the preparation of an Environmental Impact Report (EIR) for the Merrill Commerce Center Specific Plan and approval of budget adjustments for Planning Department revenues and expenditures. The Merrill Commerce Center Specific Plan will establish land use designations, development standards, design guidelines and infrastructure improvements that will govern the development of approximately 377 acres of land generally bonded to the north by Eucalyptus Avenue, Merrill Avenue to the south, and Carpenter Street to the east, and Grove Avenue to the west; (APNs: 1054-111-01 and 02; 1054-121-01 and 02; 1054-131-01 and 02; 1054-141-01 and 02; 1054-151-01 and 02; 1054-161-01, 02; and 03; 1054-201-01 and 02; 1054-211-01 and 02; 1054-221-01 and 02; 1054-331-01 and 02; 1054-341-01 and 02; 1054-351-01 and 02; 1054-171-01, 02, 03, 04; 1054-181-01 and 02; 1054-191-01 and 02; 1054-361-01 and 02; 218-261-27; 218-261-29; 218-261-34, 35 and 37) **submitted by Merrill Commerce Center East LLC, Merrill Commerce Center West LLC, and Liberty Property Limited Partnership.**

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

Action: The City Council approved and authorized the City Manager to execute an agreement with Applied Planning, Inc., of Corona, California, to prepare an Environmental Impact Report for the Merrill Commerce Center Specific Plan.

CITY COUNCIL/HOUSING AUTHORITY MEETING

February 19, 2019

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW FOR FILE NO.

PDA18-002: A Development Agreement (File No. PDA18-002) between the City of Ontario and Colony Commerce Ontario East LP, a Delaware Limited Partnership, to establish the terms and conditions for the development of a Tentative Parcel Map No. 19904 (File No. PMTT18-006), for property located along the southwest corner of Merrill Avenue and Archibald Avenue within the Business Park (Planning Area 1) and Industrial (Planning Area 2) land use designations of the Colony Commerce Center East Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Colony Commerce Center East Specific Plan (File No. PSP16-003) Environmental Impact Report (SCH# 2017031048) certified by City Council on May 1, 2018. 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 both policies and criteria of the Ontario International Airport Land Use Compatibility Plans (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APNs: 0218-311-02, 0218-311-03, 0218-311-08, 0218-311-10) **submitted by Colony Commerce Ontario East LP, a Delaware Limited Partnership.** The Planning Commission recommended approval of this item on January 22, 2019, with a vote of 6 to 0.

Action: The City Council introduced and waive further readings of an ordinance approving a Development Agreement (File No. PDA18-002) between the City of Ontario and Colony Commerce Ontario East LP, to establish the terms and conditions for the development of Tentative Parcel Map 19904 (File No. PMTT18-006).

DEVELOPMENT ADVISORY BOARD MEETING

February 20, 2019

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-026:

A Development Plan to construct 464 single-family homes (138 4/6-Pack Courtyard Homes and 326 Conventional Single-Family Homes) within an age-qualified master planned gated community on 137.56 acres of land located south of Eucalyptus Avenue between Hamner Avenue and Mill Creek Avenue and north of Bellegrave Avenue, within Planning Area 5 (RD-5 4/6-Pack

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

Courtyard), Planning Area 6 (RD-4/SFD Cottages), Planning Areas 7 thru 9 (RD-1 and RD-2/SFD 50-foot and 55-foot wide lots) districts of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Esperanza Specific Plan (File No. PSP05-002), Environmental Impact Report (SCH#: 2002061047) certified by the City Council on February 6, 2007. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-252-17, 0218-332-11, 0218-722-04, 0218-722-05, 0218-722-06 and 0218-722-07) **submitted by Lennar Homes of California, Inc.**

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

ZONING ADMINISTRATOR MEETING

February 20, 2019

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP18-037: A Conditional Use Permit to establish alcoholic beverage sales (Type 21 ABC License, Off-Sale General) in conjunction with a proposed grocery store (Grocery Outlet) on 2.6 acres of land located at 4420 East Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North, Ontario Gateway Plaza & Wagner Properties (Ontario Mills) Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0238-041-29) **submitted by Grocery Outlet.**

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

PLANNING/HISTORIC PRESERVATION COMMISSION MEETING

February 26, 2019

ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP TIME EXTENTION FOR FILE NOS.

