

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

August 27, 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 __ Ricci __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

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 July 23, 2019, approved as written.

- A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-043:** A Development Plan to construct a 51,555 square foot industrial building on 2.05 acres of land, located at 508 South Palmetto Avenue, within the IL (Light Industrial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 1011-193-04 and 1011-193-03) **submitted by State Street Ontario OZ Properties, LLC.**

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.

PLANNING COMMISSION ITEMS

B. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-001 (PM 19993)

AND PDEV19-004: A Tentative Parcel Map (File No. PMTT19-001/TM 19993) to subdivide 10.68 acres of land into two parcels, in conjunction with a Development Plan (File No. PDEV19-004) to construct one multitenant commercial building totaling 5,000 square feet, located at the southwest corner of Via Turin and Fourth Street, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. This application introduces no new significant environmental impacts and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0210-204-27) **submitted by Ontario Covenant Group, LLC.** This item was continued from the July 23, 2019 Planning Commission meeting.

1. CEQA Determination

No action necessary – use of previous Mitigated Negative Declaration

2. File No. PMTT19-001 (Parcel Map 19993)

Motion to Approve/Deny

3. File No. PDEV19-004 (Development Plan)

Motion to Approve/Deny

C. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT18-002:

A Tentative Tract Map (File No. PMTT18-002 / TTM 20157) to subdivide 81.35 acres of land into 6 lots and 5 lettered lots for residential, public streets, landscape neighborhood edges, and common open space purposes, for properties generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with 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: 0218-252-07, 0218-252-08 and 0218-252-09) **submitted by RWT Preserve Holdings, LLC.**

1. **CEQA Determination**

No action necessary – use of previous EIR

2. **File No. PMTT18-002** (Tract Map 20157)

Motion to Approve/Deny

D. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NOS. PMTT18-003, PMTT18-004, AND PMTT18-005:**

A request for the following Tentative Tract Map entitlements: 1) File No. PMTT18-003 (TTM 20158) to subdivide 15.41 acres of land into 31 lots and 15 lettered lots; 2) File No. PMTT18-004 (TTM 20159) to subdivide 13.94 acres of land into 15 lots and 5 lettered lots; and 3) File No. PMTT18-005 (TTM 20160) to subdivide 22.84 acres of land into 113 lots and 32 lettered lots for residential and public streets, landscape neighborhood edges and common open space purposes, generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with 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: 0218-252-07, 0218-252-08 and 0218-252-09) **submitted by RWT Preserve Holdings, LLC.**

1. **CEQA Determination**

No action necessary – use of previous EIR

2. **File No. PMTT18-003** (Tract Map 20158)

Motion to Approve/Deny

3. **File No. PMTT18-004** (Tract Map 20159)

Motion to Approve/Deny

4. **File No. PMTT18-005** (Tract Map 20160)

Motion to Approve/Deny

E. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW FOR FILE NO. PDA19-002:** A Development Agreement (File No. PDA19-002) between the City of Ontario and SLV LC Center, LLC; HCW LC Center, LLC;

Strack Farms Land, LLC; RHV Edison Avenue, LLC; MV Edison Avenue, LLC; and EPC Holdings 938, LLC, to establish the terms and conditions for the development of Tentative Tract Map 20157 (PMTT18-002), for property located at the southeast corner of Mill Creek Avenue and Old Edison Road, within Planning Areas 1 through 4 (RD-4, RD-6, RD-7, and RD-8) 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: 0218-252-07, 0218-252-08, 0218-252-09, 0218-252-10). **Submitted by Richland Communities. City Council action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PDA19-002 (Development Agreement)

Motion to recommend Approval/Denial

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation (Standing): Did not meet due to lack of quorum on August 8, 2019
- 2) New Business
- 3) Nominations for Special Recognition

DIRECTOR'S REPORT

- 1) Historic Structure Report (HSR) for Jay Littleton Ballpark
- 2) Certify unsafe and dangerous condition of the Tier I historic resource building located at 109 East Main Street (General Electric Clubhouse)
- 3) Director's Monthly 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 **August 23, 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

July 23, 2019

CONTENTS	PAGE
PLEDGE OF ALLEGIANCE.....	3
ANNOUNCEMENTS.....	3
PUBLIC COMMENTS.....	3
CONSENT CALENDAR	
A-01. Minutes of June 25, 2019.....	3
A-02. PDEV19-037	3
PUBLIC HEARINGS	
B. File No. PHP19-006	4
C. File Nos. PMTT19-001 & PDEV19-004.....	5
D. File No. PMTT18-010	6
E. File Nos. PVAR17-004, PMTT17-004 & PDEV17-015	7
F. File No. PGPA19-002	9
G. File No. PDEV18-041	9
H. File No. PDEV18-042	9
I. File No. PSPA18-010	12
J. File No. PDEV18-039	12
K. File Nos. PCUP18-041 & PDEV18-040	17
L. File No. PDA17-001	20
MATTERS FROM THE PLANNING COMMISSION.....	21
DIRECTOR’S REPORT.....	22

ADJOURNMENT 22

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

MINUTES

July 23, 2019

REGULAR MEETING: City Hall, 303 East B Street
Called to order by Chairman Willoughby at 6:35 PM

COMMISSIONERS

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

Absent: Downs and Gage

OTHERS PRESENT: Planning Director Wahlstrom, Assistant Planning Director Zeledon, City Attorney Graham, Development Administrative Officer Womble, Senior Planner Ayala, Senior Planner Batres, Senior Planner Mejia, Associate Planner Aguilo, Associate Planner Chen, Traffic Manager Jay Bautista and Planning Secretary Berendsen.

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner DeDiemar.

ANNOUNCEMENTS

Ms. Wahlstrom stated the applicant for Item C has requested a continuance to the August 27, 2019 meeting to work out some site plan issues and there is new correspondence from Lozeau Drury and applicant Scott Denham for Items F-H and those items are before them.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-037: A Development Plan (File No. PDEV19-037) to construct 3.5 acres of park land for the previously approved Tentative Tract Map 20081 (File No. PMTT17-003) located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A 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 and an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by the City Council on January 27, 2010. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential.**

It was moved by Gregorek, seconded by Ricci, to approve the Consent Calendar including the Planning Commission Minutes of June 25, 2019, as written and the Development Plan, File No. PDEV19-037, subject to conditions of approval. The motion was carried 5 to 0.

PUBLIC HEARING ITEMS

HISTORIC PRESERVATION COMMISSION ITEM

- B. CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NO. PHP19:006** A request to install up to 3 monument entry signs on the Euclid Avenue median near the I-10, and the SR-60 on/off ramps. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation) and Section 153311 (Accessory 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); **City initiated.**

Senior Planner Ayala, presented the staff report. She described the existing signs, the current locations and the proposed design for the new signs. She explained why a certificate of appropriateness is required for the replacement of the signs. She stated that staff is recommending the Historic Preservation Commission approve File No. PHP19-006, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Reyes wanted to know if the sign replacement would include any landscaping or lighting improvements.

Ms. Ayala stated no landscape is proposed but the signs will include some up-lighting.

Mr. Willoughby wanted clarification regarding the up-lighting and if the signs are one sided and a little wider and higher than the existing.

Ms. Ayala stated there is no up-lighting on the current signs and yes they will be one sided and wider and higher than the existing signs.

PUBLIC TESTIMONY

No one responded.

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

Mr. Reyes stated the lighting should be better than what is there now and he is glad about the height and would like to see some nice landscaping or shrubberies included.

Mr. Ricci stated it is an excellent design and is happy they are upgrading the existing signs, as it will bring character and shows we care about our city.

HISTORIC PRESERVATION COMMISSION ACTION

Acting as the Historic Preservation Commission, it was moved by Ricci, seconded by DeDiemar, to adopt a resolution to approve the Certificate of Appropriateness, File No., PHP19-006, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs and Gage. The motion was carried 5 to 0.

PLANNING COMMISSION ITEMS

- C. **ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-001 (PM 19993) AND PDEV19-004:** A Tentative Parcel Map (File No. PMTT19-001/PM 19993) to subdivide 10.68 acres of land into two parcels, in conjunction with a Development Plan (File No. PDEV19-004) to construct one multitenant commercial building totaling 5,000 square feet, located at the southwest corner of Via Turin and Fourth Street, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. This application introduces no new significant environmental impacts and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0210-204-27) **submitted by Ontario Covenant Group, LLC.** This item was continued from the June 25, 2019 Planning Commission meeting.

Ms. Wahlstrom stated this item is requested to be continued to the August 27, 2019 Planning Commission meeting.

PUBLIC TESTIMONY

No one responded.

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

As the public hearing was still open on this item, Mr. Willoughby asked for a verbal approval to continue File Nos., PMTT19-001 and PDEV19-004, to the August 27, 2019 Planning Commission meeting. The motion was carried 5 to 0.

- D. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT18-010:** A Tentative Parcel Map (File No. PMTT18-010, TPM 20087) to subdivide 17.92 acres of land into two parcels, for property located at 4900 East Fourth Street, 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 15315 (Class 15: Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0238-014-05) **submitted by Retail Properties of America Inc.**

Associate Planner Chen, presented the staff report. He described the location, the surrounding area and the history of the property. He described the parcel sizes, the future development proposed and the access and parking. He stated that staff is recommending the Planning Commission approve File No. PMTT18-010, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Gregorek wanted to know what was anticipated for the new parcel.

Ms. Wahlstrom stated that it is anticipated to be a sit down restaurant.

PUBLIC TESTIMONY

Mr. John Jennings representing the applicant, appeared and stated he was available to answer any questions.

Mr. Willoughby wanted to know if there was a potential tenant.

Mr. Jennings stated they are currently in negotiations with a national restaurant.

Mr. Willoughby wanted to know if there was a build out time line.

Mr. Jennings stated they anticipated it to be approximately one year to completion.

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

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Reyes, seconded by Ricci, to adopt a resolution to approve the Tentative Parcel Map, File No., PMTT18-010, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs and Gage. The motion was carried 5 to 0.

- E. **ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP, DEVELOPMENT PLAN AND VARIANCE REVIEW FOR FILE NOS. PMTT17-004, PDEV17-015 AND PVAR17-004:** A request for certain entitlements that include: 1) A Tentative Tract Map (File No. PMTT17-004/TT18373) to subdivide 1.42 acres of land into a single parcel for condominium purposes; 2) a Development Plan (File No. PDEV17-015) to construct 17 multi-family residential units; and 3) a Variance (File No. PVAR17-004) to reduce the required building side yard setback from 10 feet to 5 feet, reduce the building separation requirements for garage to garage from 30 feet to 26 feet, and dwelling front to front from 30 feet to 23 feet. The project is located at 920 South Cypress Avenue within the MDR18 zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use) and Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 1011-401-07) **submitted by SKG Pacific Enterprises, Inc.**

Senior Planner Mejia, presented the staff report. She described the location and the surrounding area. She explained what is currently there and what is proposed. She described the 17 units and seven buildings including the architectural design being proposed. She described the proposed access, park amenities, parking and landscaping. She explained the changes in the development code that require these variances. She stated that staff is recommending the Planning Commission approve File Nos. PVAR17-004, PMTT17-004 and PDEV17-015, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Gregorek wanted clarification of what is to the south of the project.

Ms. Mejia stated there is existing multi-family to the south.

Mr. Gregorek wanted to know if there were separate land owners for the properties.

Ms. Mejia stated that was correct.

Mr. Reyes wanted to clarify that it is going to be gated.

Ms. Mejia stated that is correct.

Mr. Willoughby wanted to verify that there are 34 garage parking spaces and 12 open parking spaces.

Ms. Mejia stated that is correct.

Mr. Willoughby wanted to clarify that the CC&Rs reflect storage in the garage, so that the tenants won't be using the open space parking, because they are using the garage for storage.

Ms. Mejia stated yes this is standard in the CC&Rs and the proposed floor plans have additional storage for the tenants to use.

Mr. Willoughby wanted to clarify the color in the artist rendering which looks bright yellow.

Ms. Mejia stated it is more of a light beige sandy color being proposed.

PUBLIC TESTIMONY

Mr. Ray Allard with Allard Engineering, representing the applicant appeared.

Mr. Reyes asked if the WQP would be underground or in the park area.

Mr. Allard stated it would be underground. He stated that he agrees with the COAs and would make sure the CCRs would be followed in regards to no storage in the garages. He also thanked staff for working with them on this difficult narrow property.

Mr. Willoughby wanted clarification if the trash would be in a community dumpster or individual.

Mr. Allard stated it would be individual.

Mr. Willoughby wanted to know where the trash cans would be kept.

Mr. Allard stated the proposed garages are widened by 2 feet to accommodate them.

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

Mr. Reyes commended the developer for making the site work and that the benefits far outweigh the slimness of the lots, with the landscaping and park.

Mr. Willoughby stated that sometimes infill projects are a challenge and this is a great job on design working with the lot.

Mr. Reyes stated he is for the variance approval as they are minimal compared to what this project brings to the community.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Reyes, to adopt a resolution to approve the Variance, File No. PVAR17-004, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs and Gage. The motion was carried 5 to 0.

It was moved by Gregorek, seconded by DeDiemar, to adopt a resolution to approve the Tentative Tract Map (TM 18373), File No. PMTT17-004, and the Development Plan, File No., PDEV17-015, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs and Gage. The motion was carried 5 to 0.

F. ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT FOR

FILE NO. PGPA19-002: An Amendment to the Policy Plan (General Plan) component of The Ontario Plan to: [1] modify the Land Use Plan (Exhibit LU-01), changing the land use designation for 7.85 acres of land, from General Commercial to Industrial, located at the 1155 South Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan; [2] modify the Land Use Plan (Exhibit LU-01), changing the land use designation for 2.8 acres of land, from General Commercial to Industrial, generally located at the northeast corner of Wall Street and Wanamaker Avenue, within the Light Industrial land use district of the Pacific Gate-East Gate Specific Plan; and [3] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes with the Policy Plan. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0238-221-36 and 0238-221-23) **City Initiated. City Council action is required.**

G. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV18-041: A Development Plan to construct one industrial building totaling 178,462 square feet on 7.85 acres of land, located on the southeast corner of Wall Street and Wanamaker Avenue at 1155 South Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0238-221-36) **submitted by Bridge Acquisition, LLC.**

H. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV18-042: A Development Plan to construct one industrial building totaling 90,291 square feet on 4.05 acres of land, located on the northeast corner of Wall Street and Wanamaker Avenue, within the Light Industrial land use district of the Pacific Gate-East Gate Specific Plan. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation

measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0238-221-23) **submitted by Bridge Acquisition, LLC.**

Associate Planner Aguilo, presented the staff report. She described the location and the surrounding area with their uses and the need for the General Plan Amendment. She described the site and access and the proposed architectural design, landscaping and parking. She stated that staff is recommending the Planning Commission recommend approval for the Addendum and File No. PGPA19-002, and approval for the Development Plans, File Nos. PDEV18-041 and PDEV18-042, 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 that the finishes in the renderings are accurate in regards to design.

Ms. Aguilo stated that is correct.

Mr. Reyes wanted to know if the design is painted material or something else.

Ms. Aguilo stated they are paint material and the form liners are along the whole building wrapped around.

Mr. Reyes wanted to know if there are employee areas.

Ms. Aguilo stated yes they are located closer to the office entries.

Mr. Reyes wanted to know if additional screening was requested along the freeway to buffer truck docks.

Ms. Aguilo stated the screens walls are proposed at 12 feet for building A and 8 feet for building B so that all the dock doors are adequately screened.

Mr. Willoughby wanted to know if the screen walls for building A, are 12 feet high so the docks aren't visual from the freeway.

Ms. Aguilo stated yes they reflect what is needed to adequately buffer the dock doors, according to the line of sight analysis done from the middle of the closest lane of the freeway.

PUBLIC TESTIMONY

Mr. Scott Denham with Bridge Acquisitions, appeared and stated this project conforms with the light industrial zoning and the Pacific Gate-East Gate Specific Plan. He stated he is looking forward to bringing these state of the art, class A buildings, which will bring more jobs and help the robust economic growth within the city. He stated they have enjoyed working with the staff, who were all very professional and thorough and he is looking forward to starting the project and doing more in the future within the city. He stated he has reviewed the very thorough and comprehensive COAs.

Mr. Reyes wanted clarification if the landscaping for building A was proposed inside the screen wall or outside.

Mr. Denham stated the landscaping would be on the outside of the wall outside the truck court area and showed a presentation board that represented the type of trees and shrubbery proposed.

Mr. Reyes wanted clarification that the green belt of landscaping is on the outside and the wall is on the inside.

Mr. Denham stated yes.

Mr. Reyes stated that he just wanted to make sure there was enough landscape buffer for the screening of even the wall from the freeway, with the elevations.

Mr. Gregorek wanted to know if there were any perspective tenants.

Mr. Denham stated not at this time but there is a tremendous demand and once they get started on the project they anticipate a lot of interest.

Mr. Reyes wanted to know if the architect is working with staff on final color selections.

Mr. Denham stated they will continue to do that and have provided color and material boards to the staff and have gotten great feedback.

Mr. Willoughby wanted to know the height of the buildings.

Mr. Denham stated the interior clear height would be 32 feet and 45 feet on the outside for both buildings.

Mr. Ricci wanted clarification if the building uses were designed for more than one tenant.

Mr. Denham stated that it was designed for one tenant but building A could have the potential for a second tenant.

Mr. Ricci wanted clarification on there being only one office entrance.

Mr. Denham stated single tenants are the most likely potential with the layout of the site, but they have run the sewer lateral so that restrooms or offices can be added later if the need arises.

Mr. Brian Flynn, Supporters Alliance for Environmental Responsibility, stated they had submitted some written comments today and the applicant had provided a response, however the applicant's response focused on if the 2010 EIR analyzed this project as industrial. He stated they were able to go back and see that it was industrial but he would rather focus on the other items stated within the letter that stated an addendum is inappropriate regardless of whether the 2010 EIR considered the site industrial. He stated that the city is required to prepare a tiered EIR or Negative Declaration instead of an addendum for the project. He stated the city has incorrectly applied the CEQA guidelines section 15164 which applies to preparing an addendum for a project specific EIR. However, the 2010 TOP EIR is basically a General Plan EIR that potentially governs the whole city and is not a project specific EIR. He stated staff should have

used section 15168 to do a subsequent analysis for a program EIR or Negative Declaration to analyze the specific effects for this specific industrial project. He further stated that the 2010 EIR concluded there would be many significant unavoidable impacts on agricultural resources, air quality, climate change, cultural resources, noise and traffic which would require a tiered EIR to mitigate these impacts. He state a second tiered EIR is needed to mitigate these impacts that are not adequately addressed in the first tiered EIR. He stated that for these reasons the addendum to the EIR is inappropriate and they should follow the CEQA tiering provisions, which provides for project specific analysis of impacts related to this project.

Mr. Alfred Barrett with Labor Local 783, stated that he urged the city to require an EIR for the Bridge Acquisition project, as the project wasn't analyzed at all in the 2010 EIR. He stated the project is very different than the Scandia that is currently on the project site.

Mr. Jaime Mendoza with Labor Local 783, stated an EIR is required for the Bridge Acquisition project to analyzed and mitigate the projects impacts such as truck traffic, air pollutions, and construction pollutions.

Mr. Denham stated he has reviewed the letter and the EIR did review this site as light industrial. He stated the overall Ontario General plan EIR and the California Commerce Center and the Pacific Gate-East Gate Specific Plans, all analyzed this as light industrial and the environmental impacts were analyzed, and the project mitigation measures that address these impacts are added into our COAs and we agree to meet them.

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

Mr. Gregorek wanted clarification on whether a new EIR is needed.

Ms. Wahlstrom stated that when she worked on the 2010 TOP EIR, this area was envisioned as industrial and that was what was evaluated through the EIR and what was taken to city council. She stated that through public comments and the request of the Scandia property owner it was requested to be maintained as general commercial, which was what was ultimately approved.

Attorney Graham looked at the letters and they are stating the EIR with the Ontario plan did not analyzed this area as industrial. Mr. Graham stated that the TOP EIR analyzed this property as industrial uses, as well as under two other EIRs (California Commerce Center and Pacific Gate-East Gate Specific Plans) and he agrees with staff that CEQA is adequately covered.

Mr. Reyes stated he will miss Scandia and the park, but when looking at the surrounding area, industrial seems the best use for this site, as it is great freeway frontage but difficult to maneuver to. Mr. Reyes added that he supports the use of local labor.

Ms. DeDiemar wanted clarification on what the environmental dangers are and what is being mitigated and what remains that hasn't been addressed.

Ms. Wahlstrom stated that environmental impacts are looked at in a number of ways and with this case we looked at equivalencies in terms of potential impacts and determined that this change would not result in additional impact beyond what was already analyzed in the TOP EIR.

Ms. DeDiemar wanted to know if it was traffic car trips versus truck traffic or what sort of impacts are looked at.

Ms. Wahlstrom stated that the impact analysis is based on the land use change and if that change would result in additional impacts such as the number and type of trips and air quality, and if those impacts were equivalent to or less than what was previously analyzed. Scandia, being a commercial use, had different hours of operations and different types of trips, so the impacts were looked at in terms of equivalencies.

Ms. DeDiemar wanted clarification that the original EIR looked at this as industrial and it was later changed.

Ms. Wahlstrom stated that was correct.

Ms. DeDiemar wanted to know if the change of land use would have more, less or equivalent impact.

Ms. Wahlstrom stated it would have equivalent impact.

Ms. DeDiemar wanted to clarify that it was first analyzed as industrial and that the Scandia use was deemed equivalent.

Ms. Wahlstrom stated it would be equivalent or less than significant but in different ways.

Attorney Graham stated that there will clearly be some differences versus a general commercial use and light industrial use. However, it was analyzed as light industrial in the TOP EIR, and even though it has been 9 years they are trying to make the property consistent to the TOP.

Ms. Wahlstrom stated that Scandia was an existing use and in the end we decided to leave it general commercial, therefore this change didn't need to be evaluated because it was an existing condition.

Mr. Willoughby stated that Scandia was a project already 20 years old and the TOP going in 10 years later. He thanked Attorney Graham for clarifying that environmental analysis was done with the two specific plans so there are three EIRs that covered the property and stated all the surrounding area is industrial.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Reyes, to recommend adoption of the Addendum to a previous EIR, Roll call vote: AYES, DeDiemar, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs and Gage. The motion was carried 5 to 0.

It was moved by Gregorek, seconded by Ricci, to recommend adoption of a resolution to approve the General Plan Amendment, File No., PGPA19-002, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs and Gage. The motion was carried 5 to 0.

It was moved by Ricci, seconded by Reyes, to approve a resolution for the Development Plans, File Nos., PDEV18-041 and PDEV18-042, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs and Gage. The motion was carried 5 to 0.

- I. ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA18-010:** An Amendment to the Ontario Gateway Specific Plan (File No. PSPA18-010) to: 1) change the land use designation for 3.9 acres of land from Office to Mixed-Use and; 2) reduce the rear parking/landscape setback adjacent to the railroad tracks from 20-feet to 10-feet. The project is located on the south side of Guasti Road, approximately 1,000 feet east of Haven Avenue. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval. 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: 210-212-57); **submitted by Prime A Investments, LLC. City Council action is required.**
- J. ENVIRONMENTAL ASSESSMENT & DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-039:** A Development Plan (File No. PDEV18-039) to construct a 136,342 square foot single story retail building (Costco Business Center) on 10.9 acres of land, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan, located on the south side of Guasti Road, approximately 500 east of Haven Avenue. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval. 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: 210-212-56 & 210-212-57) **submitted by Prime A Investments, LLC.**

Senior Planner Batres, presented the staff report. He described the surrounding area and the location of the project site and the current land use of Office and change being requested to Mixed-Use. He explained site layout, the parking study, architectural design, landscape, access, and the truck court area. He explained the differences between a regular Costco Center and a Business Costco Center. He stated that staff is recommending the Planning Commission recommend approval of an Addendum to a previous EIR and the Specific Plan Amendment, File No. PSPA18-010, and that the Planning Commission approve the Development Plan, File No. PDEV18-039, 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 truck access.

Mr. Batres stated the goal is to separate truck vehicles from regular traffic and to take truck trips away from Haven Ave., so access from Milliken will be exclusively for Costco trucks.

Mr. Willoughby wanted to know if the truck entrance would be from Milliken or Haven.

Mr. Batres stated trucks would access through Milliken Ave.

Mr. Willoughby wanted clarification that the cul-de-sac would be opened onto Milliken Ave.

Mr. Batres stated this entrance would be gated and only Costco trucks will have access.

Mr. Willoughby clarified that if you come down that street there would be a gate and the general public won't have access.

Mr. Batres stated that is correct.

Mr. Willoughby wanted to clarify that the delivery vehicles will use that gate and proceed to Milliken.

Mr. Batres stated that is correct.

Mr. Willoughby wanted clarification if the signalized intersection will line up with any of the existing businesses to the north.

Mr. Batres stated it would line up with the existing road between the Embassy Suites Hotel and the Springfield Suites.

Mr. Willoughby wanted to know how this center compares in size to a regular Costco building.

Ms. Wahlstrom stated generally they are larger.

PUBLIC TESTIMONY

Mr. Sean Asmus with Prime A Investments and Mr. Mike OKuma with Costco stores, appeared and spoke.

Mr. Gregorek wanted to know if there would still be refrigerated and frozen food areas.

Mr. OKuma stated yes as they cater to business owners, they would have frozen and cold goods.

Mr. Gregorek asked if they would have free food tasting.

Mr. OKuma stated no but what is unique about the frozen section here is how large it is and that it is divided into three sections; cold, colder, and coldest where they provide a jacket to go into it.

Mr. Willoughby wanted to know the size of a regular Costco building.

Mr. OKuma stated the normal Costco building runs around 148,000 square feet and this is a little

smaller.

Mr. Willoughby wanted to know being that there is a larger frozen food section would they still have a butchers and fresh cut meats.

Mr. OKuma stated they don't sell traditional size meats, but on a larger scale. He gave the example if you would normally by a rump roast, here you would get a quarter of a lamb. He stated they cater to restaurant businesses, which is why there hours of operations are earlier and they will be closed on Sundays.

Mr. Willoughby wanted to know if regular membership gets you in.

Mr. OKuma stated yes, but they have unique items that you wouldn't find at a regular Costco, because they cater to restaurants and businesses.

Mr. Willoughby clarified that they would have more office furniture and items like that.

Mr. OKuma stated that was correct.

Mr. Willoughby wanted to know where the current closes location is.

Mr. OKuma stated most likely Westminster, but they currently have five business center locations.

Mr. Ricci wanted to know what type of delivery trucks are used.

Mr. OKuma stated there are two types, large semi trucks and the box trucks that will leave the facility.

Mr. Ricci wanted clarification on if Costco has a fleet of trucks or are they third party trucks.

Mr. OKuma stated they are mostly our trucks, just a few deliveries from like Coke and Pepsi that would use their own delivery trucks.

Ms. DeDiemar wanted to know why a location in Ontario.

Mr. OKuma stated this would most likely be the last business center in Southern California and that this is the perfect location because they can serve the whole Inland Empire and it's close to several freeways and close to their depot in Mira Loma and the airport. He stated it's the most convenient from all aspects. He stated that mostly they do remodels of existing buildings and this is very rare and will be one of the few ground up buildings.

Mr. Reyes wanted to know if the corner retail area is also being developed by Costco.

Mr. Asmus stated that they own both of the parcels and are doing a lot line adjustment to allow retain that portion and develop it themselves.

Mr. Willoughby stated he didn't know there was a business center for Costco.

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

Mr. Reyes stated the difficult part is to change land use designation especially close to Haven and the airport. He stated his thought is always are we going to have enough office and it's an ideal location, but what balances this is the retail portion, coming up next, and because it is such a strong corner. He thanked staff for working with Costco to articulate the design and to develop the site and elements.

Mr. Willoughby stated the two products when looked at together are a great fit and with the jobs Costco will create and the sales tax revenue, this makes it a win, win for Ontario.

PLANNING COMMISSION ACTION

It was moved by Reyes, seconded by Gregorek, to recommend adoption of a resolution to approve the Addendum to a previous EIR. Roll call vote: AYES, DeDiemar, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs and Gage. The motion was carried 5 to 0.

It was moved by Gregorek, seconded by Ricci, to recommend adoption of a resolution to approve the Specific Plan Amendment, File No., PSPA18-010, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs and Gage. The motion was carried 5 to 0.

It was moved by Gregorek, seconded by DeDiemar, to approve a resolution for the Development Plan, File No., PDEV18-039, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs and Gage. The motion was carried 5 to 0.

Mr. Gregorek recused himself from Item K

- K. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV18-040 AND PCUP18-041:** A Development Plan (File No. PDEV18-040) to construct three retail buildings totaling 19,000 square feet, in conjunction with a Conditional Use Permit (File No. PCUP18-041) to establish drive-thru facilities on two buildings (Building A & C), on 4.3 acres of land located at the southeast corner of Haven Avenue and Guasti Road, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with an Addendum to The Ontario Plan (File No. PSPA17-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport

Land Use Compatibility Plan (ALUCP) (APN: 210-212-57) submitted by Prime A Investments, LLC.

Senior Planner Batres, presented the staff report. He described the location and the proposed development plan, the building sizes and the proposed uses, architectural design, landscaping, conceptual plaza areas, parking, and access to the site. He stated that staff is recommending the Planning Commission approve File Nos. PCUP18-041 and PDEV18-040, 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 about the corner sign, the existing landscaping or the parkway along Haven, if there would be any enhancements with this project.

Mr. Batres stated the proposed project will work behind the landscape that is already there and is proposing to cancel one existing driving apron that will make way for landscape and sidewalk for the Costco project. He stated they are both required to submit sign programs and staff will work with them on the detailing of that wall and the shade structures.

Mr. Willoughby wanted to clarify that the palm trees and the Ontario Gateway sign at the corner of Haven and Guasti will remain.

Mr. Batres stated yes that is correct.

Mr. Ricci wanted to know if any monument signs more visible, further north off the freeway or more elevated signs are proposed.

Mr. Batres stated in addition to the sign program that needs to be submitted and will be reviewed by staff and Ontario Gateway SP includes the conceptual freeway sign that is for all the tenants in this area to utilize this sign, along the 10 freeway.

Mr. Ricci wanted to clarify that it would be located in the empty lot north of the Springhill Suites.

Mr. Batres stated the proposed sign area is in the Caltrans right-of-way and is a conceptual freeway sign.

Mr. Reyes wanted to know what the land use on the parcel is where the sign is proposed and will it interfere with any future build out

Mr. Batres stated it is zoned office and that the conceptual idea is included in the CC&Rs that they would need to go through the association that includes all the businesses and they would have a say as to what the sign would be.

Mr. Reyes wanted clarification on what is in the middle of the open space in the center of building A and B.

Mr. Batres stated it is trash enclosures at each end.

Mr. Willoughby wanted clarification that the trash enclosures are covered typically like in other

projects of this nature.

Mr. Batres stated yes.

Mr. Willoughby wanted to clarify that signage on the building would be allowed for the businesses in the individual suites.

Mr. Batres stated yes.

Mr. Willoughby wanted to know if there would be a crossover from the northern hotels at the signalized intersection.

Ms. Wahlstrom stated yes the intersection is signalized and will have crosswalks.

PUBLIC TESTIMONY

Mr. Sean Asmus with Prime A Investments stated they own the parcel where the pylon sign is proposed and he is a board member on the association for this area and in the next 30 days or so they will be submitting a comprehensive sign program and Springhill Suites and Embassy Suites have expressed interest in being on the sign. He stated that being that Costco is more of a destination retail they have no intention of being on the sign, at this time. He stated the association has been working on landscape update coordination so it looks seamless, as they do recognize the importance of the corner.

Mr. Willoughby wanted to know if the plaza between A and B would have any water features.

Mr. Asmus stated on other properties they have had these and they are a liability and maintenance nightmare, so they are not proposing any sort of water feature. He stated they have an aggressive schedule and was complimentary to the staff on working on the elevations for the plaza and that they aren't really thrilled with the sail shade structures, but wants to bring a sense of community and have tabled the design in favor of the schedule.

Mr. Willoughby wanted to know if they have potential tenants.

Mr. Asmus stated he can't reveal specifics but has coffee, sandwich, juice and pizza in the works and wants to bring amenities to the area, especially for the hotels across the street.

Mr. Willoughby asked if they are looking at larger sit down restaurants.

Mr. Asmus stated that the demographics for the area shows this will get more of the morning, lunch and maybe happy hour crowd, but wouldn't really support a full size restaurant.

Mr. Reyes clarified that the users for A & B would more likely be a food court area, and stated the building details and elevations have good detail but the site plan is short and can they give more detail regarding the amenities for the plaza area. He also asked if they have thought about relocating the trash enclosures.

Mr. Willoughby wanted clarity that the plaza area would continue to be worked on with staff and

will be based on the tenants needs but that nothing is set.

Mr. Batres stated yes the applicant will continue to work with them once we know the tenants.

Mr. Willoughby stated this is just conceptual and nothing is locked in.

Ms. Wahlstrom stated that this is correct, we are not there yet, these thoughts will be taken into consideration, and we understand you want robust amenities.

Mr. Scott VonKaenel stated they are currently working with engineering for a new location for the trash enclosures and the trash truck radius required.

Mr. Reyes wanted comments on the corner awnings and the courtyard area.

Mr. VonKaenel stated they would like to have an active space so they can draw people in, but at this time aren't sure what that would include or look like.

Ms. Wahlstrom stated they will continue to work with staff and come back to briefing with the details.

Mr. Willoughby stated he is comfortable with staff working out the details and this will be a very nice project.

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

Mr. Reyes stated that he wants the best for this retail, just as he would for any office building. He wants to see more detail on landscaping and lighting and amenities, because he wants a high quality project for this prime area and would really like to see a water feature at the corner.

PLANNING COMMISSION ACTION

It was moved by Reyes, seconded by Ricci, to approve a resolution for the Conditional Use Permit and the Development Plan, File Nos., PCUP18-041 and PDEV18-040, subject to conditions of approval and the condition that staff will continue to work with the applicant regarding the details for the courtyard area. Roll call vote: AYES, DeDiemar, Reyes, and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, Downs and Gage. The motion was carried 4 to 0.

L. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT

AMENDMENT REVIEW FOR FILE NO. PDA17-001: A Development Agreement Amendment (**First Amendment – File No. PDA17-001**) between the City of Ontario and Ronald and Kristine Pietersma Family Trust and Loyola Properties I L.P., to modify certain provisions related to the second installment of the Phase 2 Water Participation Fee, for Tentative Parcel Map 19787 (File No. PMTT16-021), within the High Density Residential (Planning Areas 7 and 8) land use designation of the Grand Park Specific Plan, located at the southeast corner of Ontario Ranch Road and Archibald Avenue. The environmental impacts of this project were previously reviewed in conjunction with the

Grand Park Specific Plan, for which an Environmental Impact Report (SCH#2012061057) certified by the City Council on February 4, 2014. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0218-241-32) **submitted by RCCD, Inc. City Council action is required.**

Development Administrative Officer Womble, presented the staff report. He stated the reason for the Amendment was to defer the second installment of the Water Participation Fee. He stated that staff is recommending the Planning Commission recommend for approval File No. PDA17-001, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

No one responded.

PUBLIC TESTIMONY

No one responded.

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

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by DeDiemar, seconded by Ricci, to recommend adoption of a resolution to approve the Development Agreement Amendment, File No., PDA17-001, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs and Gage. The motion was carried 5 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on July 11, 2019.

- The monument signs were discussed.

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

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

New Business

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Ms. Wahlstrom stated the Monthly Activity Reports are in their packets.

ADJOURNMENT

Gregorek motioned to adjourn. All in favor. The meeting was adjourned at 9:32 PM.

Secretary Pro Tempore

Chairman, Planning Commission



**PLANNING COMMISSION
STAFF REPORT**
August 27, 2019

FILE NO.: PDEV18-043

SUBJECT: A Development Plan to construct a 51,555-square foot industrial building on 2.05 acres of land located at 508 South Palmetto Avenue, within the IL (Light Industrial) zoning district; (APNs: 1011-193-03 and 1011-193-04) **submitted by State Street Ontario OZ Properties, LLC**

PROPERTY OWNER: Napa Vista Toluca, LLC

RECOMMENDED ACTION: That the Planning Commission approve File No. PDEV18-043 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 2.05 acres of land (2.12 acres before required dedications) located at the southwest corner of State Street and Palmetto Avenue, at 508 South Palmetto Avenue, within the IL (Light Industrial) zoning district, and is depicted in Figure 1: Project Location, below. The project site is an undeveloped parcel that is surrounded to the north by the Union Pacific Railroad tracks, to the west by a self-storage facility, and to the south and east by industrial buildings. The project site is bordered by three streets. State Street to the north, Palmetto Avenue to the east, and Mountain Access Road to the west.

PROJECT ANALYSIS:

[1] Background — The applicant is requesting Development Plan approval to construct a 51,555-square foot industrial building on the above-described project site, with a floor area ratio of 0.55. The proposed building is oriented north to south, with the front entrance located along the Project's

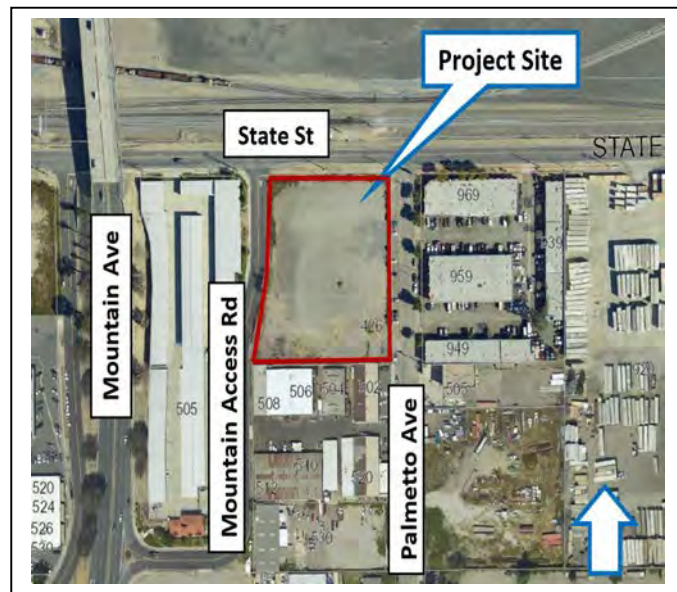


Figure 1: Project Location

Case Planner:	Denny D. Chen	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	8/19/19	Approve	Recommend
Submittal Date:	12/21/2018	PC	8/27/19		Final

Palmetto Avenue frontage, facing east toward the street and south toward the employee and visitor parking area.

On August 19, 2019, the Development Advisory Board reviewed the subject application and recommended that the Planning Commission approve the proposed project, subject to departmental conditions of approval included with this report.

[2] Site Design/Building Layout — The proposed building will be setback 18 feet from the State Street (north) property line, 10 feet from the Palmetto Avenue (east) property line, and 10 feet from the Mountain Avenue frontage road (west) property line. A yard area, designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is oriented to the south side of the proposed building. The yard area will be screened from view of public streets by a combination of building walls and screen walls with view-obstructing access gates.

[3] Site Access/Circulation — The parking and loading areas will be accessed from driveways located at the Project's southeast and southwest corners, accessed from Palmetto Avenue and Mountain Avenue (frontage road), respectively (see Exhibit B—Site Plan, attached). Both site entry points provide access to a secured tractor-trailer loading area, and employee and visitor parking areas on the south side of the project site.

[4] Parking — The Project has provided 36 off-street parking spaces consistent with the "Warehouse and Distribution" parking standards specified in the Development Code, which requires one space for each 1,000 square feet of gross floor area (GFA) for the first 20,000 square feet, plus one space for each 2,000 square feet of GFA in excess of 20,000 square feet. Additionally, the City's off-street parking and loading standards require that the Project provide a minimum of one tractor trailer parking space for each four dock-high loading spaces. One tractor trailer parking space has been provided, meeting the minimum requirement for the Project.

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

- Painted finishes incorporating color blocking
- Horizontal and vertical reveal lines
- Recessed windows and wall panels at key locations

- Form liner treatments on certain wall panels walls
- Storefront aluminum canopies with metallic silver finish to match the building fascia
- Double glazed windows with a clear anodized mullion system
- Aluminum mullions and spandrel glass window insets
- Extensive use of glazing at office areas and corner elements

[6] Landscaping — The Project proposes an 18.4 percent landscape coverage, exceeding the 15 percent minimum landscape coverage requirement of the Development Code for corner lots located within the IL (Light Industrial) zoning district. The landscape pallet for the project incorporates a mix of 24-, 36- and 48-inch box accent and shade trees, including Canary Island Pine, Mondell Pine, Chinese Pistache, Western Redbud, and Coastal Live Oak, along with a variety of shrubs and groundcovers (see Exhibit E—Landscape Plan). Furthermore, an outdoor employee break area will be provided on the south side of the building. Access to the employee break area will be provided by a wrought iron gate, located on the building’s east elevation. The area will feature a shade tree, a trellis with vine treatment, and a trellis structure over the table and chairs (see Exhibit F—Employee Break Area Perspective View, attached).

[7] Signage — The project is not proposing any signage at this time. However, all new signage shall comply with the requirements of Development Code and are required to be reviewed and approved by the Planning Department prior to permit issuance.

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

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

[1] City Council Goals.

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

- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

[2] Vision.

Distinctive Development:

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

[3] Governance.

Decision Making:

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

[4] Policy Plan (General Plan)

Land Use Element:

- Goal 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.
 - LU1-6 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.

Community Design Element:

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

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

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

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

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

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

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

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

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

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>	Undeveloped Land	BP (Business Park)	IL (Light Industrial)	N/A
<i>North</i>	Union Pacific Railroad	Rail	RC (Rail Commercial)	N/A
<i>South</i>	Industrial Buildings	BP (Business Park)	IL (Light Industrial)	N/A
<i>East</i>	Industrial Buildings	Industrial	IL (Light Industrial)	N/A
<i>West</i>	Self-Storage Facility	BP (Business Park)	IL (Light Industrial)	N/A

General Site & Building Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	2.12 Ac (92,347 SF) (2.05 Ac after dedications)	10,000 SF (Min.)	Y
<i>Building Area</i>	***51,555 SF	50,791 SF (Max.)	***Y
<i>Floor Area Ratio (FAR)</i>	***0.58	0.55 (Max.)	***Y
<i>Building Height:</i>	35 FT	55 FT (Max.)	Y

Note: ***The building's gross floor area will be reduced to 50,791 square feet pursuant to Planning Department condition of approval no. 2.15(e), so as not to exceed the maximum allowed FAR for the project.

Off-Street Parking:

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Warehouse Building</i>	51,555 SF	1 per 1,000 for first 20,000 GFA and 0.5 per 1,000 for building GFA greater than 20,000 SF; plus 1 tractor-trailer parking space per 4 dock-high loading doors; plus required parking for "general business offices" when those uses exceed 10% of building GFA (Gross Floor Area).	36	36
<i>Tractor Trailer Parking</i>	n/a	1 tractor trailer parking per 4 dock high doors	1	1
TOTAL	51,555 SF		36 & 1-trailer parking	36 & 1-trailer parking

Exhibit A—PROJECT LOCATION

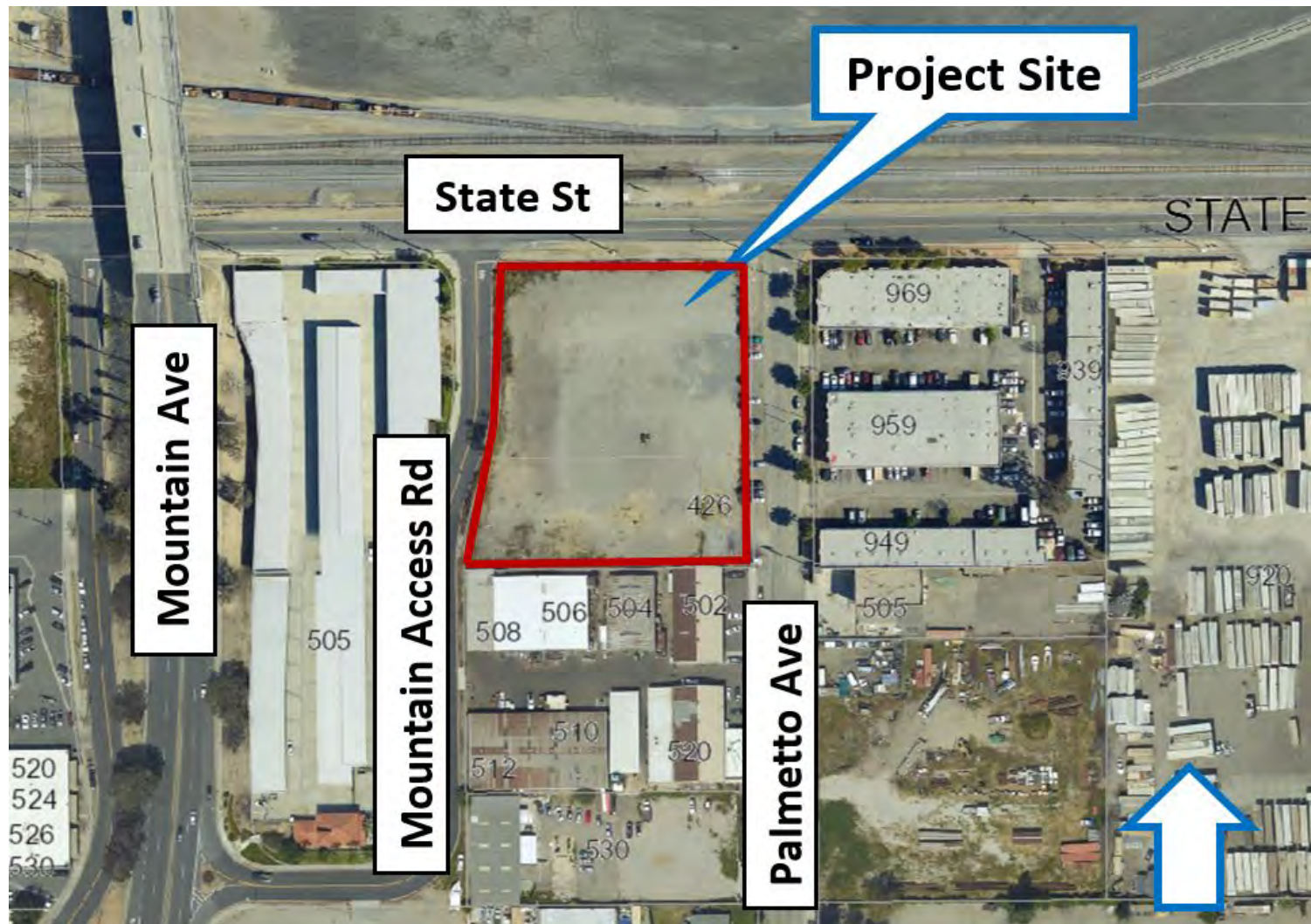


Exhibit B—SITE PLAN



Exhibit C—BUILDING PERSPECTIVE



Southeast Corner View of the Building & Office Entrance

Exhibit C—BUILDING ELEVATIONS



SOUTH ELEVATION



EAST ELEVATION

Exhibit D—BUILDING ELEVATIONS



NORTH ELEVATION



WEST ELEVATION

Exhibit E—LANDSCAPE PLAN

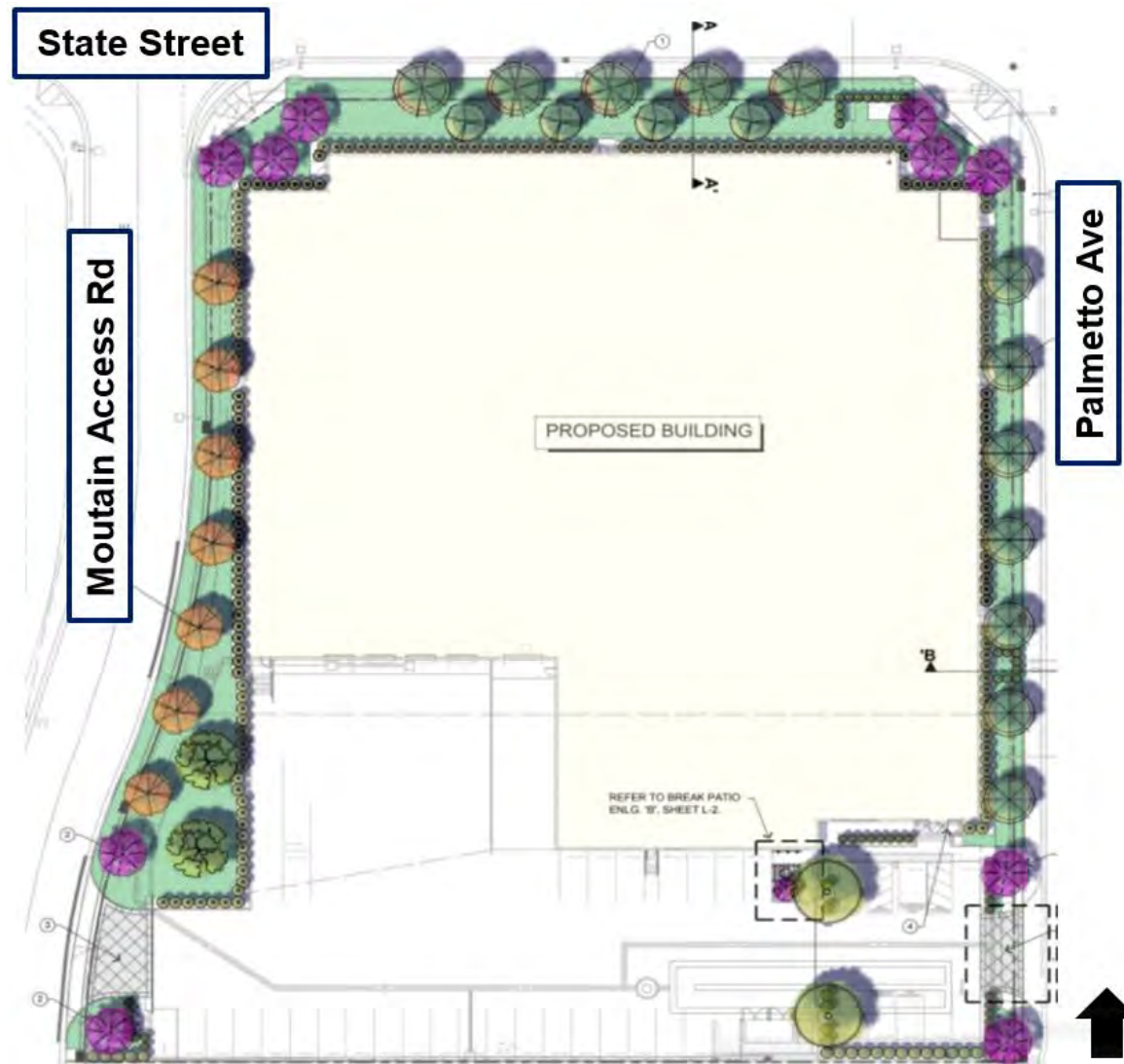


Exhibit F—EMPLOYEE BREAK AREA PERSPECTIVE VIEW



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV18-043, A DEVELOPMENT PLAN TO CONSTRUCT A 51,555 SQUARE FOOT INDUSTRIAL WAREHOUSE BUILDING ON 2.05 ACRES OF LAND, LOCATED AT 508 SOUTH PALMETTO AVENUE, WITHIN THE IL (LIGHT INDUSTRIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1011-193-03 & 1011-193-04.

WHEREAS, State Street Ontario OZ Properties, LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV18-043, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 2.05 acres of land generally located on the southwest corner of State Street and Palmetto Avenue, at 508 South Palmetto Avenue, within the IL (Light Industrial) zoning district; and

WHEREAS, the property to the north of the Project site is within the RC (Rail Corridor) zoning district, and is developed with Union Pacific Railroad. The property to the east is within the IL (Light Industrial) zoning district, and is developed with industrial buildings. The property to the south is within the IL (Light Industrial) zoning district, and is developed with industrial buildings. The property to the west is within the IL (Light Industrial) zoning district, and is developed with a self-storage facility; and

WHEREAS, on December 21, 2018, the applicant submitted a Development Plan (File No. PDEV18-043) to construct a 51,555 square foot industrial warehouse building on 2.05 acres, located on the southwest corner of State Street and Palmetto Avenue; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that

development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

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

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

WHEREAS, on August 19, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision DAB19-047, recommending the Planning Commission approve the Application; and

WHEREAS, on August 27, 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 15332 (Class 32, Infill

Development Projects) of the CEQA Guidelines, which consists of projects characterized as infill development, meeting the following conditions

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

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

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

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

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Planning Commission has reviewed and considered the facts and information contained

in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

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

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the IL (Light Industrial) zoning district, as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

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

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

SECTION 5: Planning Commission Action. Based 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 27TH day of August 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution [Insert PC No.] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 27, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV18-043
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: August 27, 2019

File No: PDEV18-043

Related Files: None

Project Description: A Development Plan (File No. PDEV18-043) to construct one 51,555 square-foot industrial building on 2.05 acres of land located at 508 South Palmetto Avenue, within the IL (Light Industrial) zoning district (APNs: 1011-193-03 and 1011-193-04); **Submitted by State Street Ontario OZ Properties, LLC**

Prepared By: Denny D. Chen, Associate Planner
Phone: 909.395.2424 (direct)
Email: dchen@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

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

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

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

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

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

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

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

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

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

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

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

2.7 Site Lighting.

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

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

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

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

2.8 Mechanical and Rooftop Equipment.

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

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

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

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

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

2.12 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, meeting the following conditions:

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

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

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

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

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

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

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

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

2.14 Additional Fees.

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

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

2.15 Additional Requirements.

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

(b) A 14-foot tall decorative wall (concrete tilt-up or decorative masonry block) with view-obstructing gates shall be constructed along the west, east, and south sides of the truck loading area to fully screen all roll-up doors, trucks and trailers from public view. Applicant shall work with staff during the plan check process to finalize the screen wall and gate designs.

(c) Building roof projections must also have returns of a minimum length of 6-feet, to avoid a false front/unfinished appearance. Applicant shall work with staff during plan check process to finalize the minimum length of the roof returns.

(d) Truck trailers shall utilize only the designated area the dock-high loading area for parking. Truck trailers shall not be parked within areas designated for automobile parking or within truck maneuvering areas.

(e) The proposed employee break area shall feature decorative paving, instead of regular concrete pavement.



**PLANNING COMMISSION
STAFF REPORT**
August 27, 2019

FILE NOS.: PMTT19-001 and PDEV19-004

SUBJECT: A Tentative Parcel Map (File No. PMTT19-001/TM 19993) to subdivide 10.68 acres of land into two parcels, in conjunction with a Development Plan (File No. PDEV19-004) to construct one multi-tenant commercial building totaling 5,000 square feet, located at the southwest corner of Via Turin and Fourth Street, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. (APN: 0210-204-27); **submitted by Ontario Covenant Group, LLC.**

PROPERTY OWNER: Ontario Covenant Group, LLC

RECOMMENDED ACTION: That the Planning Commission approve File Nos. PMTT19-001 and PDEV19-004, 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 10.68 acres of land generally located on the south side of Fourth Street, approximately 600 feet west of Milliken Avenue at 4170 East Fourth Street, within the Piemonte Overlay District of the Ontario Center Specific Plan, and is depicted in Figure 1: Project Location, right. The project site occupies the eastern portion of a larger commercial shopping center, which has been developed with a parking lot on the northern one-half of the site and a 151,742 square foot Target retail store on the southern one-half of the site. The balance of the shopping center has been developed with a 91,264 square foot commercial building adjacent to Target, which is occupied by Big Al's (Bowling Center), PetSmart, and DSW (Designer Shoe Warehouse). Additionally, three



Figure 1: Project Location

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	
Submittal Date:	01/09/2019

Hearing Body	Date	Decision	Action
DAB	06/17/2019	Approved	Recommend
PC	08/27/2019		Final
CC			

retail pad buildings are located along the shopping center's Fourth Street frontage, which total 20,327 square feet. The existing surrounding land uses, zoning and general plan land use designations are listed in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

[1] Background — In 2006, the project site was entitled for a 254,420 square foot multi-tenant commercial center, which included a Target Store as the anchor tenant. Subsequently, later in 2006 three commercial buildings, totaling 20,327 square feet, were also approved. The entire shopping center was completed in the fall of 2008.

The proposed Tentative Parcel Map (File No. PMTT19-001) will subdivide the 10.68-acre project site into two parcels and facilitate the proposed Development Plan (File No. PDEV19-004). On June 17, 2019, the Development Advisory Board reviewed the subject applications and recommended that the Planning Commission approve the proposed project, subject to the departmental conditions of approval included with this report. The proposed project's pertinent site and development statistics are listed in the Technical Appendix of this report.

On June 25, 2019, staff received a letter from the property owner's representative (Piemonte On 4th, LLC) of the parcel to the west of the project site, requesting that the item be continued to allow them additional time to adequately review the proposed project and make proper comments. Therefore the Planning Commission, at the request of staff and the applicant, continued the item to the July 23, 2019, Planning Commission meeting. Subsequently, on July the 17th, staff met with the applicant, neighboring property owner and their representative to discuss their concerns with the proposed project. In that meeting concerns were raised about the drive-thru circulation and parking configuration and the possible impacts they would create to the neighboring property businesses. At the July 23, 2019, Planning Commission meeting, at the request of the applicant and staff, continued the item to the August 27, 2019, Planning Commission meeting. For the past several weeks, staff has worked with the applicant to revise the site plan to increase parking along the frontage of the proposed multi-tenant building and reconfigure parking lot for better circulation flow and reduce any potential impacts to the neighboring property's parking and businesses. Staff believes the revised site plan adequately addresses the concerns of the neighboring owner and recommended moving forward with the project.

[2] Tentative Parcel Map — The proposed Tentative Parcel Map will subdivide the 10.68-acre project site into two parcels. Parcel 1, the larger parcel containing the existing Target retail store, will be 9.67 acres in size. Parcel 2 is 1.01 acre in size, and will facilitate the future development of an approximate 5,000-square foot multi-tenant commercial building located at the northern project boundary, adjacent to Fourth Street (See Exhibit B—Tentative Parcel Map (TM 19993), attached).

The Ontario Center Specific Plan does not specify minimum subdivision requirements for parcel area or dimensions; however, it does state that lots must be large enough to meet the total space requirements of their ultimate users. Lot sizes are dictated by building size, amount of required parking, setbacks and landscape areas needed to adequately support a use. The project site was previously designed and constructed pursuant to each of the provisions within the Ontario Center Specific Plan. The proposed subdivision and new lots are adequately sized to support their existing and proposed users.

Primary access to the project site is taken off an east and west drive aisle that is located along the southern boundary of parcel, which has direct access from Fourth Street and Via Turin. Additional access points are located at the east, west and southwest areas of the shopping center. The commercial center's Covenant, Conditions and Restrictions (CC&Rs) include provisions for shared parking between parcels. Revisions to the CC&Rs have been included as a Condition of Approval for reciprocal parking and access between all new and existing parcels.

[3] Development Plan Site Design/Building Layout— In conjunction with the proposed Tentative Parcel Map, the applicant has submitted a development plan to construct a 5,000-square foot multi-tenant commercial building with a drive-thru. The multi-tenant building will be divided into three separate suites, including a fast food restaurant with drive-thru on the northern end (Suite A), a sit-down restaurant at the center (Suite B), and a retail end unit along the southern portion of the building (Suite C). The building is situated at the northeastern portion of the site, with an approximate 31-foot building setback from the east property line (rear of building), a 33-foot building setback from the north property line along Fourth Street (side of building), a 95-foot building setback from the west property line (front of building), and a 114-foot building setback from the south property line (side of building).

[4] Site Access/Circulation — The multi-tenant building's primary public entrance faces west, toward the parking lot and an existing commercial building (dental office) on the adjacent parcel. The multi-tenant building will have a similar layout to the existing commercial/retail pad buildings within the shopping center, with parking surrounding the building. The drive-thru facility will have a stacking length of 274 feet, which will accommodate up to 11 vehicles behind the first drive-thru window (a minimum of 6 stacking spaces are required).

[5] Parking — The Project has provided off-street parking pursuant to the "Fast Food Restaurants", "Full-Service Restaurant", and "General and Convenience Retail" parking standards specified in the Development Code. The multi-tenant building will require a total of 27 parking spaces and 48 are proposed, exceeding the minimum off-street parking requirement for the Project. Additionally, the Conditions of Approval require that the existing CC&Rs must be revised to include a shared parking and access agreement between the project site and the adjoining parcel.

[6] Architecture — The exterior building design is based on the architectural design of the existing shopping center, which incorporates a blending of contemporary urban Southern California design and Tuscan influences. This old-world prototype has been refined, adapted and embellished into a truly eclectic classic type with shallow-pitched hipped roof and decorative columns. The architecture of the building complements the architecture of the existing commercial/retail buildings surrounding the project site. The project's exterior building materials include: smooth stucco wall finishes with a light and dark beige color palette; precast concrete columns; storefront glazing with bronze mullions, and awnings to match the shopping center (see Exhibit D—Exterior Elevations, attached).

The multi-tenant building's primary entrance is on the west side of the building. Corresponding design features such as archways and awnings, are integrated into the east and west elevations. This treatment is also featured on the north and south elevations, facing Fourth Street and the project's south property line, respectively, and horizontal and vertical changes are provided, which breaks up the massing of each elevation. Furthermore, the drive-thru features a trellis canopy design to match the rest of the building.

The mechanical equipment will be roof-mounted and obscured from public view by parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building's architecture.

Staff believes that the proposed project illustrates the type of high-quality architecture promoted by the Development Code and the Piemonte Overlay District of the Ontario Center Specific Plan. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas; and
- Articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall; and
- A mix of exterior materials, finishes and fixtures; and
- Incorporation of base and top treatments defined by changes in color, materials and recessed wall areas.
- Designed to ensure that it's massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree) appearance.

[7] Landscaping — The project provides substantial landscaping along the Fourth Street frontage. The development standards of the Piemonte Overlay of the Ontario Center Specific Plan require a minimum 10 percent landscape coverage, which the project meets (10 percent landscape coverage has been provided). The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the project site. The landscape plan incorporates several 24-inch box trees, which include Chitalpa trees to match the existing species within the

parking lot, along with existing London Plane trees along street and entryways and Italian Cypress trees along the drive aisles that will be protected and preserved in place. In addition, 5-gallon shrubs will be provided throughout the project site, which includes Japanese Boxwood, Wax Leaf Privet, Pink Muhly, Little Rev Flax Lily, English Lavender and Iceberg White Rose plantings. A variety of groundcovers will also be provided, which are low water usage or drought tolerant (see Exhibit D—Landscape Plan).

[8] Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of vegetated swales, which lead to underground stormwater infiltration systems installed for the project.

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:

▪ 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.

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 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.

➤ CD2-7 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.