PMTT10-002 (TT17449) AND PMTT10-001 (TT17450): A Time Extension of the expiration date of approval for: 1) Tentative Tract Map (TT 17449) to subdivide 18.72 acres of land into 97 lots and 15 lettered lots within the Z-Lot (Neighborhood 5) land use designation of the Countryside Specific Plan, located on south of Chino Avenue, north of the SCE utility corridor and east of the Cucamonga Creek Channel; and 2) Tentative Tract Map (TT 17450) to subdivide 16.82 acres of land into 138 lots and 16 lettered lots within the Cluster Court (Neighborhood 6) land use

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

designation of the Countryside Specific Plan, located on south of Chino Avenue and east of the Cucamonga Creek Channel and northwest of the Lower Deer Creek Channel. The environmental impacts of this project were previously reviewed in conjunction with Countryside Specific Plan (PSP04-001) for which an EIR (SCH# 2004071001), was certified by the City Council on April 18, 2006. This application introduces no new significant environmental impacts; (APNs: 0218-131-11, 12, 22, 40, and 43) **submitted by Forestar Countryside, LLC. City Council action is required.**

Action: The Planning Commission recommended the City Council approve the project.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-026:

A Development Plan (File No. PDEV18-026) to construct 464 single-family homes (138 4/6-Pack Courtyard Homes and 326 Conventional Single-Family Homes) within an age-qualified master planned, gated community on 137.56 acres of land located south of Eucalyptus Avenue between Hamner Avenue and Mill Creek Avenue and north of Bellegrave Avenue, within Planning Area 5 (RD-5 4/6-Pack Courtyard), Planning Area 6 (RD-4/SFD Cottages), Planning Areas 7 thru 9 (RD-1 and RD-2/SFD 50' and 55' wide lots) districts of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Esperanza Specific Plan (File No. PSP05-002), Environmental Impact Report (SCH#: 2002061047) certified by the City Council on February 6, 2007. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-252-17, 0218-332-11, 0218-722-04, 0218-722-05, 0218-722-06 and 0218-722-07) **submitted by Lennar Homes of California, Inc.**

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

ENVIRONMENTAL ASSESSMENT, PLANNED UNIT DEVELOPMENT, DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PUD17-003, PDEV17-034 & PCUP17-026: 1)

A Planned Unit Development (File No. PUD17-003) to establish development standards, design guidelines and infrastructure requirement for property located on 2.6 acres of land within the East Holt Mixed-Use (MU-2) zoning district; 2) A Development Plan (File No. PDEV17-034) to construct a phased commercial development on 2.6 acres of land, composed of a 4,662 square foot commercial car wash (Phase 1) and two multi-tenant retail buildings composed of 9,500 square feet (Phase 2); and 3) A Conditional Use Permit (File No. PCUP17-026) to establish a car wash use, on property located along the northwest corner of Holt Boulevard and Grove Avenue, within the East Holt Mixed-Use (MU-2) 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

City of Ontario Planning Department
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Month of February 2019

Compatibility Plan (ALUCP); (APNs: 1048-472-16, 1048-472-17, 1048-472-18, 1048-472-19, 1048-472-20, 1048-472-21) **submitted by Elba Inc. City Council action required for PUD only.**

Action: The Planning Commission approved the Development Plan, File No. PDEV17-034, and Conditional Use Permit, File No. PCUP17-026, subject to conditions, and recommended that the City Council approve the Planned Unit Development, File No. PUD17-003.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE

NO. PDCA19-001: A Development Code Amendment revising Section 5.03.420.A.1 for the purpose of clarifying current provisions addressing the processing of wireless telecommunications facilities, and consistent with FCC orders, add provisions governing small cell wireless facilities and the alteration and/or expansion of existing wireless telecommunications facilities. This project is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder pursuant to Section 15061(b)(3) 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); **City Initiated. City Council action is required.**

Action: The Planning Commission recommended that the City Council approve the project.