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 environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. 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>	Parking Lot/Vacant	MU (Mixed Use)	Ontario Center Specific Plan	Retail land use district of the Piemonte Overlay District
<i>North</i>	Residential (Ironwood Apartments)	City of Rancho Cucamonga	City of Rancho Cucamonga	N/A
<i>South</i>	Target	MU (Mixed Use)	Ontario Center Specific Plan	Retail land use district of the Piemonte Overlay District
<i>East</i>	Wells Fargo	MU (Mixed Use)	Ontario Center Specific Plan	Retail land use district of the Piemonte Overlay District
<i>West</i>	Ontario Smiles Dentistry and Orthodontics	MU (Mixed Use)	Ontario Center Specific Plan	Retail land use district of the Piemonte Overlay District

General Site & Building Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	1.01 AC	N/A	Y
<i>Lot/Parcel Size:</i>	1.01 AC	N/A	Y
<i>Building Area:</i>	5,000 SF	N/A	Y
<i>Floor Area Ratio:</i>	0.11	0.75 (Max.)	Y
<i>Building Height:</i>	30 FT	70 FT (Max.)	Y

Off-Street Parking:

<i>Type of Use</i>	<i>Building Area / LF</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Fast Food Restaurants</i>	2,000 SF	13.3 spaces per 1,000 SF (0.0133/SF) of GFA (includes outdoor seating area up to 25 percent of GFA). Restaurants with drive-thru may be credited one space for each 24 lineal FT of drive-thru lane behind the pickup window.	27	
<i>Drive Thru Credit</i>	274 LF	<i>Restaurants with drive-thru may be credited one space for each 24 lineal FT of drive-thru lane behind the pickup window.</i>	-11	
<i>Full Service Restaurants</i>	989 SF	10 spaces per 1,000 SF (0.01/SF) of GFA (includes outdoor seating area up to 25 percent of GFA).	4	

<i>Type of Use</i>	<i>Building Area / LF</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>General and Convenience Retail</i>	1,897 SF	4 spaces per 1,000 SF (0.004/SF) of GFA	7	
<i>TOTAL</i>			27	48

Exhibit A—PROJECT LOCATION MAP

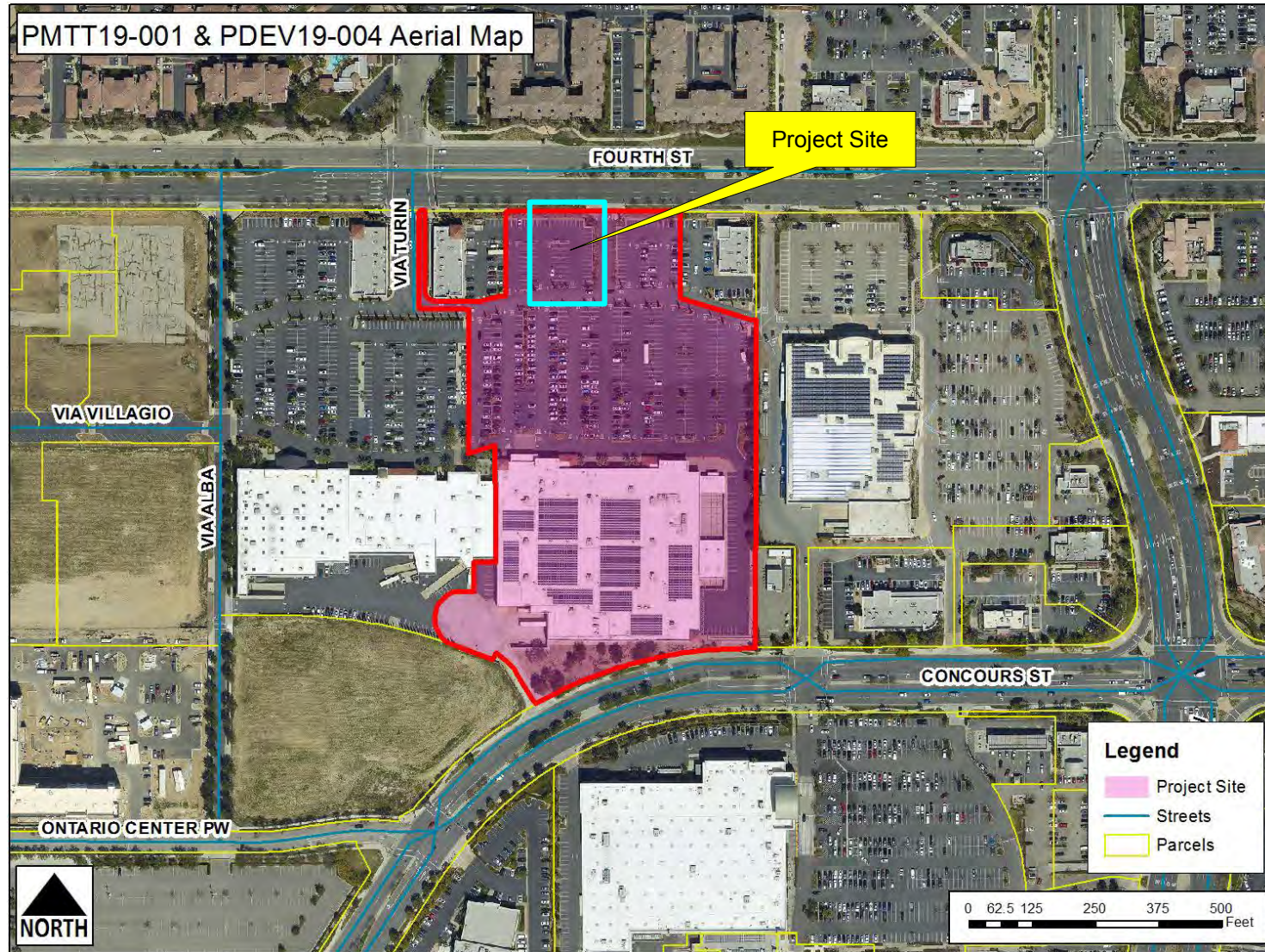


Exhibit B—TENTATIVE PARCEL MAP

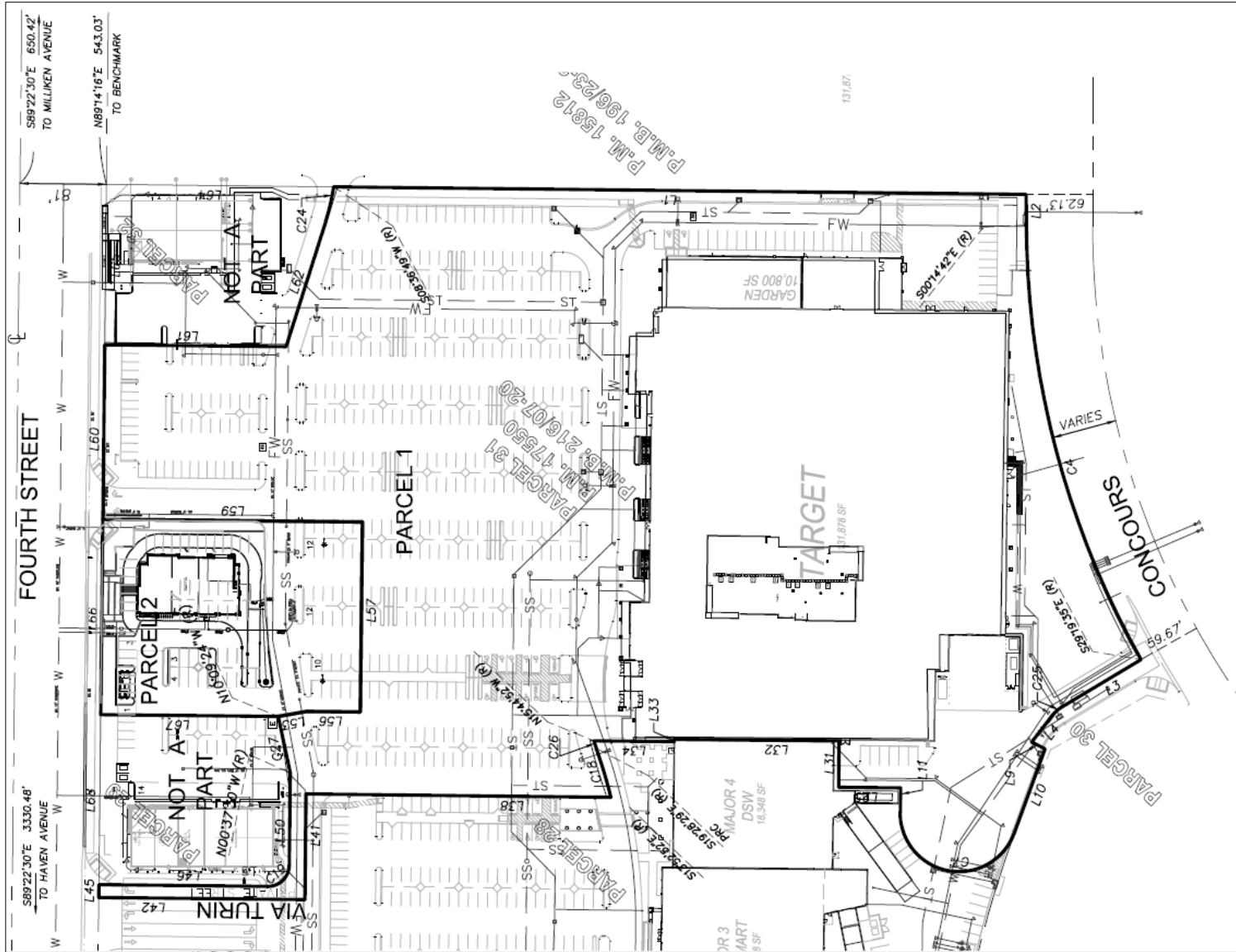


Exhibit C—SITE PLAN

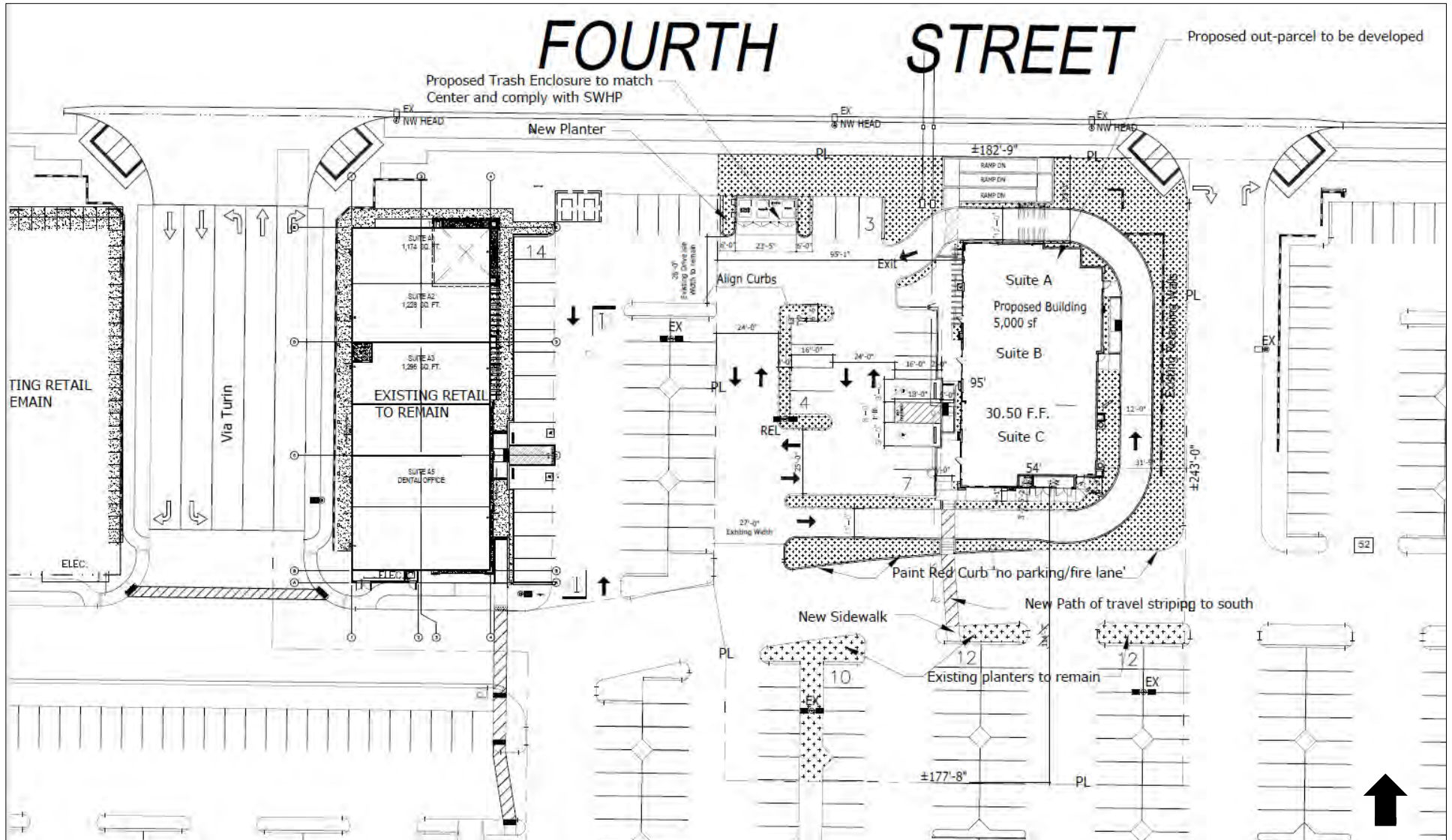
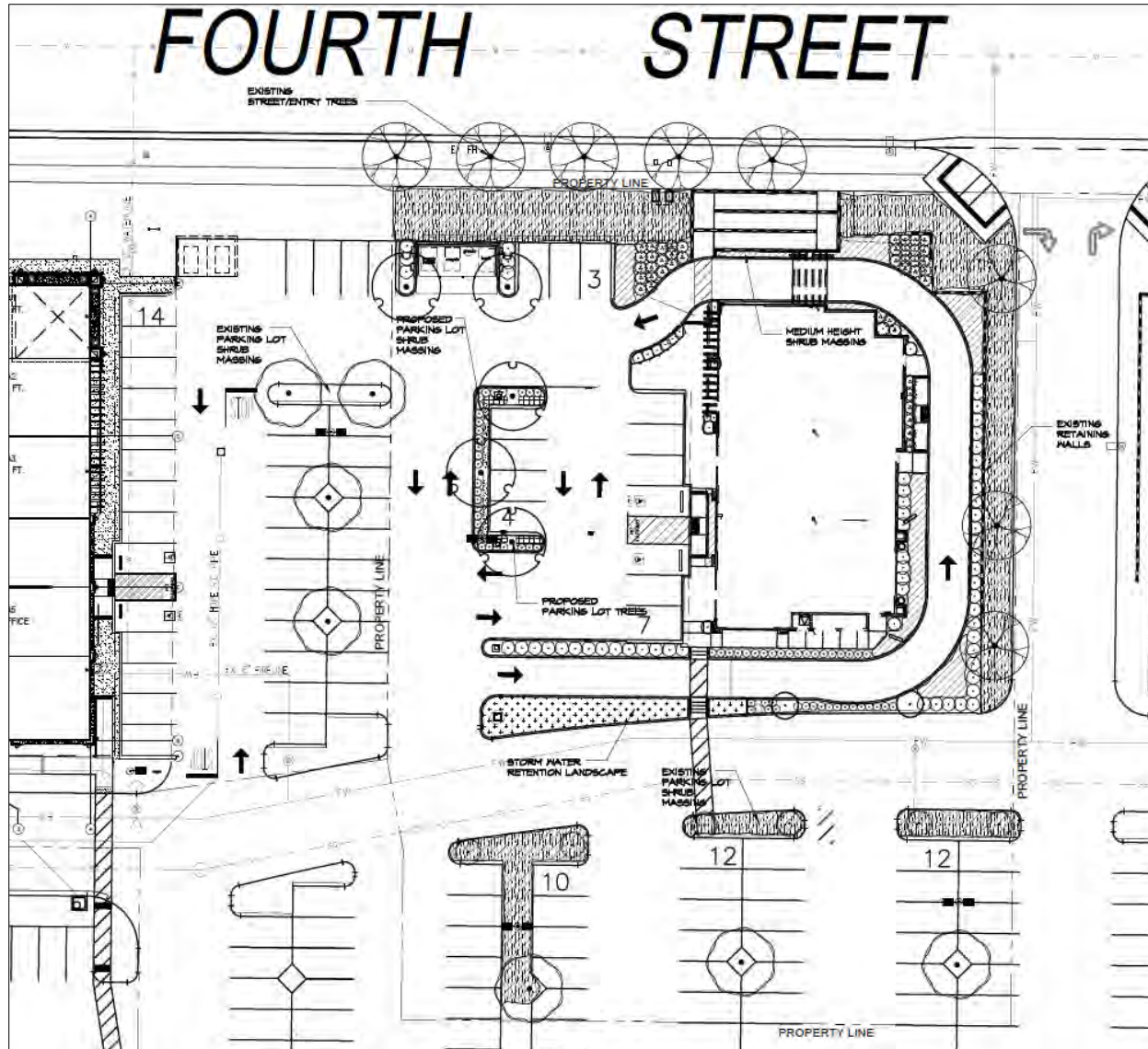


Exhibit D—EXTERIOR ELEVATIONS



Exhibit E—LANDSCAPE PLAN



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT19-001 (TPM 19993), A TENTATIVE PARCEL MAP TO SUBDIVIDE 10.68 ACRES OF LAND INTO TWO PARCELS, LOCATED AT THE SOUTHWEST CORNER OF VIA TURIN AND FOURTH STREET, AT 4170 EAST FOURTH STREET, WITHIN THE RETAIL LAND USE DISTRICT OF THE PIEMONTE OVERLAY DISTRICT OF THE ONTARIO CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0210-204-27.

WHEREAS, ONTARIO COVENANT GROUP, LLC ("Applicant") has filed an Application for the approval of a Tentative Parcel Map, File No. PMTT19-001 / TM 19993, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 10.68 acres of land generally located on the south side of Fourth Street, approximately 600 feet west of Milliken Avenue, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, and is presently improved with a commercial retail store (Target); and

WHEREAS, the property to the north of the Project site is within the Planning Area 6 of the City of Rancho Cucamonga Empire Lakes Specific Plan, and is developed with multifamily residential dwellings (Ironwood Apartments). The property to the east is within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, and is developed with a commercial bank (Wells Fargo). The property to the south is within the Garden Commercial land use district of the Ontario Center Specific Plan, and is developed with a warehouse club/supercenter (Sam's Club). The property to the west is within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, and is developed with a multi-tenant commercial shopping center; and

WHEREAS, the proposed Tentative Parcel Map will subdivide the 10.68-acre project site into two parcels. Parcel 1, is 9.67 acres in size and is developed with a commercial retail store (Target). Parcel 2 is 1.01 acre in size and is located along the northern project boundary, adjacent to Fourth Street; and

WHEREAS, this proposed Tentative Parcel Map is being processed concurrently with a Development Plan (File No. PDEV19-004) to construct a 5,000-square foot multi-tenant commercial building with a drive-thru facility; and

WHEREAS, the project site was designed and constructed pursuant to the provisions of the Ontario Center Specific Plan. The proposed parcels are adequately sized to support the existing and proposed users; and

WHEREAS, primary access to the project site is taken off an east and west drive aisle that is located along the southern boundary of parcel, which has direct access from Fourth Street and Via Turin; and

WHEREAS, the commercial center's Covenant, Conditions and Restrictions (CC&Rs) include provisions for shared parking between parcels and a Condition of Approval has been placed for reciprocal parking and access between all new and existing parcels; 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. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. 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; 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 June 17, 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. DAB19-026, recommending the Planning Commission approve the Application; and

WHEREAS, on June 25, 2019, the Planning Commission of the City of Ontario opened the public hearing and continued the Project to the July 23, 2019, Planning Commission meeting; and

WHEREAS, on July 23, 2019, the Planning Commission of the City of Ontario left open the public hearing and continued the Project to the August 27, 2019, Planning Commission meeting; and

WHEREAS, on August 27, 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 MND and supporting documentation. Based upon the facts and information contained in the previous MND and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. 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.

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

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

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

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

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

(b) Significant effects previously examined will be substantially more severe than shown in the MND; 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 MND 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, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the 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 Tentative Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Parcel Map is located within the Mixed-Use land use district of the Policy Plan Land Use Map, and the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project contribute to the establishment of “[a] dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses” (Goal CD1). Furthermore, the project will promote the City’s policy to “take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods” (Policy CD1-1 *City Identity*).

(2) ***The design or improvement of the proposed Tentative Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Parcel Map is located within the Mixed-Use land use district of the Policy Plan Land Use Map, and the Retail land use district of the Piemonte Overlay District. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will provide “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct (Goal CD2). Furthermore, the project will promote the City’s policy to “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” (Policy CD2-7 *Sustainability*).

(3) ***The site is physically suitable for the type of development proposed.*** The project site meets the minimum lot area and dimensions of the Retail land use district of the Piemonte Overlay District, and is physically suitable for the type of commercial and mixed-use development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for commercial and mixed-use development floor area ratio of 0.75. The project site meets the minimum lot area and dimensions of the Retail land use district of the Piemonte Overlay District, and is physically suitable for this proposed density / intensity of development.

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

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the multitenant commercial building improvements existing or proposed on the project site, are not likely to cause serious public health problems, as the project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 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 27th day of August 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 27, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT19-001 / TM 19993
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: August 27, 2019

File No: PMTT19-001 (TM 19993)

Related Files: PDEV19-004

Project Description: A Tentative Parcel Map (File No. PMTT19-001/TM 19993) to subdivide 10.68 acres of land into two parcels, located at the southwest corner of Via Turin and Fourth Street, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. (APN: 0210-204-27); **submitted by Ontario Covenant Group, LLC.**

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) Tentative Parcel/ Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

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

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

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

(d) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

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

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

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

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

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

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

(b) Revised CC&Rs shall ensure reciprocal parking and access between the project site and the adjacent parcel.

2.5 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. 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.

2.6 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 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.

2.7 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.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	
PROJECT FILE NO. PM No. 19993 RELATED FILE NO(S). PMTT19-001; PDEV19-004		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: Dean A. Williams, Associate Engineer (909) 395-2135 DAW

CITY PROJECT PLANNER & PHONE NO: Jeanie Aguilo, Associate Planner (909) 395-2418

DAB MEETING DATE: June 17, 2019

PROJECT NAME / DESCRIPTION: 5,000 sf Multi-Tenant Commercial Building on 1.01 ac. within the Ontario Center Piemonte S. P.

LOCATION: 4200 E. Fourth Street; East of Via Turin (private street)

APPLICANT: Ontario Covenant Group, LLC
Julie Margetich (951) 582-5745

REVIEWED BY: _____ 6/13/19
 Bryan Lirley, P.E. Date
 Principal Engineer

APPROVED BY: _____ 6/13/19
 Raymond Lee, P.E. Date
 Assistant City Engineer



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

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

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

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



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

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

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

- 2.01 Record Parcel Map No. 19993 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per Parcel 31 of Parcel Map No. 17550, recorded September 15, 2006 as instrument No. 2006-0632192 in Book 216 of Parcel Maps, pages 7-20, Official Records of San Bernardino County.
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____ .
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement. (See item 2.11, below)
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure



Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 2.08 Submit a soils/geology report.
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:

- State of California Department of Transportation (Caltrans)
- San Bernardino County Road Department (SBCRD)
- San Bernardino County Flood Control District (SBCFCD)
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- Other: _____

- 2.10 Dedicate to the City of Ontario the right-of-way described below:

Property line corner 'cut-back' required at the intersection of _____
 and _____.

- 2.11 **Dedicate to the City of Ontario the following easement(s): An easement for sidewalk purposes at the intersection of the drive entry and Fourth Street. The easement shall contain the access ramps at the intersection that are currently encroaching onto private property. Easements shall be recorded prior to issuance of a building permit.**

- 2.12 New Model Colony (NMC) Developments:

1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

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

- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100 % of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**

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

- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$21,500.00, shall be paid to the Building Department. Final fee shall**



be determined based on the approved site plan.

- 2.16 Other conditions: Developer/applicant shall meet any outstanding Conditions of Approval for PM 17550 and the Ontario Center Specific Plan as may be related to this site.

B. PUBLIC IMPROVEMENTS

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

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

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



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

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

2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____

2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number _____



1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.

- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 **Other conditions: Developer/applicant shall provide, as part of the precise grading plan submittal to the Building Department, a Final Utilities Systems Map that shows all existing and proposed utilities (potable water, recycled water, sewer, storm drain and other utilities) including each of the City's public utilities' points of connection to the existing systems.**

C. SEWER

- 2.23 **A 6-inch private sewer main is available for connection by this project running east-west, south of the proposed building within proposed Parcel 2.**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions: 1) Developer/applicant shall construct a sewer monitoring manhole in accordance with City Standard Drawing No. 2201 and 2203.**

D. WATER

- 2.27 **An 18-inch water main is available for connection by this project in Fourth Street. (Ref: Water plan bar code: W10608)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions: Developer/applicant shall construct a 2" domestic water service and a 2" irrigation service from the 18" main in Fourth Street.**

E. RECYCLED WATER

- 2.30 **An 8-inch recycled water main is available for connection by this project in Concours (street). (Ref: Recycled Water plan bar code: P10000)**
- 2.31 **Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.**
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 **Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.**

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2687 regarding this requirement.



- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
- 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions: 1) Developer/applicant shall design and construct any missing frontage improvements along the Fourth Street frontage of the tentative parcel map. These improvements shall include, but not be limited to, water service laterals and LED street light upgrades.**
- 2) Developer/applicant shall replace all existing street light fixtures along the Fourth Street frontage of the tentative parcel map with the current, City approved, equivalent LED fixtures in accordance with the City of Ontario Traffic and Transportation Guidelines Section 1.4-Street Light Plans.
- 3) Developer/applicant's Engineer-of-Record shall meet with the City Engineering Traffic Division staff, prior to starting design of street lighting plan.
- 4) Developer/applicant shall construct a pedestrian connectivity (i.e. sidewalk) such that access to the development can be made from Fourth Street.

G. DRAINAGE / HYDROLOGY

- 2.38 **A 36-inch storm drain main is available to accept flows from this project at the southwest end of the site. The site currently drains to a 36-inch main inlet on the adjacent site to the west. (Ref: Storm Drain plan bar code: D11419)**
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 **Other conditions: Developer/applicant shall provide documentation of an easement for cross-lot drainage acceptance from the proposed parcel to the south. This documentation may be in the form of the parcel map or by separate instrument. City Engineer approval is required prior to recordation. Recordation is required prior to issuance of a grading permit.**

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of



surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.

If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.

Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

- 2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.
- 2.46 **Note: The project site is included in the existing approved WQMP for the Ontario Center Piemonte Specific Plan. There is no further requirement regarding water quality beyond construction BMPs.**

J. SPECIAL DISTRICTS

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

K. FIBER OPTIC

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

L. Solid Waste

- 2.51 **On-site solid waste shall be designed in accordance with the City's Solid Waste Manual located at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>**
- 2.52 **Other conditions: Prior to approval of the Precise Grading Plan, developer/applicant shall provide a SWHP Sheet that complies with the "Solid Waste Handling Plan Requirements". Contact the Ontario Municipal Utilities Company Solid Waste Department at (909) 395-2666 for the SWHP requirements.**

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

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.



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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PM 19993; PDEV19-004

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

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. Three (3) sets of Public Street improvement plan with street cross-sections
7. Three (3) sets of Private Street improvement plan with street cross-sections
8. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10. Four (4) sets of Public Sewer improvement plan
11. Five (5) sets of Public Storm Drain improvement plan
12. **Three (3) sets of Public Street Light improvement plan**
13. Three (3) sets of Signing and Striping improvement plan
14. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
15. Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
16. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
17. Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).
18. One (1) copy of Hydrology/Drainage study
19. One (1) copy of Soils/Geology report
20. **Payment for Final Map/Parcel Map processing fee**
21. **Three (3) copies of Final Map/Parcel Map**
22. **One (1) copy of approved Tentative Map**
23. **One (1) copy of Preliminary Title Report (current within 30 days)**



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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT19-001 & PDEV19-004

Address: 4200 East Fourth Street

APN: 0210-204-27

Existing Land Use: Parking Lot

Proposed Land Use: Subdivide 10.68 acres into 2 parcels and construct a 5,000 SF multi-tenant commercial building

Site Acreage: 10.68 ac Proposed Structure Height: 30 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: 3/28/2019

CD No.: 2019-004

PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



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

Clarice

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: January 11, 2019

SUBJECT: FILE #: PMTT19-001 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 **Friday, January 25, 2019**.

- 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 Parcel Map to subdivide 10.68 acres of land into two parcels (project site to total 1.01 acres of land) generally located near the terminus of Via Turin at Fourth Street at 4200 E. Fourth Street, within the Retail land use designation of the Ontario Center Piemonte Specific Plan (APN: part of 0210-204-27). Related file: PDEV19-004

- 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.

Ad Planning
Department

Clarice
Signature

Assoc. Planner
Title

3/14/19
Date

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Irene Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 15, 2019
SUBJECT: PMTT19-001

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

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Assistant Planner
Planning Department

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

DATE: January 31, 2019

SUBJECT: PMTT19-001 - A Parcel Map to subdivide 10.68 acres of land into two parcels (project site to total 1.01 acres of land) generally located near the terminus of Via Turin at Fourth Street at 4200 E. Fourth Street, within the Retail land use designation of the Ontario Center Piemonte Specific Plan (APN: part of 0210-204-27). Related file: PDEV19-004

-
- The plan **does** adequately address Fire Department requirements at this time.
- No Comments
-



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: Jeanie Irene Aguilo, Assistant Planner

DATE: January 11, 2019

SUBJECT: FILE #: PMTT19-001 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 **Friday, January 25, 2019**.

- 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 Parcel Map to subdivide 10.68 acres of land into two parcels (project site to total 1.01 acres of land) generally located near the terminus of Via Turin at Fourth Street at 4200 E. Fourth Street, within the Retail land use designation of the Ontario Center Piemonte Specific Plan (APN: part of 0210-204-27). Related file: PDEV19-004

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

Police Department DOUGLAS SOREL Signature MANAGEMENT ANALYST Title 1/17/19 Date

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DEVELOPMENT PLAN (FILE NO. PDEV19-004) TO CONSTRUCT ONE MULTITENANT COMMERCIAL BUILDING TOTALING 5,000 SQUARE FEET ON 1.01 ACRES OF LAND LOCATED AT THE SOUTHWEST CORNER OF VIA TURIN AND FOURTH STREET, AT 4170 EAST FOURTH STREET, WITHIN THE RETAIL LAND USE DISTRICT OF THE PIEMONTE OVERLAY DISTRICT OF THE ONTARIO CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0210-204-27.

WHEREAS, ONTARIO COVENANT GROUP, LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-004, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 10.68 acres of land generally located on the south side of Fourth Street, approximately 600 feet west of Milliken Avenue, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, and is presently improved with a commercial retail store; and

WHEREAS, the property to the north of the Project site is within the Planning Area 6 of the City of Rancho Cucamonga Empire Lakes Specific Plan, and is developed with multifamily residential dwellings (Ironwood Apartments). The property to the east is within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, and is developed with a commercial bank (Wells Fargo). The property to the south is within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, and is developed with commercial retail store (Target). The property to the west is within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, and is developed with a multitenant commercial building (Ontario Smiles Dentistry and Orthodontics); and

WHEREAS, in 2006, the project site was entitled for a 254,420 square foot multi-tenant commercial center, which included a Target store as the anchor tenant. Subsequently, later in 2006 three commercial buildings, totaling 20,327 square feet, were also approved. The entire shopping center was completed in the fall of 2008; and

WHEREAS, the proposed Development Plan is being processed concurrently with a Tentative Parcel Map (File No. PMTT19-001) that will subdivide the 10.68-acre project site into two parcels. Parcel 1, is 9.67 acres in size and is developed with a commercial retail store (Target). Parcel 2 is 1.01 acre in size and is located along the northern project boundary, adjacent to Fourth Street; and

WHEREAS, the Development Plan will facilitate the construction a 5,000-square foot multitenant commercial building with a drive-thru facility. The multitenant building will be divided into three separate suites including a fast food restaurant with drive-thru on the northern end (Suite A), a sit-down restaurant at the center (Suite B), and a retail end unit along the southern portion of the building (Suite C); and

WHEREAS, the multitenant building's primary public entrance faces west, toward the parking lot and an existing commercial building (dental office) on the adjacent parcel. The multitenant building will have a similar layout to the existing commercial/retail pad buildings within the shopping center, with parking surrounding the building. The drive-thru facility will have a stacking length of 274 feet, which will accommodate up to 11 vehicles behind the first drive-thru window; and

WHEREAS, the Project has provided off-street parking pursuant to the "Fast Food Restaurants", "Full-Service Restaurant", and "General and Convenience Retail" parking standards specified in the Development Code. The multitenant building will require a total of 27 parking spaces and 48 are proposed, exceeding the minimum off-street parking requirement for the Project; and

WHEREAS, the exterior building design is based on the architectural design of the existing shopping center, which incorporates a blending of contemporary urban Southern California design and Tuscan influences. The architecture of the building complements the architecture of the existing commercial/retail buildings surrounding the project site. The project's exterior building materials include: smooth stucco wall finishes with a light and dark beige color palette; precast concrete columns; storefront glazing with bronze mullions, and awnings to match the existing shopping center; and

WHEREAS, the primary entrance is on the west side of the building. Corresponding design features such as archways and awnings, are integrated into the east and west elevations. This treatment is also featured on the north and south elevations, and provides horizontal and vertical changes, which breaks up the massing of each elevation. The drive-thru features a trellis canopy over the pick-up window designed to match the proposed building; and

WHEREAS, the mechanical equipment will be roof-mounted and obscured from public view by parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building's architecture; and

WHEREAS, the Project provides substantial landscaping along the Fourth Street frontage. The development standards of the Piemonte Overlay of the Ontario Center Specific Plan require a minimum 10 percent landscape coverage, which the project meets; and

WHEREAS, public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of vegetated swales, which lead to underground stormwater infiltration systems for the project; 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. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. 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; 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 June 17, 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. DAB19-027, recommending the Planning Commission approve the Application; and

WHEREAS, on June 25, 2019, the Planning Commission of the City of Ontario opened the public hearing and continued the Project to the July 23, 2019, Planning Commission meeting; and

WHEREAS, on July 23, 2019, the Planning Commission of the City of Ontario left the public hearing open and continued the Project to the August 27, 2019, Planning Commission meeting; and

WHEREAS, on August 27, 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 MND and supporting documentation. Based upon the facts and information contained in the previous MND and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. 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.

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

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

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

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

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

(b) Significant effects previously examined will be substantially more severe than shown in the MND; 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 MND 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, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(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 Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan, including standards relative to the particular land use proposed (multitenant commercial building), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(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 Piemonte Overlay of the Ontario Center Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Piemonte Overlay of the Ontario Center 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 Piemonte Overlay of the Ontario Center Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (multitenant commercial building). 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 Piemonte Overlay of the Ontario Center 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 27th day of August 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 27, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV19-004
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: August 27, 2019

File No: PDEV19-004

Related Files: PMTT19-001 (TM 19993)

Project Description: A Development Plan (File No. PDEV19-004) to construct one multitenant commercial building totaling 5,000 square feet, located at the southwest corner of Via Turin and Fourth Street, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. (APN: 0210-204-27); **submitted by Ontario Covenant Group, LLC.**

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.

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

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

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

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

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

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

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

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.

(a) All Project signage shall comply with the requirements of the Piemonte Comprehensive Sign Program (File No. PSGP17-003) and the Ontario Development Code Division 8.1 (Sign Regulations).

(b) Individual sign plans (3 copies) for the project shall be submitted for separate review and approval to the Planning and Building Departments prior to installation.

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

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

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

(b) Revised CC&Rs shall ensure reciprocal parking and access between the project site and the adjacent parcel.

2.13 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. 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.

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

2.15 Additional Fees.

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

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

2.16 Additional Requirements.

(a) The approval of File No. PDEV19-004 shall be final and conclusive upon the approval of File No. PMTT19-001 / TM 19993 by the Planning Commission.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	
PROJECT FILE NO. PM No. 19993 RELATED FILE NO(S). PMTT19-001; PDEV19-004		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: Dean A. Williams, Associate Engineer (909) 395-2135 DAW

CITY PROJECT PLANNER & PHONE NO: Jeanie Aguilo, Associate Planner (909) 395-2418

DAB MEETING DATE: June 17, 2019

PROJECT NAME / DESCRIPTION: 5,000 sf Multi-Tenant Commercial Building on 1.01 ac. within the Ontario Center Piemonte S. P.

LOCATION: 4200 E. Fourth Street; East of Via Turin (private street)

APPLICANT: Ontario Covenant Group, LLC
Julie Margetich (951) 582-5745

REVIEWED BY:  6/13/19
Bryan Lirley, P.E. Date
Principal Engineer

APPROVED BY:  6/13/19
Raymond Lee, P.E. Date
Assistant City Engineer



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

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

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

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



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

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

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

- 2.01 Record Parcel Map No. 19993 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per Parcel 31 of Parcel Map No. 17550, recorded September 15, 2006 as instrument No. 2006-0632192 in Book 216 of Parcel Maps, pages 7-20, Official Records of San Bernardino County.
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____ .
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement. (See item 2.11, below)
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure



Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 2.08 Submit a soils/geology report.
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:

- State of California Department of Transportation (Caltrans)
- San Bernardino County Road Department (SBCRD)
- San Bernardino County Flood Control District (SBCFCD)
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- Other: _____

- 2.10 Dedicate to the City of Ontario the right-of-way described below:

Property line corner 'cut-back' required at the intersection of _____
 and _____.

- 2.11 **Dedicate to the City of Ontario the following easement(s): An easement for sidewalk purposes at the intersection of the drive entry and Fourth Street. The easement shall contain the access ramps at the intersection that are currently encroaching onto private property. Easements shall be recorded prior to issuance of a building permit.**

- 2.12 New Model Colony (NMC) Developments:

1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

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

- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100 % of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**

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

- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$21,500.00, shall be paid to the Building Department. Final fee shall**



be determined based on the approved site plan.

- 2.16 Other conditions: Developer/applicant shall meet any outstanding Conditions of Approval for PM 17550 and the Ontario Center Specific Plan as may be related to this site.

B. PUBLIC IMPROVEMENTS

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

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

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



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

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

2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____

2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number _____



1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.

- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 **Other conditions: Developer/applicant shall provide, as part of the precise grading plan submittal to the Building Department, a Final Utilities Systems Map that shows all existing and proposed utilities (potable water, recycled water, sewer, storm drain and other utilities) including each of the City's public utilities' points of connection to the existing systems.**

C. SEWER

- 2.23 **A 6-inch private sewer main is available for connection by this project running east-west, south of the proposed building within proposed Parcel 2.**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions: 1) Developer/applicant shall construct a sewer monitoring manhole in accordance with City Standard Drawing No. 2201 and 2203.**

D. WATER

- 2.27 **An 18-inch water main is available for connection by this project in Fourth Street. (Ref: Water plan bar code: W10608)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions: Developer/applicant shall construct a 2" domestic water service and a 2" irrigation service from the 18" main in Fourth Street.**

E. RECYCLED WATER

- 2.30 **An 8-inch recycled water main is available for connection by this project in Concours (street). (Ref: Recycled Water plan bar code: P10000)**
- 2.31 **Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.**
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 **Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.**

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2687 regarding this requirement.



2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions: 1) Developer/applicant shall design and construct any missing frontage improvements along the Fourth Street frontage of the tentative parcel map. These improvements shall include, but not be limited to, water service laterals and LED street light upgrades.**
 - 2) **Developer/applicant shall replace all existing street light fixtures along the Fourth Street frontage of the tentative parcel map with the current, City approved, equivalent LED fixtures in accordance with the City of Ontario Traffic and Transportation Guidelines Section 1.4-Street Light Plans.**
 - 3) **Developer/applicant's Engineer-of-Record shall meet with the City Engineering Traffic Division staff, prior to starting design of street lighting plan.**
 - 4) **Developer/applicant shall construct a pedestrian connectivity (i.e. sidewalk) such that access to the development can be made from Fourth Street.**

G. DRAINAGE / HYDROLOGY

- 2.38 **A 36-inch storm drain main is available to accept flows from this project at the southwest end of the site. The site currently drains to a 36-inch main inlet on the adjacent site to the west. (Ref: Storm Drain plan bar code: D11419)**
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 **Other conditions: Developer/applicant shall provide documentation of an easement for cross-lot drainage acceptance from the proposed parcel to the south. This documentation may be in the form of the parcel map or by separate instrument. City Engineer approval is required prior to recordation. Recordation is required prior to issuance of a grading permit.**

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of



surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.

If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.

Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

- 2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.
- 2.46 **Note: The project site is included in the existing approved WQMP for the Ontario Center Piemonte Specific Plan. There is no further requirement regarding water quality beyond construction BMPs.**

J. SPECIAL DISTRICTS

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

K. FIBER OPTIC

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

L. Solid Waste

- 2.51 **On-site solid waste shall be designed in accordance with the City's Solid Waste Manual located at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>**
- 2.52 **Other conditions: Prior to approval of the Precise Grading Plan, developer/applicant shall provide a SWHP Sheet that complies with the "Solid Waste Handling Plan Requirements". Contact the Ontario Municipal Utilities Company Solid Waste Department at (909) 395-2666 for the SWHP requirements.**

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

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.



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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PM 19993; PDEV19-004

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

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. Three (3) sets of Public Street improvement plan with street cross-sections
7. Three (3) sets of Private Street improvement plan with street cross-sections
8. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10. Four (4) sets of Public Sewer improvement plan
11. Five (5) sets of Public Storm Drain improvement plan
12. **Three (3) sets of Public Street Light improvement plan**
13. Three (3) sets of Signing and Striping improvement plan
14. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
15. Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
16. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
17. Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).
18. One (1) copy of Hydrology/Drainage study
19. One (1) copy of Soils/Geology report
20. **Payment for Final Map/Parcel Map processing fee**
21. **Three (3) copies of Final Map/Parcel Map**
22. **One (1) copy of approved Tentative Map**
23. **One (1) copy of Preliminary Title Report (current within 30 days)**

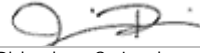


- 24. **One (1) copy of Traverse Closure Calculations**
- 25. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as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

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

PRELIMINARY PLAN
CORRECTIONS

Sign Off



Jamie Richardson, Sr. Landscape Planner

2/11/19

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV19-004

Case Planner:

Jeanie Aguilo

Project Name and Location:

Target Center 4th ST Outparcel
 4200 E Fourth St

Applicant/Representative:

Ontario Covenant Group ,LLC Julie Margetich
 2044 California Ave
 Corona, Ca 92881



A Preliminary Landscape Plan (dated 05/09/2019) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



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 any transformers located in planter areas, set back 5' from paving all sides. **06/04/2019 Not complete; show and note on plans.**
2. Show backflow devices set back 4' from paving all sides. Locate on level grade. **06/04/2019 Not complete; show and note on plans.**
3. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Move Fire water line out of landscape planter. **06/04/2019 Not complete; show and note on plans.**
4. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1. **06/04/2019 Not complete; add note on plans.**
5. Dimension all planters to have a minimum 5' wide inside dimension, except where noted. **06/04/2019 Not complete.**
6. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging. **06/04/2019 Not complete.**
7. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can

be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications. 06/04/2019 Not complete.

Landscape Plans

8. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for Heritage trees removed shall be equal to trunk diameter of the trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. 06/04/2019 Not complete.
9. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening. 06/04/2019 Not complete.
10. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations. 06/04/2019 Not complete.
11. Show Italian cypress in long planter by drive through to match the site spacing. 06/04/2019 Not complete.
12. Match the existing shrub planting: ligustrum or boxwood hedges, Iceberg roses, Muhlenbergia. Change plants to match: Callistemon, Juncus. Limit Lavender that dies out to a single row with a background row behind to match other on site plants. 06/04/2019 Not complete.
13. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget. 06/04/2019 Not complete.
14. Show 6' diameter of mulch only at new trees. Detail irrigation dripline outside of mulched root zone. 06/04/2019 Not complete.
15. Provide agronomical soil testing and include report on landscape construction plans. 06/04/2019 Not complete.
16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>.
17. 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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT19-001 & PDEV19-004

Address: 4200 East Fourth Street

APN: 0210-204-27

Existing Land Use: Parking Lot

Proposed Land Use: Subdivide 10.68 acres into 2 parcels and construct a 5,000 SF multi-tenant commercial building

Site Acreage: 10.68 ac Proposed Structure Height: 30 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: 3/28/2019

CD No.: 2019-004

PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



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

Clarice

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: January 11, 2019

SUBJECT: FILE #: PDEV19-004 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 **Friday, January 25, 2019**.

- 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 multi-tenant commercial building totaling 5,000 square feet on 1.01 acres of land generally located near the terminus of Via Turin at Fourth Street at 4200 E. Fourth Street, within the Retail land use designation of the Ontario Center Piemonte Specific Plan (APN: part of 0210-204-27; Parcel Map submitted concurrently). Related file: PMTT19-001

- 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.

Ad Planning
Department

CB...
Signature

Assoc. Planner
Title

3/4/19
Date



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Assistant Planner
Planning Department

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

DATE: January 31, 2019

SUBJECT: PDEV19-004 - A Development Plan to construct one multi-tenant commercial building totaling 5,000 square feet on 1.01 acres of land generally located near the terminus of Via Turin at Fourth Street at 4200 E. Fourth Street, within the Retail land use designation of the Ontario Center Piemonte Specific Plan (APN: part of 0210-204-27; Parcel Map submitted concurrently). Related file: PMTT19-001

-
- 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): 5,000 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 5,000 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): M/B/A

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.7 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.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Aguilo, Planning Department

FROM: Douglas Sorel, Police Department

DATE: January 11, 2019

SUBJECT: PDEV19-004 – A DEVELOPMENT PLAN TO CONSTRUCT A MULTI-TENANT COMMERCIAL BUILDING AT VIA TURIN AND FOURTH STREET

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

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

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

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 15, 2019
SUBJECT: PDEV19-004

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

Conditions of Approval

1. Standard Conditions of Approval apply.
2. The site address will be: 4170 E Fourth St.

KS:lm



**PLANNING COMMISSION
STAFF REPORT
August 27, 2019**

FILE NOS.: PMTT18-002 (TTM 20157), PMTT18-003 (TTM 20158), PMTT18-004 (TTM 20159), PMTT18-005 (TTM 20160)

SUBJECT: A request for the following Tentative Tract Map entitlements: 1) File No. PMTT18-002 (TT 20157) to subdivide 81.35 acres of land into 6 numbered lots and 5 lettered lots; 2) File No. PMTT18-003 (TT 20158) to subdivide 15.41 acres of land into 31 numbered lots and 15 lettered lots; 3) File No. PMTT18-004 (TT 20159) to subdivide 13.94 acres of land into 15 numbered lots and 5 lettered lots; and 4) File No. PMTT18-005 (TT 20160) to subdivide 22.84 acres of land into 113 numbered lots and 32 lettered lots, for residential and public streets, landscape neighborhood edges and common open space purposes, for properties generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan; (APNs: 0218-252-07, 0218-252-08 and 0218-252-09) **submitted by RWT Preserve Holdings, LLC.**

PROPERTY OWNER: SLV LC Center, LLC; HCW LC Center, LLC; Strack Farms Land, LLC; RHV Edison Avenue, LLC; MV Edison Avenue, LLC; and EPC Holdings 938, LLC

RECOMMENDED ACTION: That the Planning Commission approve File Nos. PMTT18-002, PMTT18-003, PMTT18-004, and PMTT18-005, 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 81.35 acres of land located at the southeast corner of Mill Creek Avenue and Old Edison Road, within the within PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan, and is depicted in Figure 1: Project Location. The project site slopes gently from north to south and is a former dairy farm. The properties to the north of the project site are within the Mixed Use District PA 8A,

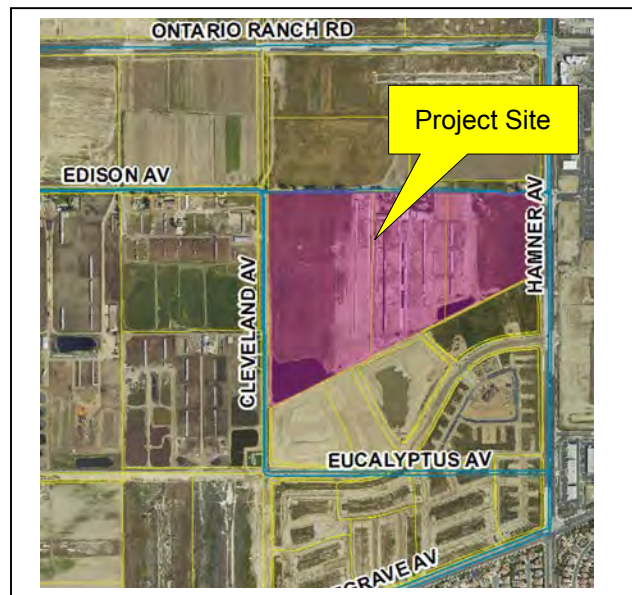


Figure 1: Project Location

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	
Submittal Date:	01/29/18

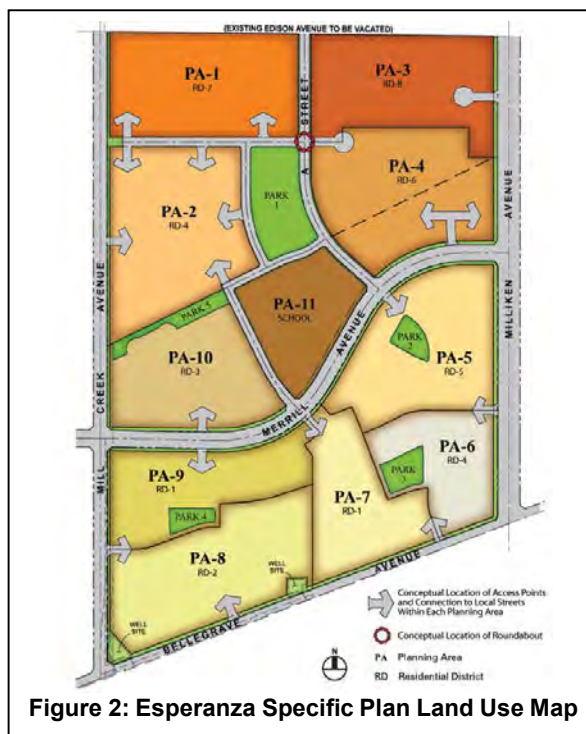
Hearing Body	Date	Decision	Action
DAB	08/19/19	Approve	Recommend
PC	08/27/19		Final
CC			

8B, 9A, & 9B (Mixed-Use Stand Alone Residential Overlay) of the Rich Haven Specific Plan, and are presently vacant. The properties to the south are within Planning Areas PA-4 (RD-6), PA-5 (RD-5), PA-6 (RD-4), PA-7 (RD-1), PA-8 (RD-2), PA-9 (RD-1), PA-10 (RD-3) and PA-11 (School) of the Esperanza Specific Plan, and are presently vacant and mass graded. The properties to the east are within the City of Eastvale and zoned for commercial and industrial land uses. The property to the west is within the Specific Plan/Agriculture (SP/AG) zoning district and is presently vacant.

PROJECT ANALYSIS:

[1] Background — The Esperanza Specific Plan and Environmental Impact Report (EIR) were approved by the City Council on February 6, 2007. The Esperanza Specific Plan established the land use designations, development standards, and design guidelines for 223 acres of land, which includes the potential development of 1,410 dwelling units (*Figure 2: The Esperanza Specific Plan Land Use Map*).

On August 19, 2019, the Development Advisory Board reviewed the subject application and recommended that the Planning Commission approve the proposed project, subject to the departmental conditions of approval included with this report. The proposed project's pertinent site and development statistics are listed in the Technical Appendix of this report.



[2] Tentative Tract Map - "A" Map — The Applicant is requesting Tentative Tract Map (File No. PMTT18-002 (TT 20157)) approval to subdivide 81.35 gross acres of land into 6 numbered lots and 5 lettered lots for residential, public streets, landscaped neighborhood edges, and common open space purposes. The Tentative Map will serve as the project's "A" Map, the initial map that will subdivide the parcel into smaller parcels to facilitate future land uses and backbone infrastructure improvements (major streets, sewer, water and storm drain facilities). The "A" Map will also facilitate subsequent tentative maps, referred to as "B" Maps, which will further subdivide the same parcel of land. The applicant has also submitted three "B" Maps (File Nos. PMTT18-003 (TT 20158), PMTT18-004 (TT 20159) and PMTT18-005 (TT 20160)) that are being processed concurrently with the "A" Map, covering the western half of the project site. Additionally, a Development Agreement (File No. PDA19-002) was filed concurrently with the "A" Map to facilitate infrastructure improvements to serve the site, which will be completed in two phases: Phase 1 includes the western half of the site and facilitates the development of

the three “B” Maps that were submitted concurrently; and Phase 2 will develop the eastern half of the site and require subsequent “B” Maps to be submitted and approved.

The proposed Tentative Map (A Map) will primarily allow for residential land uses and accommodate three product types, including Row Town Homes, Motorcourt Townhomes, and 6-Pack Courtyard Homes, for a total of 432 units, which are described below:

[a] **PMTT18-003 (TT 20158) Row Townhomes** – The Row Townhomes (see *Figure 3 below*) are located on the northwest portion of the project site and includes lots 1 and 2, for a total of 174 units;



[b] **PMTT18-004 (TT 20159) Motorcourt Townhomes** – The Motorcourt Townhomes (see *Figure 4 below*) are centrally located on the western half of the project site and includes lots 3 and 4, for a total of 145 units; and



[c] **PMTT18-005 (TT 20160) 6-Pack Courtyard Homes** – The 6-Pack Courtyard Homes (see *Figure 5 below*) are located at the northeast corner of Mill Creek Avenue and Chatham Street, and includes lot 5, for a total of 113 units.



Lot 6 is 29.98 acres in area, encompassing the eastern half of the project site, and will require the submittal and approval of subsequent “B” Maps. The 5 lettered lots will accommodate two parks (Lots A and B), the HOA maintained landscaped edge along Mill Creek Avenue (Lots C and D), and the neighborhood edge along Hamner Avenue (Lot E).

[3] Tentative Tract Maps - “B” Maps — As previously discussed, the applicant has submitted three “B” Maps (File Nos. PMTT18-003 (TT 20158), PMTT18-004 (TT 20159), and PMTT18-005 (TT 20160)) concurrently with the “A” Map which are described further below:

[a] **PMTT18-003 (TT 20158)** – The proposed “B” Map (PMTT18-003) will further subdivide Lots 1 and 2 of Tract 20157 (A Map) to allow for the development of the Row Townhomes (see *Exhibit C—Tentative Tract Map 20158*). The Tentative Map will create 31 numbered lots that will allow for the development of 174 residential units, with lot sizes ranging from 7,994 to 13,939 square feet (see *Figure 6, area outlined in red*). The Esperanza Specific Plan does not specify minimum unit size and minimum lot sizes for this product type. The 15 lettered lots will facilitate the tract’s private lanes, drive aisles, landscaping, and off-street parking requirements.

[b] **PMTT18-004 (TT 20159)** – The proposed “B” Map (PMTT18-004) will further subdivide Lots 3 and 4 of Tract 20157 (A Map) to allow for the development of the Motorcourt Townhomes (see *Exhibit D—Tentative Tract Map 20159*). The Tentative Map will create 15 numbered lots that will allow for the development of 145 residential units, with lot sizes ranging from 16,369 to 26,883 square feet (see *Figure 7, area outlined in red*). The Esperanza Specific Plan does not specify minimum unit size and minimum lot sizes for



Figure 7: PMTT18-004 Project Site



Figure 6: PMTT18-003 Project Site

this product type. The 5 lettered lots will facilitate the tract's drive aisles, landscaping, and off-street parking requirements.

[c] **PMTT18-005 (TT 20160)** – The proposed Tentative “B” Map (PMTT18-005) will further subdivide Lot 5 of Tract 20157 (A Map) to allow for the development of the 6-Pack Courtyard Homes (see *Exhibit E—Tentative Tract Map 20160*). The Tentative Map will create 113 numbered lots that will allow for the development of 113 residential units, with lot sizes ranging from 3,135 to 8,856 square feet (see *Figure 8, area outlined in red*). The Esperanza Specific Plan requires 6-Pack courtyard homes to maintain a minimum lot size of 2,200 square feet, which this project meets. The 32 lettered lots will facilitate the tract's private lanes, drive aisles, landscaping, and off-street parking requirements.



Figure 8: PMTT18-005 Project Site

[4] Density —Phase 1 of the proposed Tentative Tract Map (“A” Map) will establish a total of 432 residential units and provides an overall project density of 12.91 dwelling units per acre on the western half of the project site. TOP’s (Policy Plan) land use designation for the western half of the site (Phase 1) is LDR (Low Density Residential - 2 to 5 DU/AC) and MDR (Medium Density Residential - 11.1 to 25 DU/AC). For developments that encompass multiple properties and contain more than one land use designation, the maximum number of units permitted for the development may be spread over the entire site, thereby allowing the blending of the residential densities. In calculating the overall project density, the TOP EIR assumptions for the LDR and MDR land use districts were taken into account for an average maximum allowable density of 13.25 dwelling units per acre. The Tentative Map provides a density of 12.91 dwelling units per acre, which is consistent with the Esperanza Specific Plan and TOP Policy Plan.

[5] Site Access/Circulation — The project site will have access from both Mill Creek Avenue and Hamner Avenue, which runs north/south, and access from Eucalyptus Avenue, which runs east/west. The Tentative Tract Map also provides for the construction of interior tract streets and private lanes for the western half of the site, which will provide access to future residential development to the north, and to existing residential development to the south, of the project site. The Tentative Map is consistent with TOP Policy CD2-2, which promotes the importance of neighborhood connectivity through local street patterns and neighborhood edges as a way to unify neighborhoods. The Tentative Map provides for the construction and improvement of the following streets:

[a] **Mill Creek Avenue** - Mill Creek Avenue will be fully constructed on the east side along the project frontage. The street improvements include an 18-foot wide neighborhood edge, 5-foot wide sidewalk and 7-foot wide landscaped parkway, and a 32-foot wide street with curb/gutter improvements on the east side. An 18-foot wide travel lane and 5-foot shoulder will be constructed along the west side. The western portion of Mill Creek right-of-way improvements shall be completed with future development.

To provide access to the proposed tract, the project requires Mill Creek Avenue street improvements to be completed north and south of the project site. The northern (between Old Edison Road and Ontario Ranch Road) and southern (between Eucalyptus Avenue and Bellegrave Avenue) Mill Creek street improvements include half street improvements on the northbound lane and an 18-foot wide travel lane with 5-foot shoulder for the southbound lane.

[b] **Hamner Avenue** - Hamner Avenue will be required to provide connections to underground utilities and construct last lane street improvements along the project's street frontage.

[c] **Clifton Avenue** - Clifton Avenue will be fully constructed, which consist of curb-to-curb street improvements. The street will include two northbound lanes, a 12-foot wide striped median, and two southbound lanes, totaling 66 feet, which will extend from Eucalyptus Avenue to Old Edison Road.

[6] **Parking** — A parking plan was completed for the proposed Tract Map to demonstrate that sufficient parking is proposed throughout the project site. The Tentative Map's proposed product types would require a total of 1,062 parking spaces, in which 864 of those parking spaces would be provided within a garage. The parking plan demonstrates that a total of 1,772 spaces will be provided, exceeding the minimum requirements by 710 parking spaces. The additional parking spaces are provided throughout the site as on-street parking, driveways, and within the private drive aisles. The parking plan demonstrates that there will be an average of 4.1 parking spaces per unit, which should be more than adequate to accommodate both resident and visitor parking. As the proposed tract develops, parking will continue to be analyzed for each product type as part of the Development Plan entitlement process.

[7] **Open Space** —The proposed Tentative Tract Map will facilitate the construction of a neighborhood park, sidewalks, parkways, and open space areas for the western portion of the tract. TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of Private Park per 1,000 residents. The proposed project is required to provide 2.91 acres of parkland to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a central neighborhood park totaling 3.4 acres, comprised of a 0.66-acre primary recreation center park on the northern half of the site, a 0.33-acre garden park along the western portion of the site, and 0.27-acre pocket park located along the southern portion of the site, for a total of 4.67 acres, which exceeds TOP's minimum private park requirements. The pedestrian circulation system provides

connectivity to the parks, residential neighborhood, and surrounding communities. Future park designs and amenities will be addressed as part of the Development Plan entitlement process, which will require consistency with Esperanza Specific Plan.

[8] Covenants, Conditions and Restrictions (CC&Rs) — As a Condition of Approval, staff has required that CC&Rs be prepared and recorded with the Final Map. The CC&Rs will outline the maintenance responsibilities for the open space areas, recreation amenities, drive aisles, utilities, and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities.

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.
 - H5-2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation and other amenities.

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.

▪ 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.

➤ CD3-5 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 (432) and density (9.8 DU/AC) specified in the Available Land Inventory. Per the Available Land Inventory, the Esperanza Specific Plan is required to provide 1,410 dwelling units with an overall density of 5-21 DU/AC.

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 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. 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>	Vacant/Dairy Farm (Pietersma Property)	(LDR) Low Density Residential (2 – 5 DU/AC), (MDR) Medium Density Residential (11.1 – 25 DU/AC) & (OS-R) Open Space – Recreation (Parkland)	Esperanza Specific Plan	Planning Areas – PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and a portion of PA-4 (RD-6)
<i>North</i>	Vacant	(MU) Mixed Use & (OS-NR) Open Space – Non Recreation	Rich Haven Specific Plan	Mixed Use District PA 8A, 8B, 9A, & 9B (Mixed-Use Stand Alone Residential Overlay)
<i>South</i>	Vacant/ Mass Graded	(LDR) Low Density Residential (2 – 5 DU/AC) & (PS) Public School	Esperanza Specific Plan	Planning Areas – PA-5 (RD-5), PA-6 (RD-4), PA-7 (RD-1), PA-8 (RD-2), PA-9 (RD-1), PA-10 (RD-3, PA-11 (School), portion of PA-4 (RD-6)
<i>East</i>	City of Eastvale	Commercial Retail, Business Park, Light Industrial	The Goodman Commerce Center Specific Plan	PA1 (Commercial Retail), PA4 (Commercial, Retail, Business Park, Hospital), PA3 (Commercial, Retail, Business Park, Hospital, Industrial)
<i>West</i>	Dairy Farm	(LDR) Low Density Residential (2 – 5 DU/AC) (OS-NR) Open Space – Non Recreation	Specific Plan (Agricultural Overlay)	N/A

Tentative Tract Summary

<i>Item</i>	<i>TT 20157</i>	<i>Meets Esperanza Specific Plan Requirements</i>
<i>Total Area Gross (AC)</i>	81.35	N/A
<i>Total Area Net (AC)</i>	66.42	N/A
<i>Row Townhomes Min. Lot Size (SF)</i>	7,994	Yes
<i>Row Townhomes Max. Lot Size (SF)</i>	13,939	Yes
<i>Motorcourt Townhomes Min. Lot Size (SF)</i>	16,369	Yes
<i>Motorcourt Townhomes Max. Lot Size (SF)</i>	26,883	Yes
<i>6-Pack Courtyard Homes Min. Lot Size (SF)</i>	3,135	Yes
<i>6-Pack Courtyard Homes Max. Lot Size (SF)</i>	8,856	Yes
<i>Gross Density (du/net ac)</i>	9.8	Yes

Exhibit A—PROJECT LOCATION MAP



Exhibit D—Tentative Tract Map 20159 (PMTT18-004)

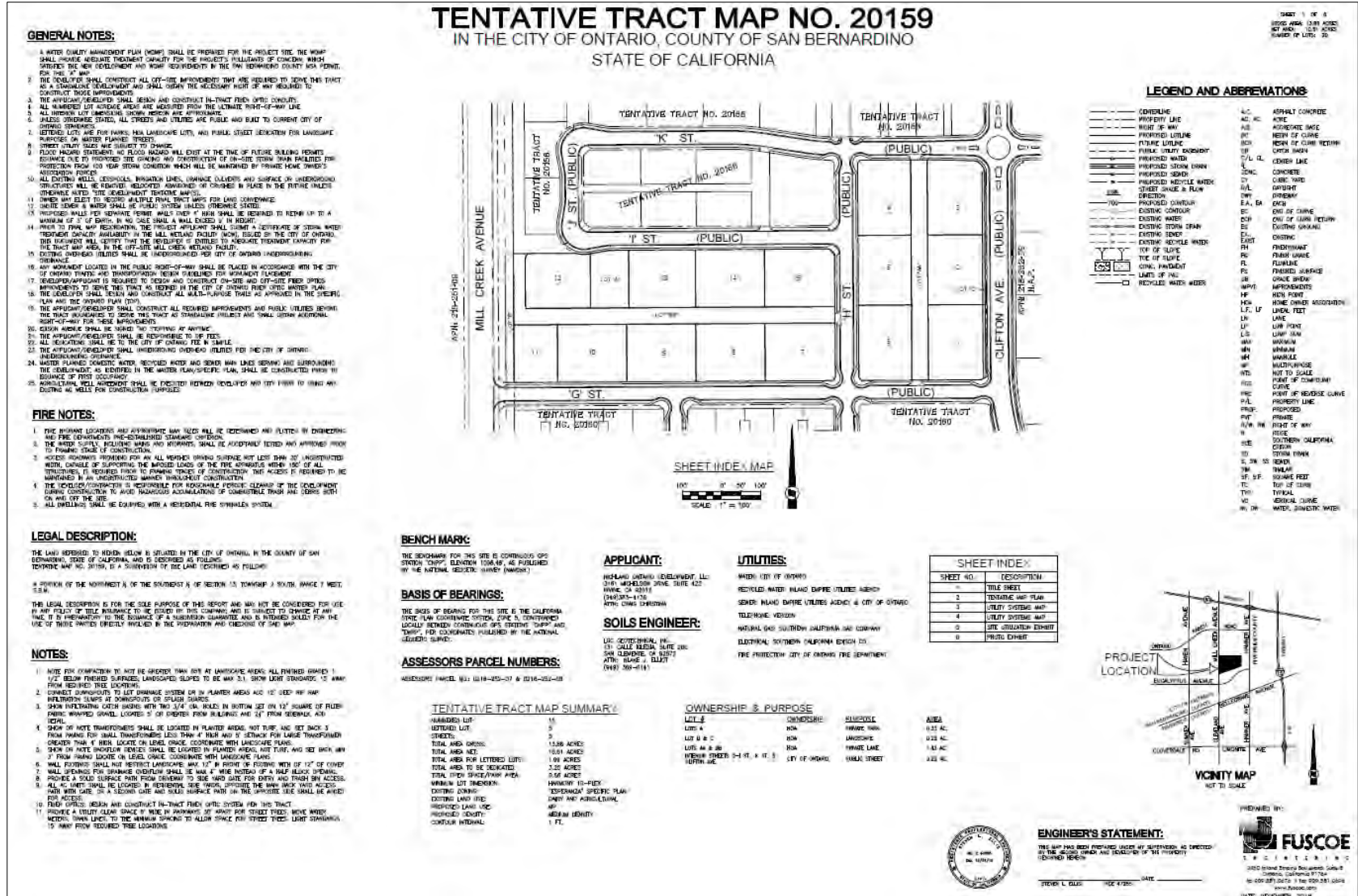


Exhibit E—Tentative Tract Map 20160 (PMTT18-005)

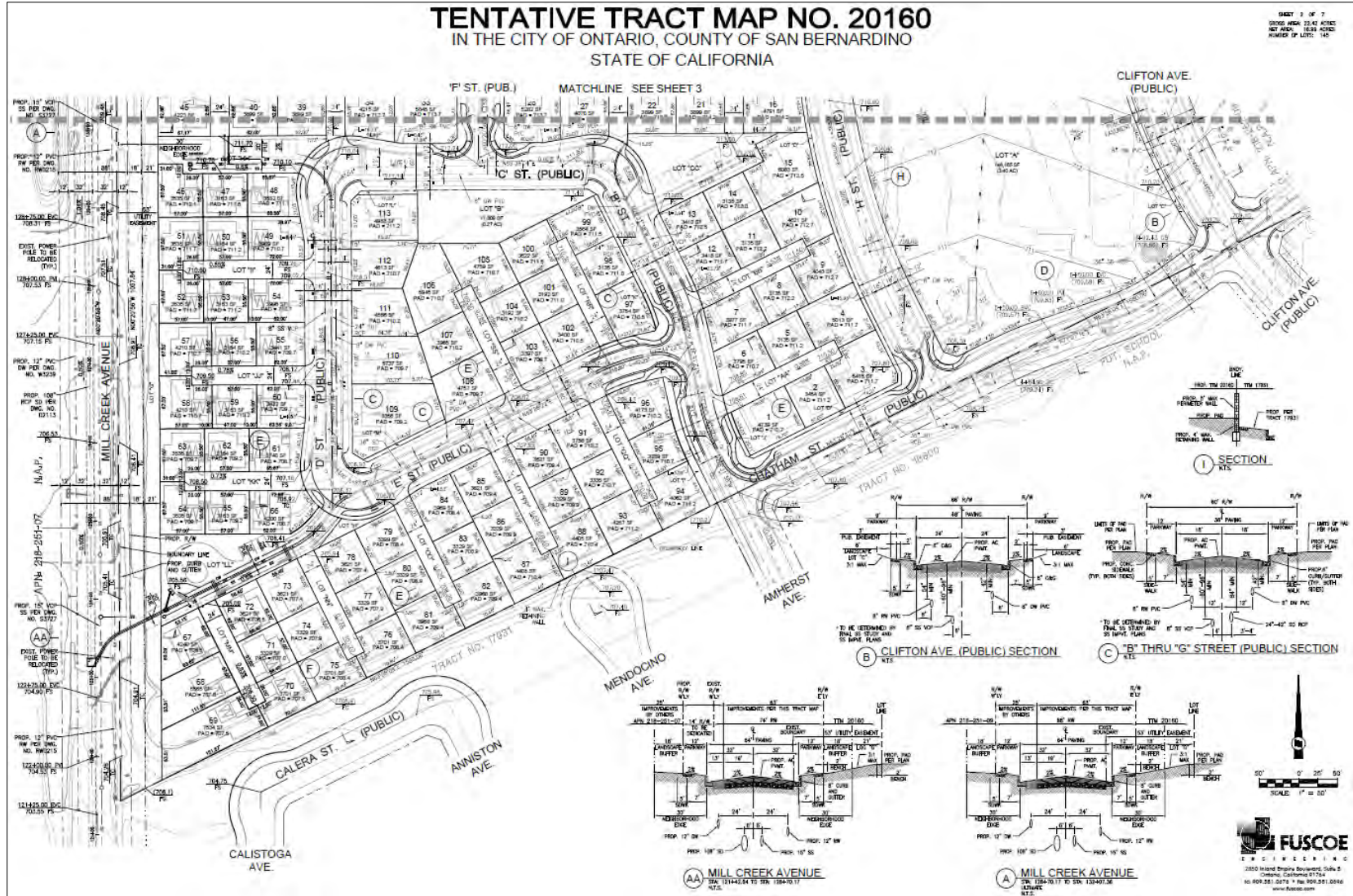


Exhibit F—Parking Plan



PARKING PLAN
 PIETERSMA ESPERANZA

Exhibit G—Park and Open Space Summary



CONCEPTUAL PARKS AND OPEN SPACE

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT18-002 / TT 20157, TO SUBDIVIDE 81.35 ACRES OF LAND INTO 6 NUMBERED LOTS AND 5 LETTERED LOTS FOR RESIDENTIAL, PUBLIC STREETS, LANDSCAPE NEIGHBORHOOD EDGES, AND COMMON OPEN SPACE PURPOSES, FOR PROPERTIES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF MILL CREEK AVENUE AND OLD EDISON ROAD, WITHIN PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), AND PA-4 (RD-6) OF THE ESPERANZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-252-07, 0218-252-08 AND 0218-252-09.