Monthly Activity Report—New Applications

Month of February 2019

PADV19-003:

Submitted by City of Ontario

Pedestrian related improvements around Haynes, Vista Grande and Oaks Schools. **Staff action is required.**

PCUP19-002:

Submitted by Akbar Omar

A Conditional Use Permit to establish a 4-story, 98-room Hotel (Tru by Hilton) totaling 43,089-square feet on 1.4 acres of land located at the northwest corner of Haven Avenue and the I-10 Freeway, within the Urban Commercial land use district of the Ontario Center Specific Plan (APN: 0210-193-14). Related File: PDEV19-009. **Planning Commission action is required.**

PCUP19-003:

Submitted by Atabak Youssefzadeh

A Conditional Use Permit to establish alcoholic beverage sales, limited to beer and wine (Type 20 (ABC License), for consumption off the premises in conjunction with a proposed 5,163-square foot convenience store on 0.97 acres of land located at the southwest corner of Philadelphia Street and Archibald Avenue, within the Support Commercial land use district of the Archibald Center Specific Plan (APN: 1083-011-20). Related File: PDEV19-014. **Planning Commission action is required.**

PDCA19-002:

Submitted by City of Ontario

Development Code Amendment revising certain provisions of the City of Ontario Development Code governing the manufacture and sale of alcoholic beverages, including:

- Revisions to Table 5.02-1 (Land Use Matrix) to: [1] allow alcoholic beverage manufacturing facilities less than 10,000 square feet in area as an administratively permitted land use in the MU-1 (Downtown Mixed Use) zoning district, as a conditionally permitted land use in the CC (Community Commercial), CR (Regional Commercial) and CCS (Convention Center Support Commercial) zoning districts, and as a permitted land use in the IL (Light industrial), IG (General Industrial) and IH (Heavy Industrial) land use districts; [2] allow alcoholic beverage manufacturing facilities that are 10,000 square feet or greater in area as a conditionally permitted land use in the MU-1 (Downtown Mixed Use) zoning district and as a permitted land use in the IG (General Industrial) and IH (Heavy Industrial) zoning districts; and [3] allow alcoholic beverage sales for consumption on premises that are less than 10,000 square feet in area, as an administratively permitted land use in the MU-1 (Downtown Mixed Use) zoning district, excepting bars, cocktail lounges, nightclubs, taverns, and other similar facilities;
- The addition of Section 5.03.023 (Alcoholic Beverage Manufacturing) setting forth land use standards for the establishment of alcoholic beverage manufacturing facilities; and
- Revisions to Section 5.03.025 (Alcoholic Beverage Sales), amending certain provisions pertaining to on-sale and off-sale alcoholic beverage sales, and “public convenience or necessity” determination criteria.

Planning Commission and City Council actions are required.

Monthly Activity Report—New Applications

Month of February 2019

PDET19-001:

Submitted by Ammo Brothers

A Determination of Use to establish whether an indoor shooting range is an allowable use within the Light Industrial land use designation of the Pacific Gate/East Gate Specific Plan (Site Address: 780 South Rochester Avenue, Suite A (APN: 0238-211-49). **Zoning Administrator action is required.**

PDEV19-009:

Submitted by Akbar Omar

A Conditional Use Permit to establish a 4-story, 98-room Hotel (Tru by Hilton) totaling 43,089-square feet on 1.4 acres of land located at the northwest corner of Haven Avenue and the I-10 Freeway, within the Urban Commercial land use district of the Ontario Center Specific Plan (APN: 0210-193-14). Related File: PCUP19-002. **Planning Commission action is required.**

PDEV19-010:

Submitted by Brookcal Ontario, LLC

A Development Plan approval to construct 204 single-family/multiple-family dwellings on approximately 34.74 acres of land located at the northeast corner of Haven Avenue and Ontario Ranch Roach, within the Standalone Residential Overlay land use district of the Rich Haven Specific Plan (APNs: 0218-211-01, 0218-211-02 and 0218-211-05). **Planning Commission action is required.**

PDEV19-011:

Submitted by Brookcal Ontario, LLC

A Development Plan to construct 61 single-family dwellings on approximately 34.74 acres of land located at the northeast corner of Haven Avenue and Ontario Ranch Roach, within the Standalone Residential Overlay land use district of the Rich Haven Specific Plan (APNs: 0218-211-01, 0218-211-02 and 0218-211-05). **Planning Commission action is required.**

PDEV19-012:

Submitted by Brookcal Ontario, LLC

A Development Plan to construct 168 single-family/multiple-family dwellings on approximately 34.74 acres of land located at the northeast corner of Haven Avenue and Ontario Ranch Roach, within the Standalone Residential Overlay land use district of the Rich Haven Specific Plan (APNs: 0218-211-01, 0218-211-02 and 0218-211-05). **Planning Commission action is required.**