WHEREAS, RWT PRESERVE HOLDINGS, LLC ("Applicant") has filed an Application for the approval of a Tentative Tract Map, File No. PMTT18-002 / TT 20157, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 81.35 acres of land generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan, and is presently vacant; and

WHEREAS, the properties to the north of the Project site are within the Mixed Use District PA 8A, 8B, 9A, & 9B (Mixed-Use Stand Alone Residential Overlay) of the Rich Haven Specific Plan, and is presently vacant. The properties to the south are within Planning Areas – PA-4 (RD-6), PA-5 (RD-5), PA-6 (RD-4), PA-7 (RD-1), PA-8 (RD-2), PA-9 (RD-1), PA-10 (RD-3), PA-11 (School) of the Esperanza Specific Plan, and are presently vacant and mass graded. The properties to the east are within the City of Eastvale and are zoned for industrial and commercial land uses. The property to the west of the project site is within the Specific Plan/Agriculture (SP/AG) zoning district and is presently vacant; and

WHEREAS, the Tentative Tract Map will subdivide 81.35 gross acres of land into 6 numbered lots and 5 lettered lots for residential, public streets, landscaped neighborhood edges, and common open space purposes; and

WHEREAS, File No. PMTT18-002 will serve as the project's "A" Map, the initial map that will subdivide the parcel into smaller parcels to facilitate future land uses and backbone infrastructure improvements (major streets, sewer, water and storm drain facilities). The "A" Map will also facilitate subsequent tentative maps, referred to as "B" Maps, which will further subdivide the same parcel of land; and

WHEREAS, the applicant has submitted three “B” Maps (File Nos. PMTT18-003 (TT 20158), PMTT18-004 (TT 20159) and PMTT18-005 (TT 20160)) that are being processed concurrently with the “A” Map, covering the western half of the project site; and

WHEREAS, a Development Agreement (File No. PDA19-002) has been filed concurrently with the “A” Map to facilitate infrastructure improvements that will serve the site to be completed in two phases: Phase 1 includes the western half of the site and facilitates the development of the three concurrent proposed “B” Maps; and Phase 2 includes the development of the eastern half of the site and requires subsequent “B” Maps to be processed and approved; and

WHEREAS, the proposed Tentative Map (A Map) will primarily allow for residential land uses and accommodate three product types, including Row Town Homes, Motorcourt Townhomes, and 6-Pack Courtyard Homes, for a total of 432 units; and

WHEREAS, the Row Townhomes are located on the northwest portion of the project site and includes Lots 1 and 2, for a total of 174 units; and

WHEREAS, the Motorcourt Townhomes are centrally located on the western half of the project site and includes lots 3 and 4, for a total of 145 units; and

WHEREAS, the 6-Pack Courtyard Homes are located at the northeast corner of Mill Creek Avenue and Chatham Street, and includes lot 5, for a total of 113 units; and

WHEREAS, Lot 6 is 29.98 acres in area, encompassing the eastern half of the project site, and will require the submittal and approval of subsequent “B” Maps; and

WHEREAS, the 5 lettered lots will accommodate two parks (Lots A and B), the HOA maintained landscaped edge along Mill Creek Avenue (Lots C and D), and the neighborhood edge along Hamner Avenue (Lot E); and

WHEREAS, the proposed “A” Map will establish a total of 432 residential units and provides an overall project density of 12.91 dwelling units per acre; and

WHEREAS, the project site will have access from both Mill Creek Avenue and Hamner Avenue, which runs north/south, and access from Eucalyptus Avenue, which run east/west. The Tentative Tract Map also provides for the construction of interior tract streets and private lanes for the western half of the site and will provide access to future residential development to the north and to existing residential development to the south of the project site; and

WHEREAS, a parking plan was completed for the proposed Tract Map to demonstrate that sufficient parking is proposed throughout the project site. The Tentative Map's proposed product types would require a total of 1,062 parking spaces, in which 864 of those parking spaces would be provided within a garage. The parking plan demonstrates that a total of 1,772 spaces will be provided, exceeding the minimum requirements by 710 parking spaces. The additional parking spaces are provided throughout the site as on-street parking, driveways, and within the private drive aisles. The parking plan demonstrates that there will be an average of 4.1 parking spaces per unit; and

WHEREAS, the proposed Tentative Tract Map will facilitate the construction of a neighborhood park, sidewalks, parkways, and open space areas for the western portion of the tract. TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of Private Park per 1,000 residents. The proposed project is required to provide 2.91 acres of parkland to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a central neighborhood park totaling 3.4 acres, comprised of a 0.66-acre primary recreation center park on the northern half of the site, a 0.33-acre garden park along the western portion of the site, and 0.27-acre pocket park located along the southern portion of the site, for a total of 4.67 acres of land; and

WHEREAS, Covenants, Conditions and Restrictions (CC&Rs) will be prepared and recorded with the Final Map. The CC&Rs will outline the maintenance responsibilities for the open space areas, recreation amenities, drive aisles, utilities, and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities; 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 the Esperanza Specific Plan (File No. PSP05-002) Environmental Impact Report (SCH # 2002061047) certified by the City Council on February 6, 2007, 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 August 19, 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. DAB19-042, recommending the Planning Commission approve the Application; and

WHEREAS, on August 27, 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 certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with the Esperanza Specific Plan (File No. PSP05-002) Environmental Impact Report (SCH # 2002061047) certified by the City Council on February 6, 2007.

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the 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 number of dwelling units (432) and density (9.8 DU/AC) specified in the Available Land Inventory. Per the Available Land Inventory, the Esperanza Specific Plan is required to provide 1,410 dwelling units with an overall density of 5-21 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 Tentative Tract Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Tract Map is located within the LDR (Low Density Residential - 2 to 5 DU/AC) and MDR (Medium Density Residential - 11.1 to 25 DU/AC) land use districts of the Policy Plan Land Use Map and PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*).

(2) ***The design or improvement of the proposed Tentative Tract Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Tract/Parcel Map is located within the LDR (Low Density Residential - 2 to 5 DU/AC) and MDR (Medium Density Residential - 11.1 to 25 DU/AC) land use districts of the Policy Plan Land Use Map, and the PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) land use districts of the Esperanza Specific Plan. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

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

- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 *Neighborhood Design*).

(3) ***The site is physically suitable for the type of development proposed.***

The project site meets the minimum lot area and dimensions of PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan, and is physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for residential development at a density of 12.91 DUs/acre. The project site meets the minimum lot area and dimensions of PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan, and is physically suitable for this proposed density / intensity of development.

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

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the related infrastructure improvements proposed on the project site, are not likely to cause serious public health problems, as the project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

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

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

SECTION 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 27th day of August 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 27, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT18-002 / TT 20157
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: August 27, 2019

File No: PMTT18-002 (TT 20157)

Related Files: PMTT18-003 (TT 20158), PMTT18-004 (TT 20159), PMTT18-005 (TT 20160),

Project Description: A Tentative Tract Map (File No. PMTT18-002/TTM 20157) to subdivide 81.35 acres of land into 6 numbered lots and 5 lettered lots for residential, public streets, landscape neighborhood edges, and common open space purposes, for properties generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) land use districts of the Esperanza Specific Plan (APNs: 0218-252-07, 0218-252-08 and 0218-252-09); **submitted by RWT Preserve Holdings, LLC.**

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) Tentative Parcel/Tract Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

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

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

(c) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

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

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

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

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

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

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

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

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

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

(i) Landscaping and irrigation systems within common areas;

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

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

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

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

(g) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not

occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.5 Disclosure Statements.

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

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

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

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

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

2.6 Environmental Review.

(a) 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. 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.

2.7 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 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.

2.8 Additional Fees.

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

(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.

2.9 Off-Site Subdivision Signs. The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program uses uniform sign structures and individual identification and directional signs for residential development. **No other off-site signing is authorized.** (For additional information, contact the Baldy View Chapter BIA at (909) 945-1884.

2.10 Additional Requirements.

(a) All applicable conditions of approval of Development Agreement (File No. PDA19-002) shall apply to this tract.

(b) All applicable conditions of approval of the Esperanza Specific Plan shall apply to this tract.

(c) Tentative Tract Map approval shall not be final and complete until such time that File No. PSPA19-005 (related Minor Specific Plan Amendment) has been approved by the Zoning Administrator.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input checked="" type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>TM-20157</u> RELATED FILE NO(S). PMTT18-002	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Miguel Sotomayor (909) 395-2108 *MS*

CITY PROJECT PLANNER & PHONE NO: Jeanie Aguilo (909) 395-2418

DAB MEETING DATE: August 19, 2019

PROJECT NAME / DESCRIPTION: TM-20157, a Tentative Tract Map to subdivide 81.35 acres of land into 6 lots and 4 lettered lots, within PA 1-4 of the Esperanza Specific Plan

LOCATION: North of Eucalyptus Ave between Hamner Ave and Mill Creek Ave

APPLICANT: RWT Preserve Holdings, LLC

REVIEWED BY: *Bryan Linley* *8/6/19*
 Bryan Linley, P.E. Date
 Principal Engineer

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



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

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

- 1.01 Dedicate to the City of Ontario, the right-of-way in fee simple, described below:**
 - a. Mill Creek Avenue to the half ultimate right of way of 44 feet (full ultimate right-of-way width is 88 feet) from CL (southerly tract boundary to Old Edlson Avenue). An additional 18 feet behind right-of-way for the neighborhood edge shall also be dedicated.
 - b. Hamner Avenue to the half ultimate right of way of 74 feet (full ultimate right-of-way width is 148 feet) from CL (southerly tract to northerly tract boundaries). An additional 25 feet behind right-of-way (Lot 'E') for the neighborhood edge shall also be dedicated.
 - c. Clifton Avenue to the full ultimate right-of-way width of 66 feet (Chatham to northerly tract boundary).
 - d. Chatham Street to the half ultimate right of way of 30 feet (full ultimate right-of-way width is 60 feet) from CL (Amherst Avenue to Clifton Avenue).
 - e. 'G' through 'K' Streets to the full ultimate right-of-way width of 60 feet.
 - f. Property line corner cut-back at all street intersections within the tract boundaries.
- 1.02 Dedicate to the City of Ontario, the following easement(s):**
 - a. 3 feet sidewalk easement behind ultimate right-of-way on Clifton Avenue from Chatham Street to 'K' Street (roundabout).
- 1.03 Restrict vehicular access to the site as follows:**
 - a. Access to subdivision shall only be granted at those locations shown in the approved tentative map and the Esperanza Specific Plan or otherwise approved by the City Engineer.
- 1.04 Vacate the following street(s) and/or easement(s):**
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.**
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.**



- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____

- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.

- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.

- 1.11 Provide a preliminary title report current to within 30 days.

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

- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).

- 1.14 Other conditions:
 - a. Obtain the necessary additional right-of-ways/easements beyond the tract limits necessary to construct the required public improvements identified in Section 2 of these conditions of approval.
 - b. The final map shall comply with the approved Esperanza Specific Plan, the Development Agreement and the conditions of approval for this tentative tract map.
 - c. The dedications shown on the final map shall comply with the approved Esperanza Specific Plan.



d. Lettered lots 'A' through 'D' shall be maintained by the HOA.

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

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

- 2.01 Record Tract Map No. 20157 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.**
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.**
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**

- State of California Department of Transportation (Caltrans)
- San Bernardino County Road Department (SBCRD)
- San Bernardino County Flood Control District (SBCFCD)**
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- Other:**

a. Vacate or obtain non-interference letters from the easement holders prior to final map approval.



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

- 2.12 **New Model Colony (NMC) Developments:**
- 1) **Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.**
- 2) **Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.**
- 3) **Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.**
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department.**
- 2.16 Other conditions:



B. PUBLIC IMPROVEMENTS

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

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

Improvement	Mill Creek	Hamner	Clifton	Chatham
Curb and Gutter	<input checked="" type="checkbox"/> New; 32 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 54 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 24 ft. from C/L (both sides) ^(a) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 18 ft. from C/L (both sides) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input checked="" type="checkbox"/> New; 30 ft. East of C/L and 23 ft. west of C/L (includes 5 ft. ^(b) shoulder) <input checked="" type="checkbox"/> Remove existing AC pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 13 additional feet along frontage, including pavm't Transitions ^(c)	<input checked="" type="checkbox"/> New; 22 ft. from C/L (both sides) ^{(b)(d)} <input type="checkbox"/> Widen _____ additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> New; 16 ft. from C/L (both sides) <input type="checkbox"/> Widen _____ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input checked="" type="checkbox"/> New at Eucalyptus and Bellegrave <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New at Eucalyptus <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances
Overhead Utilities (see Sec. 2.21)	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____



Improvement	'G' through 'K' Streets	Eucalyptus Avenue ^(e)	Amherst	Bellegrave
Curb and Gutter	<input checked="" type="checkbox"/> New; 18 ft. from C/L (both sides) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input checked="" type="checkbox"/> New; 16 ft. from C/L (both sides) <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't	<input checked="" type="checkbox"/> New; 24 ft. from C/L (both sides, includes 5 ft. shoulder) <input type="checkbox"/> Widen ___ additional feet along frontage,	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral



Water (see Sec. 2.D)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New at Mill Creek and Hamner <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New at Mill Creek <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities (see Sec. 2.21)	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

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

- a. **Curb and gutter shall be designed and constructed 18' from centerline (both sides) on Clifton Avenue from 'K' Street to the northerly tract boundary. 24' from centerline (both sides) on Clifton Avenue from 'K' Street to Eucalyptus Avenue.**
- b. **AC shall be designed and constructed 16' from centerline (both sides) on Clifton Avenue from 'K' Street to the northerly tract boundary. 22' from centerline (both sides) on Clifton Avenue from 'K' Street to Eucalyptus Avenue.**



- c. **Hamner Avenue street improvements including curb and gutter shall extend past the tract boundary from the southerly tract boundary to Eucalyptus Avenue.**
- d. **Clifton Avenue street Improvements including curb and gutter shall extend past the tract boundary from Chatham Street to Eucalyptus Avenue.**
- e. **Eucalyptus Avenue public improvements shall extend from Mill Creek Avenue to Hamner Avenue.**
- f. **The applicant/developer shall design and construct full circulation lanes on Mill Creek Avenue from Old Edison to Ontario Ranch Road and Mill Creek Avenue from the southerly tract boundary to Bellegrave Avenue (including transitions).**

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 **Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).**
- 2.22 **Other conditions:**
 - a. **The applicant/developer shall obtain approval from property owner along the northerly tract boundary for the proposed V-ditch. If approval cannot be obtained for the V-ditch then the applicant/developer shall grant a drainage easement along the northerly tract boundary for the historical flow.**
 - b. **If at the time of construction of this project Amherst Avenue and Clifton Avenue from Eucalyptus Avenue to Chatham Street end with a temporary cul-de-sac, the applicant/developer shall design and construct Amherst Avenue and Clifton Avenue to remove the cul-de-sac and provide connectivity to Eucalyptus Avenue. The improvements will include but not be limited to: cul-de-sac removal, AC, curb & gutter, sidewalk, street lights, signing and striping, landscape and irrigation. The applicant/developer shall also vacate the temporary cul-de-sac easement.**
 - c. **Final Utility Systems Map (USM): The Tract Map shall follow the TTM-20157 USM, dated February 7, 2019, and any deviation from this plan shall require the USM to be updated and resubmitted to OMUC for review and approval. A Final USM shall be submitted for review and approval with the Potable Water, Recycled Water, and Sewer Improvement Plans.**



C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____
(Ref: Sewer plan bar code: _____)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - a. **The applicant/developer shall design and construct:**
 - i. **A 15-inch (minimum) master plan sewer main in Mill Creek from Ontario Ranch Road to 15-inch master plan main in Eucalyptus Avenue.**
 - ii. **A 21-inch (minimum) master plan sewer main in Mill Creek from Eucalyptus Avenue south to connect to 24-inch master plan main at Bellegrave Avenue.**
 - iii. **A 15-inch master plan sewer main in Eucalyptus Avenue from west of Hamner to 21-inch master plan main at Mill Creek Avenue.**
 - iv. **A 24-inch (minimum) sewer main Bellegrave Avenue from Mill Creek Avenue westerly to connect to existing 24-inch master plan sewer main in Merrill Avenue.**
 - b. **The applicant/developer shall design and construct 8-inch sewer mains throughout the tract streets sufficient to connect phased units with a point of connection to the 15-inch sewer main in Eucalyptus Avenue at Clifton Avenue & Amherst Avenue and another point of connection to the 15-inch sewer main in Mill Creek Avenue. This shall include 8-inch sewer main in Clifton Avenue from Eucalyptus Avenue to the northern tract boundary and 8-inch sewer main in Amherst Avenue from Eucalyptus Avenue to Chatham Street.**
 - c. **Sewer Sub-Area Master Plans (SSAMPs) with Sewer Sizing Design Calculations: The Tract Map sewer mains design shall follow the TTM-20157 SSAMP, dated February 5, 2019, and any deviation from this design shall require the SSAMP to be updated and resubmitted to OMUC for review and approval.**

D. WATER

- 2.27 A _____ inch water main is available for connection by this project in _____
(Ref: Water plan bar code: _____)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions:**
 - a. **The applicant/developer shall design and construct the Master Plan line in Mill Creek Avenue (12-inch 925 PZ) from Ontario Ranch Road to Eucalyptus Avenue.**
 - b. **The applicant/developer shall design and construct:**
 - i. **An 8-Inch (minimum) 925 PZ in Clifton Avenue from existing 24-inch 925 PZ main in Eucalyptus Avenue to northern Tract Boundary.**



- ii. An 8-inch (minimum) 925 PZ 'G' Street from proposed 12-inch 925 PZ main in Mill Creek Avenue to the proposed 8-inch 925 PZ in Clifton Avenue.
- iii. An 8-inch (minimum) 925 PZ mains in Chatham Street connecting from Amherst Avenue to Clifton Avenue.
- iv. An 8-inch (minimum) 925 PZ main along 'H' Street connecting from 'K' Street to Chatham Street.
- v. An 8-inch (minimum) 925 PZ main along 'K' Street connecting from 'J' Street to Clifton Avenue.
- vi. An 8-inch (minimum) 925 PZ main along 'J' Street connecting from 'I' Street to 'K' Street.
- vii. An 8-inch (minimum) 925 PZ main along 'I' Street connecting from 'J' Street to 'H' Street.
- viii. An 8-inch (minimum) 925 PZ main along Amherst Avenue connecting from Chatham Street to the existing main in Eucalyptus Avenue.

E. RECYCLED WATER

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

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

- 2.34 Other conditions:
 - a. The applicant/developer shall design and construct the Master Plan lines:
 - i. A 16-inch 930 PZ in Eucalyptus Avenue connecting from the existing 16-inch main in Archibald Avenue to Haven Avenue.
 - ii. A 12-inch 930 PZ in Eucalyptus Avenue connecting from the 16-inch main at Haven Avenue to Mill Creek Avenue.
 - iii. An 8-inch (minimum) 930 PZ in Eucalyptus Avenue connecting from the 12-inch main at Mill Creek Avenue to Hamner Avenue.
 - iv. An 8-inch (minimum) 930 PZ in Hamner Avenue connecting from the 8-inch main at Eucalyptus Avenue to Ontario Ranch Road.



- v. **A 12-inch 930 PZ in Ontario Ranch Road connecting from the 8-inch main in Hamner Avenue to Mill Creek Avenue.**
- vi. **A 12-Inch 930 PZ In Mill Creek Avenue connecting from the 12-inch main at Ontario Ranch Road to Bellegrave Avenue.**
- b. **Install 8-inch 930 PZ recycled water mains throughout Tract Map streets sufficient to connect all HOA parks and HOA maintained landscaped areas with a point of connection to the 8-Inch 930 PZ recycled water main in Eucalyptus Avenue at Clifton Avenue and another point of connection to the 12-inch 930 PZ recycled water main in Mill Creek Avenue. This shall include 8-inch 930 PZ mains in Clifton Avenue from Eucalyptus Avenue to the Northern Tract-20157 Boundary.**

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 **New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.**
- 2.37 **Other conditions:**
 - a. **Intersection at Ontario Ranch Road and Mill Creek will be right in right out only (modification to median will be required).**
 - b. **The applicant/developer shall design and construct the proposed roundabout at the intersection of Clifton Avenue and K Street in accordance with the City of Ontario Traffic and Transportation Design Guidelines. The roundabout shall include appropriate approach and departure transitions and tapers, raised splitter islands, landscaping and appropriate signing and striping.**
 - c. **All tracts or tract phases shall be provided with two points of access. Temporary roadways shall be allowed for in-tract situations only. Access to the backbone network (i.e. Mill Creek, Hamner or Eucalyptus) will be allowed at locations approved in the Specific Plan only.**
 - d. **Mill Creek Avenue and Hamner Avenue shall be signed "No Stopping Anytime".**
 - e. **The applicant/developer shall ensure that Clifton Avenue aligns with the project to the north.**
 - f. **All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.**
 - g. **The applicant/developer shall meet with City Engineering staff prior to starting traffic signal, signing/striping and street light design.**
 - h. **Traffic Signal Improvement Requirements:**
 - i. **Design and construct Hamner Avenue and Eucalyptus Avenue**
 - ii. **Design and construct Mill Creek Avenue and Eucalyptus Avenue**



- iii. **Design and construct Mill Creek Avenue and Bellegrave Avenue**
 - iv. **The applicant/developer shall be responsible to pay their fair share (25%) for the design and construction of the two traffic signals that are non-DIF signals along Clifton Avenue at Eucalyptus Avenue and Amherst Avenue at Eucalyptus Avenue. The cost shall be based on actual amount spent by the developer completing the install. The applicant/developer shall conduct a warrant analysis to determine the timing of the installation of the traffic signal at Clifton Avenue and Eucalyptus Avenue if signal has not been constructed at the time when this development begins.**
- i. **The applicant/developer shall design and construct all Master Planned public utilities under new roadway designed to the ultimate condition.**

G. DRAINAGE / HYDROLOGY

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



from the northerly tract boundary to 'K' Street, Chatham Street from Amherst Avenue to Clifton and all required in-tract storm drain improvements per the Master Plan of Drainage, Esperanza Specific Plan and DA Exhibits.

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

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

J. SPECIAL DISTRICTS

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

K. FIBER OPTIC

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



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

L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:

<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>

- 2.53 Other conditions:

- a. **Final Solid Waste Handling Plan (SWHP):** The Tract Map shall follow the TTM-20157 SWHP, dated February 5, 2019, and any deviation from this plan shall require the SWHP to be updated and resubmitted to OMUC for review and approval. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan.



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

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: Tract Map No. 20157

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

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



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



CITY OF ONTARIO

MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: September 10, 2018

SUBJECT: FILE #: PMTT18-002

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, September 24, 2018**.

PROJECT DESCRIPTION: A Tentative Tract Map (TT 20157) to subdivide 81.35 acres of land into 6 lots and 5 lettered (commonly-owned) lots generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within Planning Areas 1-4 (RD-4, RD-6, RD-7, and RD-8) of the Esperanza Specific Plan (APNs: 0218-252-07, 0218-252-08 and 0218-252-09).

Related: PMTT18-003 (TT 20158), PMTT18-004 (TT 20159), PMTT18-005 (TT 20160)

- 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.

10/17/18

Landscape Planning Carolyn Bell Schandcape Architects
Department Signature Title Date

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

DAB CONDITIONS OF APPROVAL	
Sign Off	
	10/17/18
Carolyn Bell, Sr. Landscape Planner	Date

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

D.A.B. File No.: PMTT18-002 Rev 1	Related Files:	Case Planner: Jeanie Irene Aguilo
--------------------------------------	----------------	--------------------------------------

Project Name and Location: Esperanza Planning Area 1 - 4 TM 20157, E Mill Creek Ave, S Old Edison Rd
--

Applicant/Representative: Fusco Engineering/ RWT Preserve Holdings. 3161 Michelson Dr. ste. 425 Irvine, CA 92612

<input checked="" type="checkbox"/>	A Tentative Tract Map (dated 9/4/18) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Tentative Tract Map (dated) has not been approved. Corrections noted below are required prior to DAB approval.

For Site and Grading Construction Plans

1. Show letter lots between the sidewalk and single family residence side yards walls to provide the 5' landscape buffer and to separate HOA maintained landscape with recycled water irrigation separate from private property potable water irrigation.
2. Note decorative paving for all motor courts including any lots facing the parking rows aisles.
3. Note for compaction to not be greater than 85% at landscape areas; all finished grades 1 1/2" below finished surfaces; landscaped slopes to be max 3:1.
4. Show infiltrating catch basins with two 3/4" dia. holes in bottom set on 12" square of filter fabric wrapped gravel, located 5' or greater from buildings and 24" from sidewalk, add detail.
5. Show or note transformers shall be located in planter areas, and set back 5' from paving.
6. Show or note backflow devices shall be located in planter areas, and set back min 3' from paving.
7. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the minimum spacing to allow space for street trees.
8. Show light standards 15' away from required tree locations.
9. Wall footings shall not restrict landscape; max 12" footing in front of wall with 12" of cover.
10. Wall openings for drainage overflow shall be max 4" wide.
11. Provide a solid surface path from driveway to side yard gate for entry and trash bin access.
12. AC units shall be located in residential side yards, opposite the main back yard access path with gate, or a second gate and solid surface path on the opposite side added for access.
13. Storm water infiltration devices located in landscape areas shall be reviewed and approved by the Landscape Planning Division prior to installation.
14. After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council. Fees are:
 - Plan Check—5 or more acres \$2,326.00
 - Inspection—Construction (per phase up to 3 inspections) \$278.00
 - Inspection—Field - additional..... \$83.00

Once complete you may email an electronic set to: landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT18-002 (TT 20157)
 Address: NEC Merrill Ave & Mill Creek Ave
 APN: 0218-252-07 & 08
 Existing Land Use: Vacant
 Proposed Land Use: A Tentative Tract Map to subdivide 81.35 acres into 5 numbered lots and 4 lettered lots
 Site Acreage: 81.35 Proposed Structure Height: N/A
 ONT-IAC Project Review: No
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Jeanie Aguilo
 Date: 4/13/18
 CD No.: 2018-015
 PALU No.: _____

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

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

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

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

CONSISTENCY DETERMINATION

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

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

Real Estate Disclosure Required.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2018-015
PALU No.: _____

PROJECT CONDITIONS

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

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



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Assistant Planner
Planning Department

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

DATE: February 12, 2018

SUBJECT: PMTT18-002 – A Tentative Tract Map (TT 20157) to subdivide 81.35 acres of land into 6 lots and 4 lettered (commonly-owned) lots generally located at the northeast corner of Merrill Avenue and Mill Creek Avenue, within Planning Areas 1 and 2 (RD-7 and RD-4) of the Esperanza Specific Plan (APNs: 0218-252-07, 0218-252-08 and 0218-252-09).

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

SITE AND BUILDING FEATURES:

- A. 2013 CBC Type of Construction: Type V-B wood frame
- B. Type of Roof Materials: Non-rated
- C. Ground Floor Area(s): Various
- D. Number of Stories: Two Story
- E. Total Square Footage: Various
- F. 2013 CBC Occupancy Classification(s): R-3, U

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300’) apart, per Engineering Department specifications.
- ☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13 D. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Homes that do not front street shall be provided with an address entry sign at the street. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Irene Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: February 7, 2018
SUBJECT: PMTT18-002

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm





CITY OF ONTARIO MEMORANDUM

TO: 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
 Robin Lucera, 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: February 01, 2018

SUBJECT: FILE #: PMTT18-002 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, February 15, 2018**.

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

PROJECT DESCRIPTION: A Tentative Tract Map (20157) to subdivide 81.35 acres of land into 6 lots and 4 lettered lots, within Planning Areas 1-4 of the Esperanza Specific Plan, generally located at the northeast corner of Merrill Avenue and Mill Creek Avenue: 0218-252-07,08 and 09.

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: 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
Robin Lucera, 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: February 01, 2018

SUBJECT: FILE #: PMTT18-002 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, February 15, 2018**.

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

PROJECT DESCRIPTION: A Tentative Tract Map (20157) to subdivide 81.35 acres of land into 6 lots and 4 lettered lots, within Planning Areas 1-4 of the Esperanza Specific Plan, generally located at the northeast corner of Merrill Avenue and Mill Creek Avenue: 0218-252-07,08 and 09.

- 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

Sr. Systems Analyst

02/16/2018

Department

Signature

Title

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
 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
 Robin Lucera, 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: February 01, 2018

SUBJECT: FILE #: PMTT18-002 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, February 15, 2018**.

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

PROJECT DESCRIPTION: A Tentative Tract Map (20157) to subdivide 81.35 acres of land into 6 lots and 4 lettered lots, within Planning Areas 1-4 of the Esperanza Specific Plan, generally located at the northeast corner of Merrill Avenue and Mill Creek Avenue: 0218-252-07,08 and 09.

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

POLICE
Department

DOUGLAS SOREL
Signature

MANAGEMENT ANALYST
Title

2/14/18
Date

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT18-003/TT 20158, TO SUBDIVIDE 15.41 ACRES OF LAND INTO 31 NUMBERED LOTS AND 15 LETTERED LOTS FOR RESIDENTIAL, PUBLIC STREETS, PRIVATE LANES, LANDSCAPE NEIGHBORHOOD EDGES, AND COMMON OPEN SPACE PURPOSES, FOR PROPERTIES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF MILL CREEK AVENUE AND OLD EDISON ROAD, WITHIN PA-1 (RD-7/ROW TOWNHOMES) OF THE ESPERANZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-252-07 AND 0218-252-08.

WHEREAS, RWT PRESERVE HOLDINGS, LLC ("Applicant") has filed an Application for the approval of a Tentative Tract Map, File No. PMTT18-003 / TT 20158, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 15.41 acres of land generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, and is presently vacant; and

WHEREAS, the properties to the north of the Project site are within the Mixed Use District PA 8A, 8B, 9A, & 9B (Mixed-Use Stand Alone Residential Overlay) of the Rich Haven Specific Plan, and is presently vacant. The properties to the south are within Planning Areas PA-4 (RD-6), PA-5 (RD-5), PA-6 (RD-4), PA-7 (RD-1), PA-8 (RD-2), PA-9 (RD-1), PA-10 (RD-3), PA-11 (School) of the Esperanza Specific Plan, and are presently vacant and mass graded. The properties to the east are within the City of Eastvale and are zoned for industrial and commercial land uses. The property to the west of the project site is within the Specific Plan/Agriculture (SP/AG) zoning district and is presently vacant; and

WHEREAS, the proposed Tentative Tract Map (File No. PMTT18-003 / TT 20158) will subdivide 15.41 gross acres of land into 31 numbered lots and 15 lettered lots for residential and private streets purposes; and

WHEREAS, File No. PMTT18-003 is one of three "B" Maps (File Nos. PMTT18-004 / TT 20159 and PMTT18-005 / TT 20160) that were processed concurrently with the project's "A" Map (File No. PMTT18-002 / TT 20157); and

WHEREAS, the "A" Map subdivides the overall project area to facilitate future land uses, backbone infrastructure improvements (major streets, sewer, water and storm drain facilities) and subsequent tentative "B" Maps that further subdivide the same parcel of land; and

WHEREAS, File No. PMTT18-003 (B Map) will allow for the development of the Row Townhomes product type and further subdivide Lots 1 and 2 of File No. PMTT18-002 (A Map). The Row Townhomes will be located along Mill Creek Avenue and total 174 residential units; and

WHEREAS, the Esperanza Specific Plan does not specify minimum unit size and minimum lot sizes for this product type; and

WHEREAS, the 31 numbered lots sizes range from 7,994 to 13,939 square feet and the 15 lettered lots will facilitate the tract's private lanes, drive aisles, landscaping, and off-street parking requirements; and

WHEREAS, the "A" Map will provide access from both Mill Creek Avenue and Hamner Avenue, which runs north/south, and access from Eucalyptus Avenue, which run east/west. The "A" Map will provide the interior tract streets and private lanes that will serve the proposed "B" Map (File No. PMTT18-003); and

WHEREAS, a parking plan was completed and demonstrates there is sufficient parking to serve the "A" Map and subsequent "B" Maps. The "A" Map requires a total of 1,062 parking spaces, in which 864 of those parking spaces would be provided within a garage. The parking plan demonstrates that a total of 1,772 spaces will be provided, exceeding the minimum requirements by 710 parking spaces. The additional parking spaces are provided throughout the site as on-street parking, driveways, and within the private drive aisles. The parking plan demonstrates that there will be an average of 4.1 parking spaces per unit; and

WHEREAS, the "A" Map will facilitate the construction of a neighborhood park, sidewalks, parkways, and open space areas for the western portion of the tract. TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of Private Park per 1,000 residents. The proposed project is required to provide 2.91 acres of parkland to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a central neighborhood park totaling 3.4 acres, a 0.66-acre primary recreation center park on the northern half of the site, a 0.33-acre garden park along the western portion of the site, and 0.27-acre pocket park located along the southern portion of the site, for a total of 4.67 acres; and

WHEREAS, CC&Rs will be prepared and recorded with the Final Map. The CC&Rs will outline the maintenance responsibilities for the open space areas, recreation amenities, drive aisles, utilities, and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities; 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 the Esperanza Specific Plan (File No. PSP05-002) Environmental Impact Report (SCH # 2002061047) certified by the City Council on February 6, 2007, 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;

WHEREAS, on August 19, 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. DAB19-043, recommending the Planning Commission approve the Application; and

WHEREAS, on August 27, 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 certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with the Esperanza Specific Plan (File No. PSP05-002) Environmental Impact Report (SCH # 2002061047) certified by the City Council on February 6, 2007.

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the 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 number of dwelling units (174) and density (21 DU/AC) specified in the Available Land Inventory. Per the Available Land Inventory, the Esperanza Specific Plan is required to provide 1,410 dwelling units with an overall density of 5-21 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 Tentative Tract Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Tract Map is located within the MDR (Medium Density Residential - 11.1 to 25 DU/AC) land use districts of the Policy Plan Land Use Map, and PA-1 (RD-7 Row Townhomes) of the Esperanza Specific Plan. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*).

(2) ***The design or improvement of the proposed Tentative Tract Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Tract Map is located within the MDR (Medium Density Residential - 11.1 to 25 DU/AC) land use districts of the Policy Plan Land Use Map, and PA-1 (RD-7 Row Townhomes) of the Esperanza Specific Plan. The proposed design or improvement of the subdivision is

consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

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

(3) ***The site is physically suitable for the type of development proposed.***

The project site meets the minimum lot area and dimensions of PA-1 (RD-7 Row Townhomes), and is physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for residential development at a density of 21 DUs/acre. The project site meets the minimum lot area and dimensions of PA-1 (RD-7 Row Townhomes) of the Esperanza Specific Plan, and is physically suitable for this proposed density/intensity of development.

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

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the related infrastructure improvements existing or proposed on the project site, are not likely to cause serious public health problems, as The project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 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 27th day of August 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 27, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT18-003 / TT 20158
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: August 27, 2019

File No: PMTT18-003 (TT 20158)

Related Files: PMTT18-002 (TT 20157), PMTT18-004 (TT 20159), PMTT18-005 (TT 20160)

Project Description: A Tentative Tract Map (File No. PMTT18-003 / TTM 20158) to subdivide 15.41 acres of land into 31 numbered lots and 15 lettered lots for residential, public streets, private lanes, landscape neighborhood edges, and common open space purposes, for properties generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7 / Row Townhomes) of the Esperanza Specific Plan. APNs: 0218-252-07 and 0218-252-08; **submitted by RWT Preserve Holdings, LLC.**

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

2.2 Subdivision Map

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

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

(c) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

2.3 General Requirements - The Project shall comply with the following general requirements:

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

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

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

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

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

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

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

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

(i) Landscaping and irrigation systems within common areas

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

(iii) Shared parking facilities and access drives

(iv) Utility and drainage easements

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

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

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

2.5 Disclosure Statements

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

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

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

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

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

2.6 Environmental Review

(a) 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. 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.

2.7 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 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.

2.8 Additional Fees

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made

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

(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.

2.9 Off-Site Subdivision Signs - The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program uses uniform sign structures and individual identification and directional signs for residential development. **No other off-site signing is authorized.** (For additional information, contact the Baldy View Chapter BIA at (909) 945-1884.

2.10 Additional Requirements

(a) All applicable conditions of approval of Development Agreement (File No. PDA19-002) and File No. PMTT18-002 (TT 20157) shall apply to this tract.

(b) All applicable conditions of approval of the Esperanza Specific Plan shall apply to this tract.

(c) Tentative Tract Map approval shall not be final and complete until such time that File No. PSPA19-005 (related Minor Specific Plan Amendment) has been approved by the Zoning Administrator.

(d) The applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for this project. The location of the mailboxes shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.

(e) The Applicant (Developer) shall be responsible for providing fiber optic cable to each home pursuant to City requirements and standards.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input checked="" type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>TM-20158</u> RELATED FILE NO(S). <u>PMTT18-003</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> </u> / <u> </u> / <u> </u>	

CITY PROJECT ENGINEER & PHONE NO: **Miguel Sotomayor (909) 395-2108 MS**

CITY PROJECT PLANNER & PHONE NO: **Jeanie Aguilo (909) 395-2418**

DAB MEETING DATE: **August 19, 2019**

PROJECT NAME / DESCRIPTION: **TM-20158, a Tentative Tract Map to subdivide 15.41 acres of land into 31 lots and 16 lettered lots, within PA 1 and 2 of the Esperanza Specific Plan**

LOCATION: **SEC of Mill Creek Avenue and Old Edison Road**

APPLICANT: **RWT Preserve Holdings, LLC**

REVIEWED BY:  8/6/19
 Bryan Lirley, P.E. Date
 Principal Engineer

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



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

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

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



(1) _____

(2) _____

- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public Improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions:
 - a. The final map shall comply with the approved Esperanza Specific Plan, the Development Agreement and the conditions of approval for this tentative tract map.
 - b. Record Tract Map 20157 (A-Map) pursuant to the Subdivision Map Act and In accordance with City Code. This project is subject to all requirements and Conditions of Approval of said map.
 - c. Lettered lots "A" through "D" and lots "AA" through "KK" shall be maintained by the HOA.
 - d. Obtain the necessary additional right-of-ways/easements beyond the tract limits necessary to construct the required public improvements identified in Section 2 of these conditions of approval.



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

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

- 2.01 Record Tract Map No. 20158 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 Submit a soils/geology report.
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other:
 - a. Vacate or obtain non-interference letters from the easement holders prior to final map approval.
- 2.10 Dedicate to the City of Ontario the right-of-way described below:



_____ feet on _____

Property line corner 'cut-back' required at the intersection of _____
and _____

2.11 Dedicate to the City of Ontario the following easement(s): _____

2.12 **New Model Colony (NMC) Developments:**

1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

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

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

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

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

2.16 Other conditions: _____



B. PUBLIC IMPROVEMENTS

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

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

Improvement	H, I, J and K Streets	Private Lot "BB"	Private Lot "AA"	Street
Curb and Gutter	<input checked="" type="checkbox"/> New; 18 ft. from C/L (both sides) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input checked="" type="checkbox"/> New; 16 ft. from C/L (both sides) <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

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

2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____



- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 **Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).**
- 2.22 **Other conditions:**
 - a. **The applicant/developer shall obtain approval from property owner along the northerly tract boundary for the proposed V-ditch. If approval cannot be obtained for the V-ditch then the applicant/developer shall grant a drainage easement along the northerly tract boundary for the historical flow.**
 - b. **Final Utility Systems Map (USM): The Tract Map shall follow the TTM-20158 USM, dated February 7, 2019, and any deviation from this plan shall require the USM to be updated and resubmitted to OMUC for review and approval. A Final USM shall be submitted for review and approval with the Potable Water, Recycled Water, and Sewer Improvement Plans.**

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - a. **Sewer Sub-Area Master Plans (SSAMPs) with Sewer Sizing Design Calculations: The Tract Map sewer mains design shall follow the TTM-20157 SSAMP, dated February 5, 2019, and any deviation from this design shall require the SSAMP to be updated and resubmitted to OMUC for review and approval.**
 - b. **The proposed sewer point of connection for this Tract map is in Mill Creek Avenue through Lot "LL" at 'E' Street within TTM-20160. The proposed sewer connection requires installation of sewer main through TTM-20159 and TTM-20160. The applicant must satisfy the following requirements for the proposed Sewer System Point of Connection:**
 - i. **The applicant/developer shall acquire public right-of-way for the sewer mains from TTM-20159 and TTM-20160 along Lot "LL", 'E' Street, 'B' Street, 'F' Street, 'G' Street, 'H' Street and 'I' Street.**
 - ii. **Consistent with the SSAMP, sewer main shall be installed south of the tract map, through TTM-20159 and TTM-20160 to Mill Creek Avenue.**



- c. **The applicant/developer shall design and construct 8-inch sewer mains throughout tract map streets sufficient to connect phased units with a point of connection to the 15-inch sewer main in Eucalyptus Avenue at Clifton Avenue and another point of connection to the 15-inch sewer main in Mill Creek Avenue.**

D. WATER

- 2.27 A _____ inch water main is available for connection by this project in _____. (Ref: Water plan bar code: _____)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions:**
 - a. **The applicant/developer shall design and construct 8-inch 925 PZ potable water mains throughout the tract map streets with a point of connection to the existing 12-inch 925 PZ potable water main in Eucalyptus Avenue at Clifton Avenue and another point of connection to the 12-inch 925 PZ potable water main in Mill Creek Avenue.**

E. RECYCLED WATER

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

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 **Other conditions:**
 - a. **The applicant/developer shall design and construct 8-inch 930 PZ recycled water mains throughout tract map streets sufficient to connect all HOA parks and HOA maintained landscaped areas with a point of connection to the 8-inch 930 PZ recycled water main in Eucalyptus Avenue at Clifton Avenue.**

F. TRAFFIC / TRANSPORTATION

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



2.37 Other conditions: _____

G. DRAINAGE / HYDROLOGY

2.38 A _____ inch storm drain main is available to accept flows from this project in _____. (Ref: Storm Drain plan bar code: _____)

2.39 **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**

2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.

2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.

2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.

2.43 **Other conditions:**
a. The applicant/developer shall design and construct the storm drain throughout the tract map required to service this project. Design and construction shall include all downstream storm drain as outlined in TM-20157 (A-Map).

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

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

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

2.46 **Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.**

2.47 Other conditions: _____



J. SPECIAL DISTRICTS

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

K. FIBER OPTIC

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

L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions:
 - a. Final Solid Waste Handling Plan (SWHP): The Tract Map shall follow the SWHP, dated February 5, 2019, and any deviation from this plan shall require the SWHP to be updated and resubmitted to OMUC for review and approval. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan.



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

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: Tract Map No. 20158

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

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



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



CITY OF ONTARIO

MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: September 10, 2018

SUBJECT: FILE #: PMTT18-003

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, September 24, 2018**.

PROJECT DESCRIPTION: A Tentative Tract Map (TT 20158) to subdivide 15.41 acres of land into 31 lots and 16 lettered (commonly-owned) lots for a total of 174 DU, generally located on the east side of Mill Creek Avenue, south of Old Edison Road, within Planning Areas 1 and 2 (RD-7/Row Townhomes and RD-4/SFD Cottages) of the Esperanza Specific Plan (APNs: 0218-252-07 and 0218-252-08).

Related: PMTT18-002 (TT20157), PMTT18-004 (TT 20159), PMTT18-005 (TT 20160)

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.

10/18/18

Landscape Planning Carolyn Bell S. Landscape Architect
Department Signature Title Date

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

DAB CONDITIONS OF APPROVAL	
Sign Off	
	10/18/18
Carolyn Bell, Sr. Landscape Planner	Date

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

D.A.B. File No.: PMTT18-003 Rev 2	Related Files:	Case Planner: Jeanie Irene Aguilo
--------------------------------------	----------------	--------------------------------------

Project Name and Location: Esperanza SP Richland Communities TM 20158 Planning Area 1 Row Town homes East of Mill Creek Ave, South of Old Edison Road

Applicant/Representative: Fusco Engineering 2858 Inland Empire Blvd. Bldg B Ontario, CA 91764
--

<input checked="" type="checkbox"/>	A Tentative Tract Map (dated 9/4/18) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Tentative Tract Map (dated) has not been approved. Corrections noted below are required prior to DAB approval.

For Site and Grading Construction Plans

1. Provide a utility clear space 8' wide in parkways 30' apart for street trees. On construction plans, move water meters, drain lines, to the minimum spacing to allow space for street trees. Show light standards 15' away from required tree locations.
2. Note decorative paving is required for all motor courts including any lots facing the parking rows aisles.
3. Show on plans step outs at parking spaces adjacent to planters; 12" wide monolithic curb, or 12" of compacted DG or pavers adjacent to the 6" curb.
4. Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
5. After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council. Typical fees are:
 - Plan Check—5 or more acres \$2,326.00
 - Inspection—Construction (up to 3 inspections) \$278.00
 - Inspection—Field - additional..... \$83.00

Once items are complete you may email an electronic set to:
landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT18-003 (TT 20158)
 Address: NEC Merrill Ave & Mill Creek Ave
 APN: 0218-252-07 & 08
 Existing Land Use: Vacant
 Proposed Land Use: A Tentative Tract Map to subdivide 15.41 acres into 31 numbered lots and 16 lettered lots
 Site Acreage: 15.41 Proposed Structure Height: N/A
 ONT-IAC Project Review: No
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Jeanie Aguilo
 Date: 4/13/18
 CD No.: 2018-016
 PALU No.: _____

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Real Estate Disclosure Required.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2018-016
PALU No.: _____

PROJECT CONDITIONS

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

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



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Assistant Planner
Planning Department

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

DATE: February 12, 2018

SUBJECT: PMTT18-003 – A Tentative Tract Map (TT 20158) to subdivide 15.41 acres of land into 31 lots and 16 lettered (commonly-owned) lots generally located on the east side of Mill Creek Avenue, south of Old Edison Road, within Planning Area 1 (RD-7/Row Townhomes) of the Esperanza Specific Plan (APNs: 0218-252-07 and 0218-252-08).

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

SITE AND BUILDING FEATURES:

- A. 2013 CBC Type of Construction: Type V-B wood frame
- B. Type of Roof Materials: Non-rated
- C. Ground Floor Area(s): Various
- D. Number of Stories: Two Story
- E. Total Square Footage: Various
- F. 2013 CBC Occupancy Classification(s): R-3, U

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300’) apart, per Engineering Department specifications.
- ☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13 D. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Homes that do not front street shall be provided with an address entry sign at the street. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.



CITY OF ONTARIO MEMORANDUM

TO: Hassan Haghani, Development Director
 Scott Murphy, Assistant Development Director (Copy of memo only)
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, Assistant City Engineer
 Carolyn Bell, Landscape Planning Division
 Ahmed Aly, Municipal Utility Company
 Doug Sorel, Police Department
 Paul Ehrman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Senior Planner
 Steve Wilson, Engineering/NPDES
 Robin Lucera, 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: February 01, 2018

SUBJECT: FILE #: PMTT18-003 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, February 15, 2018**.

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

PROJECT DESCRIPTION: A Tentative Tract Map (20158) to subdivide 15.41 acres of land into 31 lots and 16 lettered lots, within Planning Areas 1 of the Esperanza Specific Plan, generally located at the east side of Mill Creek Avenue, just south of Old Edison Road APN: 0218-252-07 and 08.

- 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	Sr. Systems Analyst	02/16/2018
Department	Signature	Title	Date

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Irene Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: February 7, 2018
SUBJECT: PMTT18-003

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm





CITY OF ONTARIO

MEMORANDUM

TO: 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
Robin Lucera, 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: February 01, 2018

SUBJECT: FILE #: PMTT18-003 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, February 15, 2018**.

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

PROJECT DESCRIPTION: A Tentative Tract Map (20158) to subdivide 15.41 acres of land into 31 lots and 16 lettered lots, within Planning Areas 1 of the Esperanza Specific Plan, generally located at the east side of Mill Creek Avenue, just south of Old Edison Road APN: 0218-252-07 and 08.

- 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

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT18-004/TT 20159, TO SUBDIVIDE 13.94 ACRES OF LAND INTO 15 NUMBERED LOTS AND 5 LETTERED LOTS RESIDENTIAL, PUBLIC STREETS, PRIVATE LANES, LANDSCAPE NEIGHBORHOOD EDGES, AND COMMON OPEN SPACE PURPOSES, FOR PROPERTIES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF MILL CREEK AVENUE AND OLD EDISON ROAD, WITHIN PA-1 (RD-8/MOTORCOURT TOWNHOMES) OF THE ESPERANZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-252-07 AND 0218-252-08.

WHEREAS, RWT PRESERVE HOLDINGS, LLC ("Applicant") has filed an Application for the approval of a Tentative Tract Map, File No. PMTT18-004 / TT 20159, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 13.94 acres of land generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, and is presently vacant; and

WHEREAS, the properties to the north of the Project site are within the Mixed Use District PA 8A, 8B, 9A, & 9B (Mixed-Use Stand Alone Residential Overlay) of the Rich Haven Specific Plan, and is presently vacant. The properties to the south are within Planning Areas PA-4 (RD-6), PA-5 (RD-5), PA-6 (RD-4), PA-7 (RD-1), PA-8 (RD-2), PA-9 (RD-1), PA-10 (RD-3, PA-11 (School) of the Esperanza Specific Plan, and are presently vacant and mass graded. The properties to the east are within the City of Eastvale and are zoned for industrial and commercial land uses. The property to the west of the project site is within the Specific Plan/Agriculture (SP/AG) zoning district and is presently vacant; and

WHEREAS, the proposed Tentative Tract Map File No. PMTT18-004 / TT 20159 will subdivide 13.94 gross acres of land into 15 numbered lots and 5 lettered lots for residential and private streets purposes; and

WHEREAS, File No. PMTT18-004 is one of three "B" Maps (File Nos. PMTT18-003 / TT 20158) and PMTT18-005 / TT 20160) that were processed concurrently with the project's "A" Map (File No. PMTT18-002 / TT 20157); and

WHEREAS, the "A" Map subdivides the overall project area to facilitate future land uses, backbone infrastructure improvements (major streets, sewer, water and storm drain facilities) and subsequent tentative maps "B" Maps that further subdivide the same parcel of land; and

WHEREAS, File No. PMTT18-004 (B Map) will allow for the development of the Motorcourt Townhomes product type and further subdivide Lots 3 and 4 of File No. PMTT18-002 (A Map). The Motorcourt Townhomes will be located along Mill Creek Avenue and total 145 residential units; and

WHEREAS, the Esperanza Specific Plan does not specify minimum unit size and minimum lot sizes for this product type; and

WHEREAS, the 15 numbered lots sizes range from 16,369 to 26,883 square feet and the 5 lettered lots will facilitate the tract's drive aisles, landscaping, and off-street parking requirements; and

WHEREAS, the "A" Map will provide access from both Mill Creek Avenue and Hamner Avenue, which runs north/south, and access from Eucalyptus Avenue, which run east/west. The "A" Map will provide the interior tract streets and private lanes that will serve the proposed "B" Map (File No. PMTT18-004); and

WHEREAS, a parking plan was completed and demonstrates that there is sufficient parking to serve the "A" Map and subsequent "B" Maps. The "A" Map requires a total of 1,062 parking spaces, in which 864 of those parking spaces would be provided within a garage. The parking plan demonstrates that a total of 1,772 spaces will be provided, exceeding the minimum requirements by 710 parking spaces. The additional parking spaces are provided throughout the site as on-street parking, driveways, and within the private drive aisles. The parking plan demonstrates that there will be an average of 4.1 parking spaces per unit; and

WHEREAS, the "A" Map will facilitate the construction of a neighborhood park, sidewalks, parkways, and open space areas for the western portion of the tract. TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of Private Park per 1,000 residents. The proposed project is required to provide 2.91 acres of parkland to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a central neighborhood park totaling 3.4 acres, a 0.66-acre primary recreation center park on the northern half of the site, a 0.33-acre garden park along the western portion of the site, and 0.27-acre pocket park located along the southern portion of the site, for a total of 4.67 acres; and

WHEREAS, Covenants, Conditions and Restrictions (CC&Rs) will be prepared and recorded with the Final Map. The CC&Rs will outline the maintenance responsibilities for the open space areas, recreation amenities, drive aisles, utilities, and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities; 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 the Esperanza Specific Plan (File No. PSP05-002) Environmental Impact Report (SCH # 2002061047) certified by the City Council on February 6, 2007, 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 August 19, 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. DAB19-044, recommending the Planning Commission approve the Application; and

WHEREAS, on August 27, 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 certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with the Esperanza Specific Plan (File No. PSP05-002) Environmental Impact Report (SCH # 2002061047) certified by the City Council on February 6, 2007.

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the 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 number of dwelling units (145) and density (16.82 DU/AC) specified in the Available Land Inventory. Per the Available Land Inventory, the Esperanza Specific Plan is required to provide 1,410 dwelling units with an overall density of 5-21 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 Tentative Tract Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Tract Map is located within the MDR (Medium Density Residential - 11.1 to 25 DU/AC) land use districts of the Policy Plan Land Use Map, and PA-1 (RD-8/Motorcourt Townhomes) of the Esperanza Specific Plan. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*).

(2) ***The design or improvement of the proposed Tentative Tract Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Tract Map is located within the MDR (Medium Density Residential - 11.1 to 25 DU/AC) land use districts of the Policy Plan Land Use Map, and PA-1 (RD-8/Motorcourt Townhomes) of the Esperanza Specific Plan. The proposed design or improvement of

the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

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

(3) ***The site is physically suitable for the type of development proposed.*** The Esperanza Specific Plan minimum unit size and minimum lot sizes are not specified for this product type, however the maximum building coverage of the area is 50 percent in which this project meets. The project site meets the intent of the minimum lot area and dimensions of PA-1 (RD-8/Motorcourt Townhomes) of the Esperanza Specific Plan, and is physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for residential development at a density of 16.82 DUs/acre. The project site meets the minimum lot area and dimensions of PA-1 (RD-8/Motorcourt Townhomes) of the Esperanza Specific Plan, and is physically suitable for this proposed density / intensity of development.

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

proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the related infrastructure improvements existing or proposed on the project site, are not likely to cause serious public health problems, as The project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 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 27th day of August 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 27, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT18-004 / TT 20159
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: August 27, 2019

File No: PMTT18-004 (TT 20159)

Related Files: PMTT18-002 (TT 20157), PMTT18-003 (TT 20158), PMTT18-005 (TT 20160)

Project Description: A Tentative Tract Map (File No. PMTT18-004 / TTM 20159) to subdivide 13.94 acres of land into 15 numbered lots and 5 lettered lots residential, public streets, private lanes, landscape neighborhood edges, and common open space purposes, for properties generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-8 / Motorcourt Townhomes) of the Esperanza Specific Plan. APNs: 0218-252-07 and 0218-252-08; **submitted by RWT Preserve Holdings, LLC.**

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

2.2 Subdivision Map

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

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

(c) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

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

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

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

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

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

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

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

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

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

(i) Landscaping and irrigation systems within common areas

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

(iii) Shared parking facilities and access drives

(iv) Utility and drainage easements

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

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

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

2.5 Disclosure Statements

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

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

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

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

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

2.6 Environmental Review

(a) 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. 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.

2.7 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 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.

2.8 Additional Fees

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made

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

(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.

2.9 Off-Site Subdivision Signs - The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program uses uniform sign structures and individual identification and directional signs for residential development. **No other off-site signing is authorized.** (For additional information, contact the Baldy View Chapter BIA at (909) 945-1884.

2.10 Additional Requirements

(a) All applicable conditions of approval of Development Agreement (File No. PDA19-002) and File No. PMTT18-002 (TT 20157) shall apply to this tract.

(b) All applicable conditions of approval of the Esperanza Specific Plan shall apply to this tract.

(c) Tentative Tract Map approval shall not be final and complete until such time that File No. PSPA19-005 (related Minor Specific Plan Amendment) has been approved by the Zoning Administrator.

(d) The applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for this project. The location of the mailboxes shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.

(e) The Applicant (Developer) shall be responsible for providing fiber optic cable to each home pursuant to City requirements and standards.



ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

<input type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input checked="" type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>TM-20159</u> RELATED FILE NO(S). <u>PMTT18-004</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> </u> / <u> </u> / <u> </u>	

CITY PROJECT ENGINEER & PHONE NO: Miguel Sotomayor (909) 395-2108 *MS*

CITY PROJECT PLANNER & PHONE NO: Jeanie Aguilo (909) 395-2418

DAB MEETING DATE: August 19, 2019

PROJECT NAME / DESCRIPTION: TM-20159, a Tentative Tract Map to subdivide 13.94 acres of land into 15 lots and 5 lettered lots, within PA 1 and 2 of the Esperanza Specific Plan

LOCATION: SEC of Mill Creek Avenue and Old Edison Road

APPLICANT: RWT Preserve Holdings, LLC

REVIEWED BY: *Bryan Lirley* *8/6/19*
 Bryan Lirley, P.E. Date
 Principal Engineer

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



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

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 1.02 Dedicate to the City of Ontario, the following easement(s):
 - a. 24' Public Utility and Access Easement on Lot "AA" and Lot "BB" as shown on this tentative tract map.
- 1.03 Restrict vehicular access to the site as follows:
 - a. Access to subdivision shall only be granted at those locations shown in the approved tentative map and the Esperanza Specific Plan or otherwise approved by the City Engineer.
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards. The Solid Waste Handling Plan, shall be included in the CC&R's with a provision that the HOA will enforce the can collections placement requirements of this Plan.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.



(1) _____

(2) _____

- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions:
 - a. The final map shall comply with the approved Esperanza Specific Plan, the Development Agreement and the conditions of approval for this tentative tract map.
 - b. Record Tract Map 20157 (A-Map) pursuant to the Subdivision Map Act and in accordance with City Code. This project is subject to all requirements and Conditions of Approval of said map.
 - c. Lettered lots "A" through "C" and lots "AA" and "BB" shall be maintained by the HOA.
 - d. Obtain the necessary additional right-of-ways/easements beyond the tract limits necessary to construct the required public improvements identified in Section 2 of these conditions of approval.



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

A. GENERAL

(Permits includes Grading, Building, Demolition and Encroachment)

- 2.01 Record Tract Map No. 20159 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.**
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.**
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario**
per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____.**
- 2.05 Apply for a:** Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.**
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.**
- 2.08 Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other:**
 - a. Vacate or obtain non-interference letters from the easement holders prior to final map approval.**



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

- 2.12 **New Model Colony (NMC) Developments:**
 - 1) **Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.**
 - 2) **Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.**
 - 3) **Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.**
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department.**
- 2.16 Other conditions: _____



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

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

Improvement	H, I and G Streets	Private Lot "BB"	Private Lot "AA"	Street
Curb and Gutter	<input checked="" type="checkbox"/> New; 18 ft. from C/L (both sides) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; 24 ft. from C/L (both sides) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input checked="" type="checkbox"/> New; 16 ft. from C/L (both sides) <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> New; 22 ft. from C/L (both sides) <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

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

2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____



- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 **Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).**
- 2.22 **Other conditions:**
 - a. **Final Utility Systems Map (USM):** The Tract Map shall follow the TTM-20159 USM, dated February 7, 2019, and any deviation from this plan shall require the USM to be updated and resubmitted to OMUC for review and approval. A Final USM shall be submitted for review and approval with the Potable Water, Recycled Water, and Sewer Improvement Plans.

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - a. **Sewer Sub-Area Master Plans (SSAMPs) with Sewer Sizing Design Calculations:** The Tract Map sewer mains design shall follow the TTM-20157 SSAMP, dated February 5, 2019, and any deviation from this design shall require the SSAMP to be updated and resubmitted to OMUC for review and approval.
 - b. **The proposed sewer point of connection for this Tract map is in Mill Creek Avenue through Lot "LL" at 'E' Street within TTM-20160. The proposed sewer connection requires installation of sewer main through TTM-20160. The applicant must satisfy the following requirements for the proposed Sewer System Point of Connection:**
 - i. **The applicant/developer shall acquire public right-of-way for the sewer mains from TTM-20160 along Lot "LL", 'E' Street, 'B' Street, 'F' Street, 'G' Street.**
 - ii. **Consistent with the SSAMP, sewer main shall be installed south of the tract map, through TTM-20160 to Mill Creek Avenue.**
 - iii. **The Sewer System shall be designed to accept flows from the tract to the north TTM-20158 at 'H' Street. If TTM-20158 develops prior to this tract map, the applicant shall provide right-of-ways/easements along 'H' Street and 'G' Street for the sewer mains to sewer TTM-20158.**
 - c. **The applicant/developer shall design and construct 8-inch sewer mains throughout tract map streets sufficient to connect phased units with a point of connection to the 15-inch sewer main in Mill Creek Avenue.**



D. WATER

- 2.27 A _____ inch water main is available for connection by this project in _____ (Ref: Water plan bar code: _____)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions:**
 - a. **The applicant/developer shall design and construct 8-inch 925 PZ potable water mains throughout the tract map streets with a point of connection to the existing 12-Inch 925 PZ potable water main in Eucalyptus Avenue at Clifton Avenue and another point of connection to the 12-inch 925 PZ potable water main in Mill Creek Avenue.**

E. RECYCLED WATER

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

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 **Other conditions:**
 - a. **The applicant/developer shall design and construct 8-inch 930 PZ recycled water mains throughout tract map streets sufficient to connect all HOA parks and HOA maintained landscaped areas with a point of connection to the 8-inch 930 PZ recycled water main in Eucalyptus Avenue at Clifton Avenue.**

F. TRAFFIC / TRANSPORTATION

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



G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____.
 (Ref: Storm Drain plan bar code:_____)
- 2.39 **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 **Other conditions:**
 - a. **The applicant/developer shall design and construct the storm drain throughout the tract map required to service this project. Design and construction shall include all downstream storm drain as outlined in TM-20157 (A-Map).**

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

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



J. SPECIAL DISTRICTS

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

K. FIBER OPTIC

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

L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions:
- a. Final Solid Waste Handling Plan (SWHP): The Tract Map shall follow the SWHP, dated February 5, 2019, and any deviation from this plan shall require the SWHP to be updated and resubmitted to OMUC for review and approval. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan.



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

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: Tract Map No. 20159

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

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



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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT18-004 (TT 20159)
 Address: NEC Merrill Ave & Mill Creek Ave
 APN: 0218-252-07, 08 & 09
 Existing Land Use: Vacant
 Proposed Land Use: A Tentative Tract Map to subdivide 81.35 acres into 15 numbered lots and 5 lettered lots
 Site Acreage: 81.35 Proposed Structure Height: N/A
 ONT-IAC Project Review: No
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Jeanie Aguilo
 Date: 4/13/18
 CD No.: 2018-014
 PALU No.: _____

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Real Estate Disclosure Required.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2018-014
PALU No.: _____

PROJECT CONDITIONS

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

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



CITY OF ONTARIO

MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: September 10, 2018

SUBJECT: FILE #: PMTT18-004

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, September 24, 2018**.

PROJECT DESCRIPTION: A Tentative Tract Map (TT 20159) to subdivide 13.94 acres of land into 15 lots and 5 lettered (commonly-owned) lots for a total of 145 DU, generally located on the east side of Mill Creek Avenue, south of Old Edison Road, within Planning Area 2 and Park 1 (RD-4/SFD Cottages) of the Esperanza Specific Plan (APNs: 0218-252-07 and 0218-252-08).

Related: PMTT18-002 (TT20157), PMTT18-003 (TT 20158), PMTT18-005 (TT 20160)

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.

10/18/18

Landscape Planning *Carolyn Bell* Landscape Architect
Department Signature Title Date

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

DAB CONDITIONS OF APPROVAL	
Sign Off	
	10/18/18
Carolyn Bell, Sr. Landscape Planner	Date

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

D.A.B. File No.: PMTT18-004 Rev 2	Related Files:	Case Planner: Jeanie Irene Aguilo
--------------------------------------	----------------	--------------------------------------

Project Name and Location:
 Esperanza Planning Area 2 and Park 1, Cluster Homes
 TM 20159, E Mill Creek Ave, S Old Edison Rd

Applicant/Representative:
 Fusco Engineering/ RWT Preserve Holdings.
 3161 Michelson Dr. ste. 425
 Irvine, CA 92612

<input checked="" type="checkbox"/>	A Tentative Tract Map (dated 9/4/18) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Tentative Tract Map (dated) has not been approved. Corrections noted below are required prior to DAB approval.

CORRECTIONS REQUIRED

1. Provide a utility clear space 8' wide in parkways 30' apart for street trees. On construction plans, move water meters, drain lines, to the minimum spacing to allow space for street trees. Show light standards 15' away from required tree locations.
2. Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
3. After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council. Typical fees are:
 - Plan Check—5 or more acres \$2,326.00
 - Inspection—Construction (per phase up to 3 inspections) \$278.00
 - Inspection—Field - additional..... \$83.00

Once items are complete you may email an electronic set to:
landscapeplancheck@ontarioca.gov



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Assistant Planner
Planning Department

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

DATE: February 12, 2018

SUBJECT: PMTT18-004 – A Tentative Tract Map (TT 20159) to subdivide 81.35 acres of land into 15 lots and 5 lettered (commonly-owned) lots generally located at the northeast corner of Merrill Avenue and Mill Creek Avenue, within Planning Areas 1 and 2 (RD-7 and RD-4) of the Esperanza Specific Plan (APNs: 0218-252-07, 0218-252-08 and 0218-252-09).