PDEV19-013:

Submitted by Melissa Hanson

A Development Plan to construct a 30,664-square foot commercial building on 3.96 acres of land located at 1623 and 1625 East Holt Boulevard, within the BP (Business Park) zoning district (APNs: 0110-081-03 and 0110-081-10). **Development Advisory Board action is required.**

PDEV19-014:

Submitted by Atabak Youssefzadeh

A Development Plan to construct a fueling station (Mobil) and convenience store totaling 5,163 square feet on 0.97 acres of land located at the southwest corner of Philadelphia Street and

City of Ontario Planning Department
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Month of February 2019

Archibald Avenue, within the Support Commercial land use district of the Archibald Center Specific Plan (APN: 1083-011-20). Related File: PCUP19-003. **Planning Commission action is required.**

PMAS19-001: **Submitted by Golden Island Spa**

A Massage Establishment Permit for a 1,400 SF massage establishment pursuant to a previously approved Conditional Use Permit (File No. PCUP18-026), located at 2250-A South Euclid Avenue, within the CC (Community Commercial) zoning district (APN: 1051-051-72). **Staff action is required.**

PMTT19-002: **Submitted by Fernando Valenzuela**

A Tentative Parcel Map to subdivide a 0.47-acre parcel into two lots for future residential development, located at the southwest corner of Francis Street and San Antonio Avenue, within the LDR-5 (Low Density Residential - 2.1 to 5.0 DU/Acre) zoning district (APN: 1050-341-06). Related File: PMTT07-032 (PM 17523) - previously approved in 2008 and expired. **Planning Commission action is required.**

PMTT19-003: **Submitted by SL ONTARIO DEV. CO.**

A Tentative Tract Map (TT 20268) to subdivide approximately 55 acres of land into 3 lettered lots and 3 numbered lots, located on the southeast corner of Eucalyptus and Haven Avenues, within Subarea 29 Specific Plan (APNs: 0218-331-30, 0218-331-12, and 0218-331-18). **Planning Commission action is required.**

PPRE19-002: **Submitted by Kathy Huynh**

A Preliminary Review for a proposed Development Plan to construct a 5-story mixed-use project with 3 levels of residential dwellings (54 DUs) on top of a 2-story podium containing retail space and off-street parking facilities on 0.87 acres of land located at 549 West Holt Boulevard, within the MU-1 zoning district (APN: 1049-021-09). **Planning Commission action is required.**

PSGN19-017: **Submitted by Swain Sign**

A Sign Plan to install one wall sign for REGAL, located at 3505 East Francis Avenue, within the California Commerce Center Specific Plan. **Staff action is required.**

PSGN19-018: **Submitted by Signs of Success**

A Sign Plan to install one wall sign (26 SF) for MARISCOS, located at 1635 East Fourth Street, within the HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre) and ICC (Interim Community Commercial) Overlay zoning districts. **Staff action is required.**

Monthly Activity Report—New Applications

Month of February 2019

PSGN19-019: **Submitted by Superior Electrical Advertising, Inc.**

A Sign Plan to install wall signs, directional signs, new menu boards, and monument sign for MCDONALD'S, located at 1107 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (Related file PDEV18-001). **Staff action is required.**

PSGN19-020: **Submitted by New Image Signs & Service, Inc.**

A Sign Plan for the reface of sign panels on an existing freeway pylon sign for TA GOASIS (removes existing signs reading "Mini Mart"), located at 4265 East Guasti Road, within the IG (General Industrial) zoning district. **Staff action is required.**

PSGN19-021: **Submitted by Core States Group**

A Sign Plan for the installation of two pre-order menu boards and two menu boards, clearance bars, and related directional signage for MCDONALD'S, to be completed in conjunction with the expansion of the existing drive-thru queue lane into two queue lanes, located at 832 North Mountain Avenue, within the CN (Neighborhood Commercial) zoning district. Related: B201804143. **Staff action is required.**

PSGN19-022: **Submitted by Harbor Truck Parts & Accessories, Inc.**

A Sign Plan for the installation of a new wall sign per Sign Program No. PSGP09-005 for HARBOR TRUCK PARKS & ACCESSORIES, located at 909 South Cucamonga Avenue, Suite 107, within the BP (Business Park) zoning district. **Staff action is required.**

PSGN19-023: **Submitted by Scott Hampton**

A Sign Plan for the installation of a wall sign (66 SF) and a directional sign (17 SF) for ENTERPRISE TRUCK RENTAL, located at 4960 East Vanderbilt Street, within the California Commerce Center Specific Plan. **Staff action is required.**

PSGN19-024: **Submitted by ASP Signs**

A sign plan for the installation of a wall sign for PERFECT TOUCH, to read "Tint & Paint Protection," located at 780 South Rochester Drive, Unit D, within the Pacific Gate/East Gate Specific Plan. **Staff action is required.**

PSGN19-025: **Submitted by Jeannie Chan**

A sign plan for the installation of a monument sign for PROLOGIS, located at 4214 East Airport Drive, within the California Commerce Center Specific Plan. **Staff action is required.**

PSGN19-026: **Submitted by John Herry**

A sign plan for the installation of a wall sign for TURNING POINT INTERNATIONAL MINISTRIES, located at 1950 South Grove Avenue, Suite A-109, within the Grove Avenue Specific Plan. **Staff action is required.**

Monthly Activity Report—New Applications

Month of February 2019

PSGN19-027:

Submitted by Bk Signs, Inc.

A sign plan for the installation of two wall signs, reface an existing monument sign, and two directional signs for WEST ROCK, located at 1790 South Champagne Avenue, within the IH (Heavy Industrial) zoning district. **Staff action is required.**

PSGN19-028:

Submitted by DSG Signs Graphics, Inc.

A sign plan for the installation of two wall signs (32 SF & 16 SF) per Sign Program No. PSGP02-005, for POSH NAILS, located at 4320 East Mills Circle, Suite H, within the Ontario Mills Specific Plan. **Staff action is required.**

PSGN19-029:

Submitted by WG Sign Co.

A sign plan for the installation of three wall signs (30-SF, 20-SF and 16-SF) per Sign Program No. PSGP16-004 for PANADERIA CARNICERIA & TAQUERIA, located at 1232 East Sixth Street, within the CN (Neighborhood Commercial) zoning district. **Staff action is required.**

PSGN19-030:

Submitted by Chromcraft Industries

A sign plan for the installation of a wall sign for CHROMCRAFT 24, located at 1011 South Grove Avenue, within the IG (General Commercial) zoning district. **Staff action is required.**

PTUP19-006:

Submitted by Garcia's Party Supply

A Temporary Use Permit for an outdoor holiday (Valentine's Day) retail sales event at Garcia's Party Supply, located at 1019 East Fourth Street, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DUs/Acre) and ICC (Interim Community Commercial) Overlay zoning districts. Event will be held on 2/8/2019 through 2/14/2019. **Staff action is required.**

PTUP19-007:

Submitted by Run for the Wall

A Temporary Use Permit for Annual Run for the Wall event at the Ontario Convention Center, located at 2000 East Convention Center Way, within the CCS (Convention Center Support Commercial) zoning district. Event will be held on 5/15/2019. **Staff action is required.**

PTUP19-008:

Submitted by Firewater Bar

A Temporary Use Permit for a music event hosted by Firewater Bar and Grill, located at 1528 West Holt Boulevard, within the HDR-45 (High Density Residential – 25.1 to 45.0 DUs/Acre) and ICC (Interim Community Commercial) Overlay zoning districts. Event will be held on 4/6/2019. **Staff action is required.**

Monthly Activity Report—New Applications

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PTUP19-009:

Submitted by Maggie McCubbin

A Temporary Use Permit for a grand opening for ConvergeOne, located at 5555 Ontario Mills Parkway, within the Crossroads Business Park Specific Plan. Event will be held on 4/1/2019, 8:00AM to 4:00PM. **Staff action is required.**

PVER19-006:

Submitted by Alex Fernandez

A Zoning Verification for 900 North Via Piemonte (APN: 0210-204-18). **Staff action is required.**

PVER19-007:

Submitted by Tiffany Golson

A Zoning Verification for 2900 and 2950 East Jurupa Street (APNs: 0211-261-10 and 0211-261-11). **Staff action is required.**

PVER19-008:

Submitted by PZR

A Zoning Verification letter for 536 East Maitland Street (APNs: 1049-501-12, 1049-501-13 and 1049-501-14). **Staff action is required.**