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

SITE AND BUILDING FEATURES:

- A. 2013 CBC Type of Construction: Type V-B wood frame
- B. Type of Roof Materials: Non-rated
- C. Ground Floor Area(s): Various
- D. Number of Stories: Two Story
- E. Total Square Footage: Various
- F. 2013 CBC Occupancy Classification(s): R-3, U

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300’) apart, per Engineering Department specifications.
- ☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13 D. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Homes that do not front street shall be provided with an address entry sign at the street. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.

CITY OF ONTARIO

MEMORANDUM

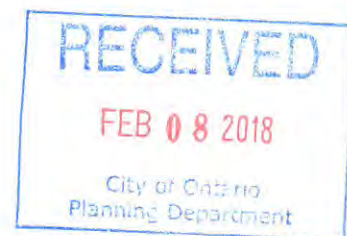
TO: PLANNING DEPARTMENT, Jeanie Irene Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: February 7, 2018
SUBJECT: PMTT18-004

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm





CITY OF ONTARIO

MEMORANDUM

TO: 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
Robin Lucera, 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: February 01, 2018

SUBJECT: FILE #: PMTT18-004 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, February 15, 2018**.

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

PROJECT DESCRIPTION: A Tentative Tract Map (20159) to subdivide 81.35 acres of land into 15 lots and 5 lettered lots, within Planning Area 1 of the Esperanza Specific Plan, generally located at the northeast corner of Merrill Avenue and Mill Creek Avenue: 0218-252-07,08 and 09.

- 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: Hassan Haghani, Development Director
 Scott Murphy, Assistant Development Director (Copy of memo only)
 Cathy Wahistrom, 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
 Robin Lucera, 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: February 01, 2018

SUBJECT: FILE #: PMTT18-004 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, February 15, 2018**.

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

PROJECT DESCRIPTION: A Tentative Tract Map (20159) to subdivide 81.35 acres of land into 15 lots and 5 lettered lots, within Planning Area 1 of the Esperanza Specific Plan, generally located at the northeast corner of Merrill Avenue and Mill Creek Avenue: 0218-252-07,08 and 09.

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

POLICE
Department

DOUGLAS SOREL
Signature

MANAGEMENT ANALYST
Title

2/14/18
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
 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
 Robin Lucera, 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: February 01, 2018

SUBJECT: FILE #: PMTT18-004 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, February 15, 2018**.

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

PROJECT DESCRIPTION: A Tentative Tract Map (20159) to subdivide 81.35 acres of land into 15 lots and 5 lettered lots, within Planning Area 1 of the Esperanza Specific Plan, generally located at the northeast corner of Merrill Avenue and Mill Creek Avenue: 0218-252-07,08 and 09.

- 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

Sr. Systems Analyst 02/16/2018

Department

Signature

Title

Date

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT18-005/TT 20160, TO SUBDIVIDE 22.84 ACRES OF LAND INTO 113 NUMBERED LOTS AND 32 LETTERED LOTS FOR RESIDENTIAL, PUBLIC STREETS, PRIVATE LANES, LANDSCAPE NEIGHBORHOOD EDGES, AND COMMON OPEN SPACE PURPOSES, FOR PROPERTIES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF MILL CREEK AVENUE AND OLD EDISON ROAD, WITHIN PA-2 (RD-6/6-PACK COURTYARD HOMES) OF THE ESPERANZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-252-07 AND 0218-252-08.

WHEREAS, RWT PRESERVE HOLDINGS, LLC ("Applicant") has filed an Application for the approval of a Tentative Tract Map, File No. PMTT18-005 / TT 20160, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 22.84 acres of land generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, and is presently vacant; and

WHEREAS, the properties to the north of the Project site are within the Mixed Use District PA 8A, 8B, 9A, & 9B (Mixed-Use Stand Alone Residential Overlay) of the Rich Haven Specific Plan, and is presently vacant. The properties to the south are within Planning Areas PA-4 (RD-6), PA-5 (RD-5), PA-6 (RD-4), PA-7 (RD-1), PA-8 (RD-2), PA-9 (RD-1), PA-10 (RD-3), PA-11 (School) of the Esperanza Specific Plan, and are presently vacant and mass graded. The properties to the east are within the City of Eastvale and are zoned for industrial and commercial land uses. The property to the west of the project site is within the Specific Plan/Agriculture (SP/AG) zoning district and is presently vacant; and

WHEREAS, the proposed Tentative Tract Map File No. PMTT18-005 / TT 20160 will subdivide 22.84 gross acres of land into 113 numbered lots and 32 lettered lots for residential and private streets purposes; and

WHEREAS, File No. PMTT18-005 is one of three "B" Maps (File Nos. PMTT18-003 / TTM 20160) and PMTT18-004 / TT 20159) that were processed concurrently with the project's "A" Map (File No. PMTT18-002 / TT 20157); and

WHEREAS, the "A" Map subdivides the overall project area to facilitate future land uses, backbone infrastructure improvements (major streets, sewer, water and storm drain

facilities) and subsequent tentative maps “B” Maps that further subdivide the same parcel of land; and

WHEREAS, File No. PMTT18-005 (B Map) allow for the development of the 6-Pack Courtyard Homes product type and further subdivide Lots 5 of File No. PMTT18-002 (A Map). The 6-Pack Courtyard Homes will be northeast corner of Mill Creek Avenue and Chatham Street and total 113 residential units; and

WHEREAS, the Esperanza Specific Plan requires 6-Pack courtyard homes to maintain a minimum lot size of 2,200 square feet; and

WHEREAS, the 113 numbered lots sizes range from 3,135 to 8,856 square feet and the 32 lettered lots will facilitate the tract’s drive aisles, landscaping, and off-street parking requirements; and

WHEREAS, the “A” Map will provide access from both Mill Creek Avenue and Hamner Avenue, which runs north/south, and access from Eucalyptus Avenue, which run east/west. The “A” Map will provide the interior tract streets and private lanes that will serve the proposed “B” Map (File No. PMTT18-005); and

WHEREAS, a parking plan was completed and demonstrates there is sufficient parking to serve the “A” Map and subsequent “B” Maps. The “A” Map requires a total of 1,062 parking spaces, in which 864 of those parking spaces would be provided within a garage. The parking plan demonstrates that a total of 1,772 spaces will be provided, exceeding the minimum requirements by 710 parking spaces. The additional parking spaces are provided throughout the site as on-street parking, driveways, and within the private drive aisles. The parking plan demonstrates that there will be an average of 4.1 parking spaces per unit; and

WHEREAS, the “A” Map will facilitate the construction of a neighborhood park, sidewalks, parkways, and open space areas for the western portion of the tract. TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of Private Park per 1,000 residents. The proposed project is required to provide 2.91 acres of parkland to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a central neighborhood park totaling 3.4 acres, a 0.66-acre primary recreation center park on the northern half of the site, a 0.33-acre garden park along the western portion of the site, and 0.27-acre pocket park located along the southern portion of the site, for a total of 4.67 acres; and

WHEREAS, Covenants, Conditions and Restrictions (CC&Rs) will be prepared and recorded with the Final Map. The CC&Rs will outline the maintenance responsibilities for the open space areas, recreation amenities, drive aisles, utilities, and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities; 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 the Esperanza Specific Plan (File No. PSP05-002) Environmental Impact Report (SCH # 2002061047) certified by the City Council on February 6, 2007, 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 August 19, 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. DAB19-045, recommending the Planning Commission approve the Application; and

WHEREAS, on August 27, 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 certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with the Esperanza Specific Plan (File No. PSP05-002) Environmental Impact Report (SCH # 2002061047) certified by the City Council on February 6, 2007.

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the 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 number of dwelling units (113) and density (10.96 DU/AC) specified in the Available Land Inventory. Per the Available Land Inventory, the Esperanza Specific Plan is required to provide 1,410 dwelling units with an overall density of 5-21 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 Tentative Tract Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Tract Map is located within the LDR (Low Density Residential - 2 to 5 DU/AC) land use district of the Policy Plan Land Use Map, and PA-2 (RD-6/6-Pack Courtyard Homes) of the Esperanza Specific Plan. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*).

(2) ***The design or improvement of the proposed Tentative Tract Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Tract Map is located within the LDR (Low Density Residential - 2 to 5 DU/AC) land use district of the Policy Plan Land Use Map, and PA-2 (RD-6/6-Pack Courtyard Homes) of the Esperanza Specific Plan. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General

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

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

(3) ***The site is physically suitable for the type of development proposed.*** The project site meets the minimum lot area and dimensions of the PA-2 (RD-6/6-Pack Courtyard Homes) of the Esperanza Specific Plan, and is physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for residential development at a density of 10.96 DUs/acre. The project site meets the minimum lot area and dimensions of the PA-2 (RD-6/6-Pack Courtyard Homes) of the Esperanza Specific Plan, and is physically suitable for this proposed density / intensity of development.

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

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the related infrastructure improvements existing or proposed on the project site, are not likely to cause serious public health problems, as The project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 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 27th day of August 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 27, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT18-005 / TT 20160
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: August 27, 2019

File No: PMTT18-005 (TT 20160)

Related Files: PMTT18-002 (TT 20157), PMTT18-003 (TT 20158), PMTT18-004 (TT 20159)

Project Description: A Tentative Tract Map (File No. PMTT18-005 / TTM 20160) to subdivide 22.84 acres of land into 113 numbered lots and 29 lettered lots for residential, public streets, private lanes, landscape neighborhood edges, and common open space purposes, for properties generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-2 (RD-6 / 6-Pack Courtyard Homes) of the Esperanza Specific Plan. APNs: 0218-252-07 and 0218-252-08; **submitted by RWT Preserve Holdings, LLC.**

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

2.2 Subdivision Map

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

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

(c) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

2.3 General Requirements - The Project shall comply with the following general requirements:

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

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

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

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

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

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

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

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

(i) Landscaping and irrigation systems within common areas

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

(iii) Shared parking facilities and access drives

(iv) Utility and drainage easements

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

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

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

2.5 Disclosure Statements

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

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

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

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

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

2.6 Environmental Review

(a) 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. 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.

2.7 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 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.

2.8 Additional Fees

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made

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

(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.

2.9 Off-Site Subdivision Signs - The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program uses uniform sign structures and individual identification and directional signs for residential development. **No other off-site signing is authorized.** (For additional information, contact the Baldy View Chapter BIA at (909) 945-1884.

2.10 Additional Requirements

(a) All applicable conditions of approval of Development Agreement (File No. PDA19-002) and File No. PMTT18-002 (TT 20157) shall apply to this tract.

(b) All applicable conditions of approval of the Esperanza Specific Plan shall apply to this tract.

(c) Tentative Tract Map approval shall not be final and complete until such time that File No. PSPA19-005 (related Minor Specific Plan Amendment) has been approved by the Zoning Administrator.

(d) The applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for this project. The location of the mailboxes shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.

(e) The Applicant (Developer) shall be responsible for providing fiber optic cable to each home pursuant to City requirements and standards.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input checked="" type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>TM-20160</u> RELATED FILE NO(S). PMTT18-005	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Miguel Sotomayor (909) 395-2108 *MS*

CITY PROJECT PLANNER & PHONE NO: Jeanie Aguilo (909) 395-2418

DAB MEETING DATE: August 19, 2019

PROJECT NAME / DESCRIPTION: TM-20160, a Tentative Tract Map to subdivide 22.84 acres of land into 113 lots and 29 lettered lots, within PA 2 of the Esperanza Specific Plan

LOCATION: SEC of Mill Creek Avenue and Old Edison Road

APPLICANT: RWT Preserve Holdings, LLC

REVIEWED BY: *Bryan Lirley* *8/6/19*
 Bryan Lirley, P.E. Date
 Principal Engineer

APPROVED BY: *Raymond Lee* *8/18/19*
 Raymond Lee, P.E. Date
 Assistant City Engineer



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

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

- 1.01 Dedicate to the City of Ontario, the right-of-way in fee simple, described below:**
 - a. 'B' through 'F' Streets to the full ultimate right-of-way width of 60 feet.
 - b. Properly line corner cut-back at all street intersections within the tract boundaries.

- 1.02 Dedicate to the City of Ontario, the following easement(s):**
 - a. 20' Public Utility and Access Easement on Lot "HH" and Lot "LL" as shown on this tentative tract map.
 - b. 24' Fiber Optic and Access Easement on Lots "AA" through "SS".

- 1.03 Restrict vehicular access to the site as follows:**
 - a. Access to subdivision shall only be granted at those locations shown in the approved tentative map and the Esperanza Specific Plan or otherwise approved by the City Engineer.

- 1.04 Vacate the following street(s) and/or easement(s):** _____

- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.**

- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards. The Solid Waste Handling Plan, shall be included in the CC&R's with a provision that the HOA will enforce the can collections placement requirements of this Plan.**

- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.**

- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment**



processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.

(1) _____

(2) _____

- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions:
 - a. The final map shall comply with the approved Esperanza Specific Plan, the Development Agreement and the conditions of approval for this tentative tract map.
 - b. Record Tract Map 20157 (A-Map) pursuant to the Subdivision Map Act and in accordance with City Code. This project is subject to all requirements and Conditions of Approval of said map.
 - c. Lettered Lots "A" through "M" and Lots "AA" through "SS" shall be maintained by the HOA.
 - d. Obtain the necessary additional right-of-ways/easements beyond the tract limits necessary to construct the required public improvements identified in Section 2 of these conditions of approval.



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

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

- 2.01 Record Tract Map No. 20160 pursuant to the Subdivision Map Act and In accordance with the City of Ontario Municipal Code.**
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.**
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____.**
- 2.05 Apply for a:** Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.**
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.**
- 2.08 Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other:**
 - a. Vacate or obtain non-interference letters from the easement holders prior to final map approval.**



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

- 2.12 **New Model Colony (NMC) Developments:**
 - 1) **Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.**
 - 2) **Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.**
 - 3) **Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.**
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department.**
- 2.16 Other conditions: _____



B. PUBLIC IMPROVEMENTS

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

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

Improvement	B through H Streets	Private Lot "HH" and "LL"	Street	Street
Curb and Gutter	<input checked="" type="checkbox"/> New; 18 ft. from C/L (both sides) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input checked="" type="checkbox"/> New; 16 ft. from C/L (both sides) <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

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

2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____



- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 **Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).**
- 2.22 **Other conditions:**
 - a. **Final Utility Systems Map (USM): The Tract Map shall follow the TTM-20160 USM, dated February 7, 2019, and any deviation from this plan shall require the USM to be updated and resubmitted to OMUC for review and approval. A Final USM shall be submitted for review and approval with the Potable Water, Recycled Water, and Sewer Improvement Plans.**

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - a. **Sewer Sub-Area Master Plans (SSAMPs) with Sewer Sizing Design Calculations: The Tract Map sewer mains design shall follow the TTM-20157 SSAMP, dated February 5, 2019, and any deviation from this design shall require the SSAMP to be updated and resubmitted to OMUC for review and approval.**
 - b. **The proposed sewer point of connection for this Tract map is in Mill Creek Avenue through Lot "LL" at 'E' Street. The applicant must satisfy the following requirements for the proposed Sewer System Point of Connection:**
 - i. **Consistent with the SSAMP, sewer main shall be installed south of the tract map, through TTM-20160 to Mill Creek Avenue.**
 - ii. **The Sewer System shall be designed to accept flows from the tracts to the north TTM-20158 and TTM-20159. If TTM-20158 and/or TTM-20159 develops prior to this tract map, the applicant shall provide right-of-ways/easements along 'F' Street, 'C' Street, 'B' Street, 'E' Street, and Lot "LL" for the sewer mains to sewer said maps.**
 - c. **The applicant/developer shall design and construct 8-inch sewer mains throughout tract map streets sufficient to connect phased units with a point of connection to the 15-inch sewer main in Mill Creek Avenue.**



D. WATER

- 2.27 A _____ inch water main is available for connection by this project in _____ (Ref: Water plan bar code: _____)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions:**
 - a. **The applicant/developer shall design and construct 8-inch 925 PZ potable water mains throughout the tract map streets with a point of connection to the existing 12-inch 925 PZ potable water main in Eucalyptus Avenue at Clifton Avenue and Amherst Avenue and another point of connection to the 12-inch 925 PZ potable water main in Mill Creek Avenue.**

E. RECYCLED WATER

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

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 **Other conditions:**
 - a. **The applicant/developer shall design and construct 8-inch 930 PZ recycled water mains throughout tract map streets sufficient to connect all HOA parks and HOA maintained landscaped areas with a point of connection to the 12-inch 930 PZ recycled water main in Mill Creek Avenue at 'G' Street.**

F. TRAFFIC / TRANSPORTATION

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



G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____.
 (Ref: Storm Drain plan bar code: _____)
- 2.39 **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 **Other conditions:**
 - a. **The applicant/developer shall design and construct the storm drain throughout the tract map required to service this project. Design and construction shall include all downstream storm drain as outlined in TM-20157 (A-Map).**

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

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



J. SPECIAL DISTRICTS

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

K. FIBER OPTIC

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

L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:

<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions:
 - a. Final Solid Waste Handling Plan (SWHP): The Tract Map shall follow the SWHP, dated February 5, 2019, and any deviation from this plan shall require the SWHP to be updated and resubmitted to OMUC for review and approval. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan.
 - b. The applicant/developer shall provide the buyers of Lots 40 through 48, Lots 64 through 66, Lots 13 through 21, and any lots located more than 250 linear feet from the can collection area an informational disclosure with a map exhibit showing the designated can placement locations for collections of these lots, based upon the designated collections locations on the Solid Waste Handling Plan, dated February 5, 2019. This informational disclosure with map exhibit shall be submitted with Precise Grading Plan for review and approval of Ontario Municipal Utility Company.



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

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: Tract Map No. 20160

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

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



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



CITY OF ONTARIO

MEMORANDUM

TO: 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: Jeanie Irene Aguilo, Assistant Planner

DATE: January 07, 2019

SUBJECT: FILE #: PMTT18-005

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, January 21, 2019**.

PROJECT DESCRIPTION: A Tentative Tract Map (TT 20160) to subdivide 22.84 acres of land into 113 lots and 29 lettered (commonly-owned) lots (Single Family Dwelling units), generally located at the east side of Mill Creek Avenue, south of Old Edison Road, within Planning Area 2 (RD-4/SFD Cottages) of the Esperanza Specific Plan (APNs: 0218-252-07 and 0218-252-08).

Related: PMTT18-002 (TT20157), PMTT18-003 (TT 20158), PMTT18-004 (TT 20159)

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.

2/1/19
Landscape Planning Carolyn Bell S. Landscape Architect
Department Signature Title Date

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

DAB CONDITIONS OF APPROVAL	
Sign Off	
	2/1/19
Carolyn Bell, Sr. Landscape Planner	Date

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

D.A.B. File No.: PMTT18-005 Rev 3	Related Files:	Case Planner: Jeanie Irene Aguilo
--------------------------------------	----------------	--------------------------------------

Project Name and Location: Esperanza Planning Area 2 – SF homes - clusters TM 20160, E Mill Creek Ave, S Old Edison Rd
--

Applicant/Representative: Fusco Engineering/ RWT Preserve Holdings. 3161 Michelson Dr. ste. 425 Irvine, CA 92612

<input checked="" type="checkbox"/>	A Tentative Tract Map (dated 1/7/19) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Tentative Tract Map (dated) has not been approved. Corrections noted below are required prior to DAB approval.

On Construction Plans:

- Note decorative paving for all motor courts including the lots facing the parking rows aisles.
- Correct landscape concept plans to meet the standards of the Landscape Development Guidelines.
- Landscaped slopes to be max 3:1. Correct sections and plans with 2:1 slopes.
- Show light standards 15' away from required tree locations.
- Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
- After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council. Fees are:

Plan Check—5 or more acres	\$2,326.00
Inspection—Construction (per phase up to 3 inspections)	\$278.00
Total.....	\$1579.00
Inspection—Field - additional.....	\$83.00

Construction plans with plan check number in title and subject line may be emailed to:

landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT18-005 (TT 20160)

Address: NEC Merrill Ave & Mill Creek Ave

APN: 0218-252-07 & 08

Existing Land Use: Vacant

Proposed Land Use: A Tentative Tract Map to subdivide 22.84 acres into 113 numbered lots and 29 lettered lots

Site Acreage: 22.84 Proposed Structure Height: N/A

ONT-IAC Project Review: No

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 4/13/18

CD No.: 2018-013

PALU No.: _____

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Real Estate Disclosure Required.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2018-013
PALU No.: _____

PROJECT CONDITIONS

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

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



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Assistant Planner
Planning Department

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

DATE: February 12, 2018

SUBJECT: PMTT18-005 – A Tentative Tract Map (TT 20160) to subdivide 22.84 acres of land into 113 lots generally located at the northeast corner of Merrill Avenue and Mill Creek Avenue, within Planning Area 2 (RD-4) of the Esperanza Specific Plan (APNs: 0218-252-07 and 0218-252-08).

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

SITE AND BUILDING FEATURES:

- A. 2013 CBC Type of Construction: Type V-B wood frame
- B. Type of Roof Materials: Non-rated
- C. Ground Floor Area(s): Various
- D. Number of Stories: Two Story
- E. Total Square Footage: Various
- F. 2013 CBC Occupancy Classification(s): R-3, U

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300’) apart, per Engineering Department specifications.
- ☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13 D. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Homes that do not front street shall be provided with an address entry sign at the street. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Irene Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: February 7, 2018
SUBJECT: PMTT18-005

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm





CITY OF ONTARIO

MEMORANDUM

TO: 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 Ehman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Senior Planner
Steve Wilson, Engineering/NPDES
Robin Lucera, 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: February 01, 2018

SUBJECT: FILE #: PMTT18-005 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, February 15, 2018**.

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

PROJECT DESCRIPTION: A Tentative Tract Map (20160) to subdivide 22.84 acres of land into 113 lots and 29 lettered lots, within Planning Areas 10 of the Esperanza Specific Plan, generally located at the northeast corner of Merrill Avenue and Mill Creek Avenue: 0218-25207 and 08.

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

POLICE
Department

DOUGLAS SOREL
Signature

MANAGEMENT ANALYST
Title

2/14/18
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
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
Robin Lucera, 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: February 01, 2018

SUBJECT: FILE #: PMTT18-005

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, February 15, 2018**.

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

PROJECT DESCRIPTION: A Tentative Tract Map (20160) to subdivide 22.84 acres of land into 113 lots and 29 lettered lots, within Planning Areas 10 of the Esperanza Specific Plan, generally located at the northeast corner of Merrill Avenue and Mill Creek Avenue: 0218-25207 and 08.

- 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

Sr Systems Analyst

02/16/2018

Department

Signature

Title

Date



**PLANNING COMMISSION
STAFF REPORT**
August 27, 2019

FILE NO.: PDA19-002

SUBJECT: A Development Agreement (File No. PDA19-002) between the City of Ontario and SLV LC Center, LLC; HCW LC Center, LLC; Strack Farms Land, LLC; RHV Edison Avenue, LLC; MV Edison Avenue, LLC; and EPC Holdings 938, LLC, to establish the terms and conditions for the development of Tentative Tract Map 20157 (File No. PMTT18-002), for property located at the southeast corner of Mill Creek Avenue and Old Edison Road within Planning Areas 1 through 4 (RD-4, RD-6, RD-7, and RD-8) of the Esperanza Specific Plan (APNs: 0218-252-07, 0218-252-08, 0218-252-09, 0218-252-10). **Submitted by Richland Communities. City Council action is required.**

PROPERTY OWNER: SLV LC Center, LLC, a Florida limited liability company; HCW LC Center, LLC, a Florida limited liability company; Strack Farms Land, LLC, a Delaware limited liability company; RHV Edison Avenue, LLC, a Florida limited liability company; MV Edison Avenue, LLC, a Florida limited liability company; and EPC Holdings 938, LLC, a Washington limited liability company.

RECOMMENDED ACTION: That the Planning Commission recommend City Council adoption of an ordinance approving the Development Agreement (File No. PDA19-002), between the City of Ontario and SLV LC Center, LLC; HCW LC Center, LLC; Strack Farms Land, LLC; RHV Edison Avenue, LLC; MV Edison Avenue, LLC; and EPC Holdings 938, LLC, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT SETTING: The project site is comprised of 81.35 acres of land located at southeast corner of Mill Creek Avenue and Old Edison Road, within Planning Areas 1 through 4 (RD-4, RD-6, RD-7, and RD-8) of the Esperanza Specific Plan, and is depicted in **Figure 1: Project Location**. The Project site is bounded by Old Edison Road to the north, Eucalyptus Avenue to the south, Hamner Avenue to the east, and



Figure 1: Project Location

Case Planner:	Derrick Womble, Administrative Officer
Planning Director Approval:	
Submittal Date:	March 13, 2019

Hearing Body	Date	Decision	Action
DAB	N/A	N/A	N/A
PC	08/27/2019		Recommend
CC	09/17/2019		Final

Mill Creek Avenue to the west. The property to the north is located within the Mixed Used zoning designation of the Rich-Haven Specific Plan and is currently vacant. The property to the south is within the Low-Density Residential zoning designation of the Esperanza Specific Plan and is currently developed with single-family residences. The property to the east is located within the City of Eastvale and is currently developed with commercial/industrial uses. The property to the west is within the Agricultural Overlay and presently used for dairy and agriculture uses.

PROJECT ANALYSIS:

[1] Background — On February 6, 2007, the City Council adopted the Esperanza Specific Plan, File No. PSP05-002 (“Specific Plan”) and certified the Environmental Impact Report (EIR) for the Specific Plan. The Specific Plan establishes the land use designations, development standards, design guidelines, and infrastructure improvements for 223 acres of land, which includes the potential development of 1,410 dwelling units, landscaped neighborhood edges, parks, and proposed elementary school.

The Ontario Ranch financial commitments required for construction of properties within a specific plan are substantial. Therefore, in order to adequately forecast these costs and gain assurance that the project may proceed under the existing policies, rules, and regulations, SLV LC Center, LLC; HCW LC Center, LLC; Strack Farms Land, LLC; RHV Edison Avenue, LLC; MV Edison Avenue, LLC; and EPC Holdings 938, LLC (“Owner”) have requested that the City enter into negotiations to create a Development Agreement.

In accordance with California Government Code Section 65865, which in part states that that “[a]ny 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...” and California Government Code Section 65865.52, which in part states that “a Development Agreement shall specify the duration of the Agreement, the permitted uses of the property... and may include conditions, terms, restrictions...,” the City of Ontario adopted Resolution No. 2002-100 setting forth the procedures and requirements for consideration of Development Agreements. Furthermore, the Financing and Construction Agreement with the NMC Builders, LLC (NMC Builders), requires those developments wishing to use the infrastructure it created to enter into Development Agreements with the City of Ontario. Pursuant to these procedures and requirements, staff entered into negotiations with the Owner to create a Development Agreement for consideration by the Planning Commission and City Council.

The proposed Development Agreement is based upon the model Development Agreement that was developed in coordination with the City Attorney and legal counsel for NMC Builders, LLC. This model Development Agreement is consistent with the provisions of the Construction Agreement. The terms of the agreement between NMC Builders, LLC, members requires that members of the LLC enter into Development Agreements that are consistent with the provisions of the Construction Agreement.

[2] Staff Analysis – The Development Agreement proposes to include 81.35 acres of land within Planning Areas 1 through 4 (RD-4, RD-6, RD-7, and RD-8) of the Specific Plan, as shown on the attached Exhibit “A”. The Development Agreement grants the Owner a vested right to develop Tentative Tract Map 20157, as long as the Owner complies with the terms and conditions of the Specific Plan and EIR.

Tentative Tract Map 20157 (see Exhibit “B”) is located on the southeast corner of Mill Creek Avenue and Old Edison Road and proposes to subdivide 81.35 acres of land into six (6) numbered lots and five (5) lettered lots for residential, public/private streets, landscaped neighborhood edges, and common open space purposes. Currently, the Owner is proposing to develop only the west half of the project site. The easterly half will become a remainder parcel lot for future development.

The term of the Development Agreement is for ten (10) years, with a five-year option to extend. The main points of the agreement address funding for all new City expenses created by the project, which includes: Development Impact Fees (DIF) for construction of public improvements (i.e. streets and bridges, police, and fire, etc.); Public Service Funding to ensure adequate provisions of public services (police, fire and other public services); the creation of a Community Facilities District (CFD) for reimbursement of public improvements and maintenance of public facilities.

Staff finds that the Development Agreement is consistent with State law, The Ontario Plan, and the City’s Development Agreement policies. As a result, staff is recommending approval of the application to the Planning Commission. If the Commission finds the Development Agreement is 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
- 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.

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.

➤ CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

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

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

- CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.
- CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.
- CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.
 - Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.
- CD3-1 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 (432) and overall project density (12.91 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 the Esperanza Specific Plan (File No. PSP05-002), for which an Environmental Impact Report (SCH#2002061047) was adopted by the City Council on February 6, 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"

Esperanza Specific Plan Land Use Map

Section 4. **LAND USE**

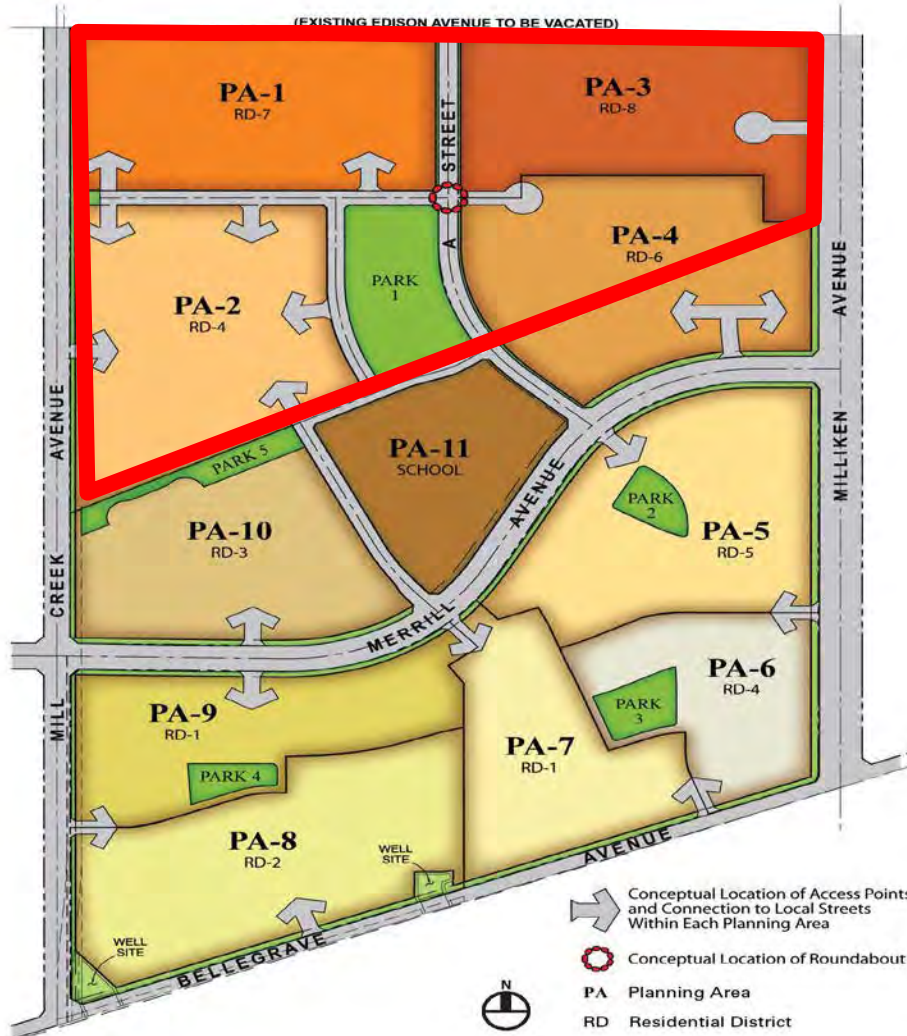
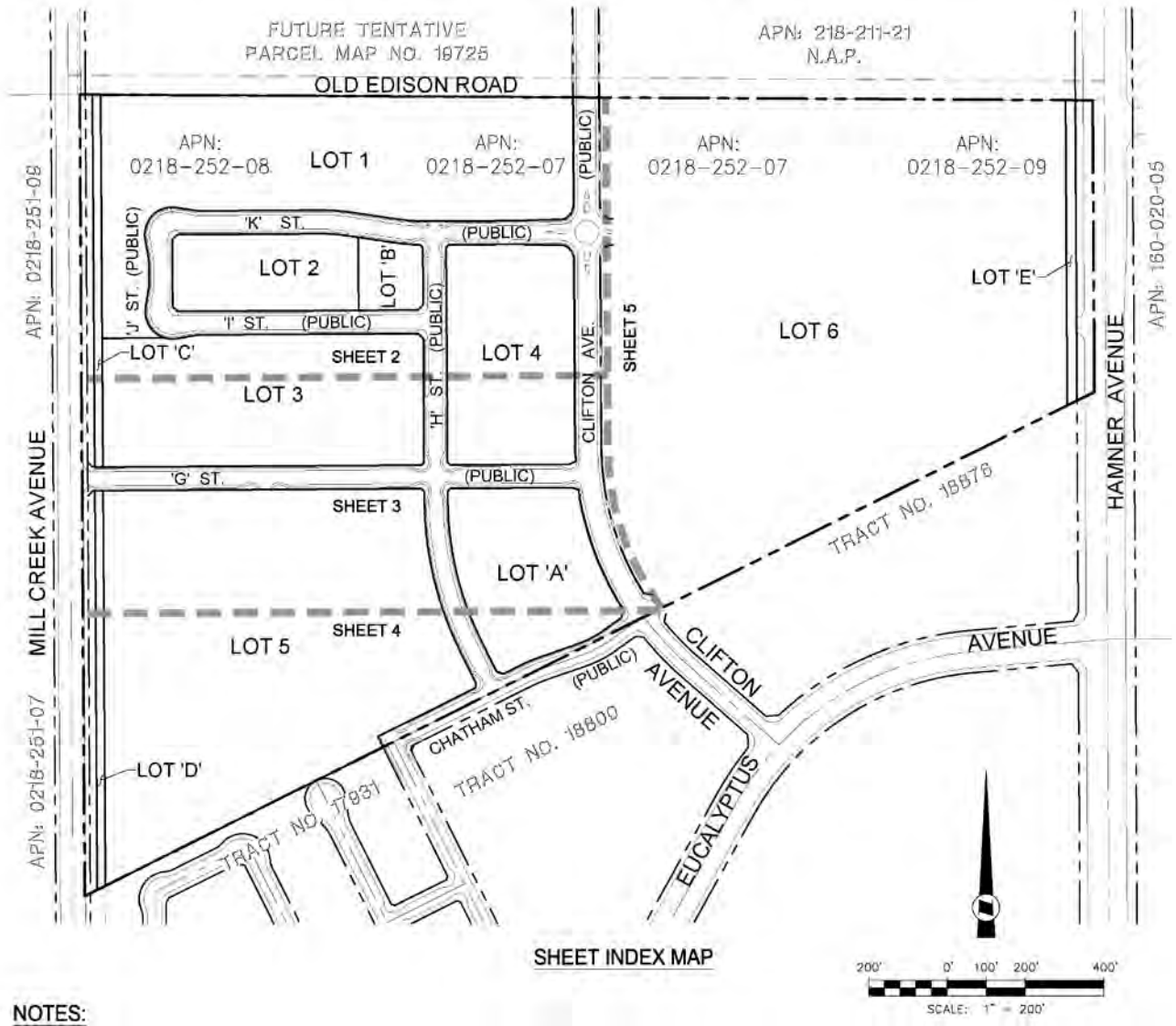


Exhibit 8
 Land Use Plan

Exhibit "B"

TENTATIVE TRACT MAP NO. 20157

IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA



NOTES:

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE A DEVELOPMENT AGREEMENT (FILE NO. PDA19-002) BETWEEN THE CITY OF ONTARIO AND SLV LC CENTER, LLC; HCW LC CENTER, LLC; STRACK FARMS LAND, LLC; RHV EDISON AVENUE, LLC; MV EDISON AVENUE, LLC; AND EPC HOLDINGS 938, LLC, TO ESTABLISH TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE TRACT MAP 20157 (FILE NO. PMTT18-002), LOCATED AT THE SOUTHEAST CORNER OF MILL CREEK AVENUE AND OLD EDISON ROAD WITHIN PLANNING AREAS 1 THROUGH 4 (RD-4, RD-6, RD-7, AND RD-8) OF THE ESPERANZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF (APNS: 0218-252-07, 0218-252-08, 0218-252-09, 0218-252-10).

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 ...”; and

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, attached to this resolution, marked Exhibit “A” and incorporated herein by this reference, is the proposed Development Agreement between SLV LC Center, LLC; HCW LC Center, LLC; Strack Farms Land, LLC; RHV Edison Avenue, LLC; MV Edison Avenue, LLC; and EPC Holdings 938, LLC (“Owner”), and the City of Ontario, File No. PDA19-002, concerning 81.35 acres of land located at the southeast corner of Mill Creek Avenue and Old Edison Road within Planning Areas 1 through 4 (RD-4, RD-6, RD-7, and RD-8) of the Esperanza Specific Plan, and as legally described in the attached Development Agreement. Hereinafter in this Resolution, the Development Agreement is referred to as the “Development Agreement”; and

WHEREAS, the environmental impacts of this project were analyzed in the Esperanza Specific Plan (File No. PSP05-002) EIR (SCH#2002061047) that was adopted and certified by the City Council on February 6, 2007. This application is consistent with the EIR and introduces no new significant environmental impacts. All mitigation measures shall be a condition of project approval and are incorporated herein by reference; and

WHEREAS, a Tentative Tract Map 20157 (File No. PMTT18-002) to subdivide 81.35 acres of land into six (6) numbered lots and five (5) lettered lots has been submitted in conjunction with the subject Development Agreement application; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make a recommendation to the City Council 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 August 27, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Agreement and concluded said hearing on that date; and

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

NOW, THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Ontario as follows:

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

(1) The environmental impacts of this project were reviewed in conjunction with Esperanza Specific Plan Environmental Impact Report, certified by the City of Ontario City Council on February 6, 2007, in conjunction with File No. PSP05-002.

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. 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 (432) and overall project density (12.91 du/ac) specified in the Available Land Inventory.

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

SECTION 5: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing on August 27, 2019, including written and oral staff reports, together with public testimony, the Planning Commission hereby specifically finds as follows:

a. The Development Agreement applies to 81.35 acres of land located at the southeast corner of Mill Creek Avenue and Old Edison Road within Planning Areas 1 through 4 (RD-4, RD-6, RD-7, and RD-8) of the Esperanza Specific Plan; and

b. The majority of the site is currently an agricultural use, including dairy farms, row crops, and a hay and alfalfa wholesaler. The remainder of the site is vacant land that was previously used for agriculture; and

c. The property to the north of the Project site is located within the Mixed Used zoning designation of the Rich-Haven Specific Plan and is currently vacant. The property to the south is within the Low-Density Residential zoning designation of the Esperanza Specific Plan and is currently developed with single-family residences. The property to the east is located within the City of Eastvale and is currently developed with commercial/industrial uses. The property to the west is within the Agricultural Overlay and presently used for dairy and agriculture uses; and

d. The Project site is bounded by Old Edison Road to the north, Eucalyptus Avenue to the south, Hamner Avenue to the east, and Mill creek Avenue to the west; and

e. The Development Agreement establishes parameters for the development of Planning Areas 1 through 4 (RD-4, RD-6, RD-7, and RD-8) of the Esperanza Specific Plan, for residential and public/private streets, landscaped neighborhood edges and common open space purposes. The Development Agreement also grants the Owner, the right to develop, the ability to quantify the fees; and, establish the terms and conditions that apply to those projects. These terms and conditions are consistent with The Ontario Plan Policy Plan (General Plan), design guidelines and development standards for the Esperanza Specific Plan; and

f. The Development Agreement proposes to include approximately 81.35 acres of land within Planning Areas 1 through 4 (RD-4, RD-6, RD-7, and RD-8) of the Esperanza Specific Plan; and

g. The Agreement grants the Owner, a vested right to develop Tentative Tract Map 20157, as long as the Owner complies with the terms and conditions of the Esperanza Specific Plan and EIR. Tentative Tract Map 20157 is located at the southeast corner of Mill Creek Avenue and Old Edison Road and proposes to subdivide 81.35 acres of land into six (6) numbered lots and five (5) lettered lots for residential and public/private streets, landscape neighborhood edges, and common open space purposes; and

h. The Development Agreement has been prepared in conformance with the goals and policies of The Ontario Plan Policy Plan (General Plan); and

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

j. This Development Agreement will promote the goals and objectives of the Land Use Element of the Policy Plan; and

k. This Development Agreement 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 analyzed in the EIR (SCH#2002061047) prepared for the Esperanza Specific Plan (File No. PSP05-002) and certified by the City Council on February 6, 2007. 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 Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE 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 27th day of August 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 27, 2019, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PDA19-002

Development Agreement

By and Between

City of Ontario, a California municipal corporation,

and

**SLV LC Center, LLC, a Florida limited liability company;
HCW LC Center, LLC, a Florida limited liability company;
Strack Farms Land, LLC, a Delaware limited liability company;
RHV Edison Avenue, LLC, a Florida limited liability company;
MV Edison Avenue, LLC, a Florida limited liability company; and
EPC Holdings 938, LLC, a Washington limited liability company**

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

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

Exempt from Fees Per Gov. Code § 6301

Space above this line for Recorder's Use Only

File No. PDA19-002

DEVELOPMENT AGREEMENT

By and Between

City of Ontario, a California municipal corporation,

and

**SLV LC Center, LLC, a Florida limited liability company;
HCW LC Center, LLC, a Florida limited liability company;
Strack Farms Land, LLC, a Delaware limited liability company;
RHV Edison Avenue, LLC, a Florida limited liability company;
MV Edison Avenue, LLC, a Florida limited liability company; and
EPC Holdings 938, LLC, a Washington limited liability company**

_____, 2019

San Bernardino County, California

DEVELOPMENT AGREEMENT NO. 19-002

This Development Agreement (hereinafter "Agreement") is entered into effective as of the ____ day of _____, 2019 by and among the City of Ontario, a California municipal corporation (hereinafter "CITY"), and SLV LC Center, LLC, a Florida limited liability company, HCW LC Center, LLC, a Florida limited liability company, Strack Farms Land, LLC, a Delaware limited liability company, RHV Edison Avenue, LLC, a Florida limited liability company, MV Edison Avenue, LLC, a Florida limited liability company, and EPC Holdings 938 LLC, a Washington limited liability company, as tenants in common (hereinafter "OWNER"):

RECITALS

WHEREAS, CITY is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Section 65864, et seq. of the Government Code; and

WHEREAS, OWNER has requested CITY to enter into a development agreement and proceedings have been taken in accordance with the rules and regulations of CITY; and

WHEREAS, by electing to enter into this Agreement, CITY shall bind future City Councils of CITY by the obligations specified herein and limit the future exercise of certain governmental and proprietary powers of CITY; and

WHEREAS, the terms and conditions of this Agreement have undergone extensive review by CITY and the City Council and have been found to be fair, just and reasonable; and

WHEREAS, the best interests of the citizens of the CITY and the public health, safety and welfare will be served by entering into this Agreement; and

WHEREAS, all of the procedures of the California Environmental Quality Act have been met with respect to the Project and the Agreement in that Esperanza Specific Plan (State Clearinghouse No. 2002061047 (the "FEIR") was certified by the City Council of the City of Ontario on January 16, 2007. The City Council found and determined that the FEIR was prepared in accordance with the requirements of the California Environmental Quality Act and adequately describes the impacts of the project described in the FEIR, which included consideration of this Agreement; and

WHEREAS, this Agreement and the Project are consistent with the CITY's Comprehensive General Plan and the Esperanza Specific Plan; and

WHEREAS, all actions taken, and approvals given by CITY have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and

WHEREAS, development of the Property in accordance with this Agreement will provide substantial benefits to CITY and will further important policies and goals of CITY; and

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of the Property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the purposes for which development agreements under Sections 65864 et seq. of the Government Code are intended; and

WHEREAS, OWNER has incurred and will in the future incur substantial costs in excess of the generally applicable requirements in order to assure vesting of legal rights to develop the Property in accordance with this Agreement.

WHEREAS, the Property is located in an area of the City of Ontario that has been known as the “New Model Colony” area and the New Model Colony area has now been renamed as “Ontario Ranch.”

COVENANTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 Definitions. The following terms when used in this Agreement shall be defined as follows:

1.1.1 “Agreement” means this Development Agreement.

1.1.2 “CITY” means the City of Ontario, California, a California municipal corporation.

1.1.3 “Construction Agreement” means that certain Agreement for the Financing and Construction of Phases I and II Infrastructure Improvements to Serve an Easterly Portion of the New Model Colony, entered into between the CITY and NMC Builders as of the 4th day of October, 2005, and all amendments thereto and “Construction Agreement Amendment” means that First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to Serve and Easterly Portion of the New Model Colony entered into between the CITY and NMC Builders as of the 21st day of August 2012.

1.1.4 “Development” means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of public infrastructure and public facilities

related to the Project whether located within or outside the Property; the construction of buildings and structures; and the installation of landscaping. "Development" does not include the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

1.1.5 "Development Approvals" means all permits and other entitlements for use subject to approval or issuance by CITY in connection with development of the Property including, but not limited to:

- (a) specific plans and specific plan amendments;
- (b) tentative and final subdivision and parcel maps;
- (c) development plan review;
- (d) conditional use permits (including model home use permits), public use permits and plot plans;
- (e) zoning;
- (f) grading and building permits.

1.1.6 "Development Exaction" means any requirement of CITY in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests.

1.1.7 "Development Impact Fee" means a monetary exaction, other than a tax or special assessment, whether characterized as a fee or a tax and whether established for a broad class of projects by legislation of general applicability or imposed on a specific project on an ad hoc basis, that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project, and, for purposes of this Agreement only, includes fees collected under development agreements adopted pursuant to Article 2.5 of the Government Code (commencing with Section 65864) of Chapter 4, For purposes of this Agreement only, "Development Impact Fee" shall not include processing fees and charges imposed by CITY to cover the estimated actual costs to CITY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued, including, without limitation, fees for zoning variances; zoning changes; use permits; building inspections; building permits; filing and processing applications and petitions filed with the local agency formation commission or conducting preliminary proceedings or proceedings under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3 (commencing with Section 56000) of Title 5 of the Government Code; the processing of maps under the provisions of the Subdivision Map Act, Division 2 (commencing with Section 66410) of Title 7 of the Government Code; or planning services under the authority of Chapter 3 (commencing with Section 65100) of Division 1 of Title

7 of the Government Code, fees and charges as described in Sections 51287, 56383, 57004, 65104, 65456, 65863.7, 65909.5, 66013, 66014, and 66451.2 of the Government Code, Sections 17951, 19132.3, and 19852 of the Health and Safety Code, Section 41901 of the Public Resources Code, and Section 21671.5 of the Public Utilities Code, as such codes may be amended or superseded, including by amendment or replacement.

1.1.8 “Development Plan” means the Existing Development Approvals and the Existing Land Use Regulations applicable to development of the Property.

1.1.9 “Effective Date” means the date that the ordinance approving this Agreement goes into effect.

1.1.10 “Existing Development Approvals” means all Development Approvals approved or issued prior to the Effective Date. Existing Development Approvals includes the Approvals incorporated herein as Exhibit “C” and all other Approvals which are a matter of public record on the Effective Date.

1.1.11 “Existing Land Use Regulations” means all Land Use Regulations in effect on the Effective Date. Existing Land Use Regulations includes the Regulations incorporated herein as Exhibit “D” and all other Land Use Regulations that are in effect and a matter of public record on the Effective Date.

1.1.12 “General Plan” means the General Plan adopted on January 27, 2010.

1.1.13 “Improvement” or “Improvements” means those public improvements required to support the development of the Project as described in the Tract Map conditions for Tract No. 20157 as further described in Exhibits “F-1” through “F-3” (the “Infrastructure Improvements Exhibits”).

1.1.14 “Land Use Regulations” means all ordinances, resolutions, codes, rules, regulations and official policies of CITY governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, timing and phasing of development, the maximum height and size of buildings, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction standards and specifications applicable to the development of the Property. “Land Use Regulations” does not include any CITY ordinance, resolution, code, rule, regulation or official policy, governing:

- (a) the conduct of businesses, professions, and occupations;
- (b) taxes and assessments;
- (c) the control and abatement of nuisances;
- (d) the granting of encroachment permits and the conveyance of similar rights and interests that provide for the use of or the entry upon public property;
- (e) the exercise of the power of eminent domain.

1.1.15 “Mortgagee” means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.

1.1.16 “Model Units” means a maximum of forty- four (44) model units, with a maximum of twenty-two (22) in each Phase, private common recreation facilities and sales facilities constructed by OWNER prior to the construction of any Production units and not offered for sale and occupancy for a period of time after the issuance of permits for Production Units for the respective Phase.

1.1.17 “OWNER” means the persons and entities listed as owner on page 1 of this Agreement and their permitted successors in interest to all or any part of the Property.

1.1.18 “Phase 1 Improvements” means the public infrastructure and improvements that shall be designed, or designed, constructed and completed by OWNER prior to, and as a condition precedent to, CITY’s issuance of the first building permit for Production Units and as shown in Exhibit F- Phase 1 Improvements.”

1.1.19 “Phase 1 Units” means approximately four-hundred thirty-two (432) units located within the portion of the Project designated in the Conceptual Phasing Plan (Exhibit E) as the Phase 1 Area for which the CITY issues building permits to OWNER and shall include up to twenty-two (22) Model Units and such units are served by the Phase 1 Improvements.

1.1.20 “Phase 2 Improvements” means the public infrastructure and improvements that shall be designed, or designed, constructed and completed by OWNER prior to, and as a condition precedent to, CITY’s issuance of the first building permit for Phase 2 Units and as shown in Exhibit F – Phase 2 Improvements.”

1.1.22 “Phase 2 Units” means approximately two-hundred ninety-six (296) units located within the portion of the Project designated in the Conceptual Phasing Plan (Exhibit E) as the Phase 2 Area for which the CITY issues building permits to OWNER and shall include up to twenty-two (22) Model Units and such units are served by the Phase 2 Improvements.

1.1.23 “Production Unit(s)” means all units constructed for sale and occupancy by OWNER and excludes the specified number of Model Units constructed by OWNER for promotion of sales.

1.1.24 “Project” means the development of the Property contemplated by the Development Plan, as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.

1.1.25 “Property” means the real property described on Exhibit “A” and shown on Exhibit “B” to this Agreement.

1.1.26 “Reservations of Authority” means the rights and authority excepted from the assurances and rights provided to OWNER under this Agreement and reserved to CITY under Section 3.6 of this Agreement.

1.1.27 “Specific Plan” means that certain specific plan adopted by the City Council, and entitled, “Esperanza Specific Plan.”

1.1.28 “Storm Water Treatment Capacity Availability” means a designated portion of the total Storm Water Treatment Capacity Availability made available through the completion of construction of a Phase of regional storm water treatment facilities by the NMC Builders LLC as described in the Construction Agreement Amendment. The amount, in acres, of Storm Water Treatment Capacity Availability required for the issuance of a grading permit shall be based upon the factors and assumptions listed in the Construction Agreement Amendment.

1.1.29 “Subsequent Development Approvals” means all Development Approvals required subsequent to the Effective Date in connection with development of the Property.

1.1.30 “Subsequent Land Use Regulations” means any Land Use Regulations adopted and effective after the Effective Date of this Agreement.

1.1.31 “Water Availability Equivalent (WAE)” means a designated portion of the total Net MDD made available through the construction of each Phase described in the Water Phasing Plan of the Construction Agreement. The number of Water Availability Equivalents (of portions thereof) required for the issuance of each building permit shall be based upon water demand factors and assumptions listed in the Construction Agreement and Construction Agreement Amendment as “Water Availability Equivalents by Land Use” for each land use category.

1.2 Exhibits. The following documents are attached to, and by this reference made a part of, this Agreement:

Exhibit “A” — Legal Description of the Property.

Exhibit “B” — Map showing Property and its location.

Exhibit “C” — Existing Development Approvals.

Exhibit “D” — Existing Land Use Regulations.

Exhibit “E” — Phasing Plan

E-1 – Esperanza Specific Plan Land Use Map

Exhibit “F” — Infrastructure Improvements Exhibits

F-1 - Phase 1 Offsite Infrastructure Improvements

F-2 – Phase 1 Onsite Infrastructure Improvements

F-3 – Phase 2 Offsite Infrastructure Improvements

2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property is hereby made subject to this Agreement. Development of the Property is hereby authorized and shall be carried out only in accordance with the terms of this Agreement.

2.2 Ownership of Property. OWNER represents and covenants that it is the owner of the fee simple title to the Property or a portion thereof or has the right to acquire fee simple title to the Property or a portion thereof from the current owner(s) thereof. To the extent OWNER does not own fee simple title to the Property, OWNER shall obtain written consent from the current fee owner of the Property agreeing to the terms of this Agreement and the recordation thereof.

2.3 Term. The term of this Agreement shall commence on the Effective Date and shall continue for an initial term of ten (10) years thereafter unless this term is modified or extended pursuant to the provisions of this Agreement. The term of this Agreement may be extended for an additional five (5) years following expiration of the initial ten (10) year term, provided the following have occurred:

(a) OWNER provides at least 180 days written notice to CITY prior to expiration of the initial term; and

(b) In non-mixed use and residential use only projects, the OWNER shall have obtained, as applicable, building permits for at least seventy percent (70%) of the actual number of residential units permitted under this Agreement; and

(c) OWNER is not then in uncured default of this Agreement.

2.4 Assignment.

2.4.1 Right to Assign. OWNER shall have the right to sell, transfer or assign the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map Act, Government Code Section 66410, et seq.), to any person, partnership, limited liability company, joint venture, firm or corporation at any time during the term of this Agreement; provided, however, that any such sale, transfer or assignment shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement and be made in strict compliance with the following:

(a) No sale, transfer or assignment of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property.

(b) Concurrent with any such sale, transfer or assignment, or within fifteen (15) business days thereafter, OWNER shall notify CITY's City Manager, in writing,

of such sale, transfer or assignment and shall provide CITY with: (1) an executed agreement, in a form reasonably acceptable to CITY, by the purchaser, transferee or assignee and providing therein that the purchaser, transferee or assignee expressly and unconditionally assumes all the duties and obligations of OWNER under this Agreement with respect to the portion of the Property so sold, transferred or assigned; and (2) the payment of the applicable processing charge to cover the CITY's review and consideration of such sale, transfer or assignment.

(c) Any sale, transfer or assignment not made in strict compliance with the foregoing conditions shall constitute a default by OWNER under this Agreement. Notwithstanding the failure of any purchaser, transferee or assignee to execute the agreement required by Paragraph (b) of this Subsection 2.4.1, the burdens of this Agreement shall be binding upon such purchaser, transferee or assignee, but the benefits of this Agreement shall not inure to such purchaser, transferee or assignee until and unless such agreement is executed. The City Manager shall have the authority to review, consider and either approve, conditionally approve, or deny any proposed sale, transfer or assignment that is not made in compliance with this section 2.4.

2.4.2 Release of Transferring Owner. Notwithstanding any sale, transfer or assignment, a transferring OWNER shall continue to be obligated under this Agreement unless such transferring owner is given a release in writing by CITY, which release shall be provided by CITY upon the full satisfaction by such transferring owner of the following conditions:

(a) OWNER no longer has a legal or equitable interest in all or any part of the portion of the Property sold, transferred or assigned.

(b) OWNER is not then in default under this Agreement.

(c) OWNER has provided CITY with the notice and executed agreement required under Paragraph (b) of Subsection 2.4.1 above.

(d) The purchaser, transferee or assignee provides CITY with security equivalent to any security previously provided by OWNER to secure performance of its obligations hereunder.

2.4.3 Effect of Assignment and Release of Obligations. In the event of a sale, transfer or assignment pursuant to the provisions of Section 2.4.2 above:

(a) The assignee shall be liable for the performance of all obligations of OWNER with respect to transferred property but shall have no obligations with respect to the portions of the Property, if any, not transferred (the "Retained Property").

(b) The owner of the Retained Property shall be liable for the performance of all obligations of OWNER with respect to Retained Property but shall have no further obligations with respect to the transferred property.

(c) The assignee's exercise, use and enjoyment of the Property or portion thereof shall be subject to the terms of this Agreement to the same extent as if the assignee were the OWNER.

2.4.4 Subsequent Assignment. Any subsequent sale, transfer or assignment after an initial sale, transfer or assignment shall be made only in accordance with and subject to the terms and conditions of this Section 2.4.

2.4.5 Termination of Agreement with Respect to Individual Lots Upon Sale to Public and Completion of Construction. The provisions of Subsection 2.4.1 shall not apply to the sale or lease (for a period longer than one year) of any lot which has been finally subdivided and is individually (and not in "bulk") sold or leased to a member of the public or other ultimate user. Notwithstanding any other provisions of this Agreement, this Agreement shall terminate with respect to any lot and such lot shall be released and no longer be subject to this Agreement without the execution or recordation of any further document upon satisfaction of both of the following conditions:

(a) The lot has been finally subdivided and individually (and not in "bulk") sold or leased (for a period longer than one year) to a member of the public or other ultimate user; and,

(b) A certificate of occupancy has been issued for a building on the lot, and the fees set forth under Section 4 of this Agreement have been paid.

2.5 Amendment or Cancellation of Agreement. This Agreement may be amended or cancelled in whole or in part only in the manner provided for in Government Code Section 65868.1. Any amendment of this Agreement, which amendment has been requested by OWNER, shall be considered by the CITY only upon the payment of the applicable processing charge. This provision shall not limit any remedy of CITY or OWNER as provided by this Agreement. Either Party or successor in interest, may propose an amendment to or cancellation, in whole or in part, of this Agreement. Any amendment or cancellation shall be by mutual consent of the parties or their successors in interest except as provided otherwise in this Agreement or in Government Code Section 65865.1. For purposes of this section, the term "successor in interest" shall mean any person having a legal or equitable interest in the whole of the Property, or any portion thereof as to which such person wishes to amend or cancel this Agreement. The procedure for proposing and adopting an amendment to, or cancellation of, in whole or in part, this Agreement shall be the same as the procedure for adopting and entering into this Agreement in the first instance. Notwithstanding the foregoing sentence, if the CITY initiates the proposed amendment to, or cancellation of, in whole or in part, this Agreement, CITY shall first give notice to the OWNER of its intention to initiate such proceedings at least sixty (60) days in advance of the giving the public notice of intention to consider the amendment or cancellation.

2.5.1 Amendment to Reflect Consistency With Future Amendments to the Construction Agreement. To the extent any future amendment to the Construction Agreement provides for modifications to rights or obligations that differ from or alter the

same or similar rights or obligations contained in this Development Agreement, OWNER reserves the right to request an amendment to the Development Agreement to reflect any or all of such modifications.

2.6 Termination. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:

(a) Expiration of the stated term of this Agreement as set forth in Section 2.3.

(b) Entry of a final judgment setting aside, voiding or annulling the adoption of the ordinance approving this Agreement.

(c) The adoption of a referendum measure overriding or repealing the ordinance approving this Agreement.

(d) Completion of the Project in accordance with the terms of this Agreement including issuance of all required occupancy permits and acceptance by CITY or applicable public agency of all required dedications.

Termination of this Agreement shall not constitute termination of any other land use entitlements approved for the Property. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement which has occurred prior to such termination or with respect to any obligations which are specifically set forth as surviving this Agreement. Upon such termination, any public facilities and services mitigation fees paid pursuant to Section 4.2 of this Agreement by OWNER to CITY for residential units on which construction has not yet begun shall be refunded to OWNER by CITY.

2.7 Notices.

(a) As used in this Agreement, “notice” includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.

(b) All notices shall be in writing and shall be considered given either: (i) when delivered in person, including, without limitation, by courier, to the recipient named below; or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below. All notices shall be addressed as follows:

If to CITY:

Scott Ochoa, City Manager
City of Ontario
303 East “B” Street

Ontario, CA 91764

with a copy to:

Scott Huber, City Attorney
Cole Huber, LLP
2261 Lava Ridge Court
Roseville, CA 91761

If to OWNER:

Richland Communities
3161 Michelson Drive, Suite 425
Irvine, CA 92612
Attn: Mike Byer
Email: mbyer@richlandcommunities.com
Phone: (949) 383-4137
Fax: (949) 261-7016

with a copy to:

Richland Legal Department
3161 Michelson Drive, Suite 425
Irvine, CA 92612
Attn: John Troutman
Email: jtroutman@richlandinvestments.com
Phone: (949) 383-4131
Fax: (949) 261-7013

(c) Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change.

3. DEVELOPMENT OF THE PROPERTY.

3.1 Rights to Develop. Subject to the terms of this Agreement including the Reservations of Authority, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the Development Plan. The Project shall remain subject to all Subsequent Development Approvals required to complete the Project as contemplated by the Development Plan. Except as otherwise provided in this Agreement, the permitted uses of the Property, the density and intensity of use, the maximum height

and size of proposed buildings, and provisions for reservation and dedication of land for public purposes shall be those set forth in the Development Plan.

3.2 Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement including the Reservations of Authority, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the maximum height and size of proposed buildings, and the design, improvement and construction standards and specifications applicable to development of the Property shall be the Existing Land Use Regulations. In connection with any Subsequent Development Approval, CITY shall exercise discretion in accordance with the same manner as it exercises its discretion under its police powers, including the Reservations of Authority set forth herein; provided however, that such discretion shall not prevent development of the Property for the uses and to the density or intensity of development set forth in this Agreement.

3.3 Timing of Development. The parties acknowledge that OWNER cannot at this time predict when or the rate at which phases of the Property will be developed. Such decisions depend upon numerous factors which are not within the control of OWNER, such as market orientation and demand, interest rates, absorption, completion and other similar factors. Since the California Supreme Court held in Pardee Construction Co. v. City of Camarillo (1984) 37 Ca1. 3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that OWNER shall have the right to develop the Property in such order and at such rate and at such times as OWNER deems appropriate within the exercise of its subjective business judgment.

3.4 Requirement for Public Infrastructure Improvements. Development of the Property is contingent in part on the phasing of area-wide infrastructure improvements over which the OWNER has control. The issuance of building permits by CITY for Model Units and Production Units is, in general, contingent on OWNER's completion of needed infrastructure improvements and the availability of improvements and services to serve the Property.

3.4.1 Attached hereto as Exhibit "F" is a description of the infrastructure improvements needed for the development of the Property ("the Infrastructure Improvement Exhibit").

3.4.2 Subject to the prior submittal by OWNER and approval by CITY of a plan to provide sufficient public infrastructure for the construction of a maximum number of twenty-two (22) Model Units per Phase, private common recreation facilities and sales facilities. CITY may issue a maximum of twenty-two (22) building permits per Phase for Model Units in addition to private common recreation facilities and sales facilities. The plan to be submitted by OWNER for CITY approval shall describe the utilities and other infrastructure necessary to provide sufficient fire protection and other public health and safety requirements for the Model Units and other facilities.

3.5 Changes and Amendments. The parties acknowledge that refinement and further development of the Project will require Subsequent Development Approvals and may demonstrate that changes are appropriate and mutually desirable in the Existing Development Approvals. In the event OWNER finds that a change in the Existing Development Approvals is necessary or appropriate, OWNER shall apply for a Subsequent Development Approval to effectuate such change and CITY shall process and act on such application in accordance with the Existing Land Use Regulations, except as otherwise provided by this Agreement including the Reservations of Authority. If approved, any such change in the Existing Development Approvals shall be incorporated herein as an addendum to Exhibit "C", and may be further changed from time to time as provided in this Section. Unless otherwise required by law, as determined in CITY's reasonable discretion, a change to the Existing Development Approvals shall be deemed "minor" and not require an amendment to this Agreement provided such change does not:

- (a) Alter the permitted uses of the Property as a whole; or,
 - (b) Increase the density or intensity of use of the Property as a whole;
- or,
- (c) Increase the maximum height and size of permitted buildings; or,
 - (d) Delete a requirement for the reservation or dedication of land for public purposes within the Property as a whole; or,
 - (e) Constitute a project requiring a subsequent or supplemental environmental impact report pursuant to Section 21166 of the Public Resources Code.

3.6 Reservations of Authority.

3.6.1 Limitations, Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the CITY shall not be prevented from applying new rules, regulations and policies upon the OWNER, nor shall a development agreement prevent the CITY from denying or conditionally approving any subsequent development project application on the basis of such new rules, regulations and policies where the new rules, regulations and policies consist of the following:

- (a) Processing fees by CITY to cover costs of processing applications for development approvals or for monitoring compliance with any development approvals;
- (b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records and any other matter of procedure;

- (c) Regulations, policies and rules governing engineering and construction standards and specifications applicable to public and private improvements, including all uniform codes adopted by the CITY and any local amendments to those codes adopted by the CITY; provided however that, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the standards and specifications that are expressly identified in the Specific Plan;
- (d) Regulations that may conflict with this Agreement and the Development Plan but that are reasonably necessary to protect the residents of the project and/or of the immediate community from a condition perilous to their health or safety;
- (e) Regulations that do not conflict with those rules, regulations and policies set forth in this Agreement or the Development Plan;
- (f) Regulations that may conflict but to which the OWNER consents.

3.6.2 Subsequent Development Approvals. This Agreement shall not prevent CITY, in acting on Subsequent Development Approvals, from applying Subsequent Land Use Regulations that do not conflict with the Development Plan, nor shall this Agreement prevent CITY from denying or conditionally approving any Subsequent Development Approval on the basis of the Existing Land Use Regulations or any Subsequent Land Use Regulation not in conflict with the Development Plan.

3.6.3 Modification or Suspension by State or Federal Law. In the event that State or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations, provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce. In the event OWNER alleges that such State or Federal laws or regulations preclude or prevent compliance with one or more provisions of this Agreement, and the CITY does not agree, the OWNER may, at its sole cost and expense, seek declaratory relief (or other similar non-monetary remedies); provided however, that nothing contained in this Section 3.6.3 shall impose on CITY any monetary liability for contesting such declaratory relief (or other similar non-monetary relief).

3.6.4 Intent. The parties acknowledge and agree that CITY is restricted in its authority to limit its police power by contract and that the foregoing limitations, reservations and exceptions are intended to reserve to CITY all of its police power which cannot be so limited. This Agreement shall be construed, contrary to its

stated terms if necessary, to reserve to CITY all such power and authority which cannot be restricted by contract.

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 OWNER agrees that development of the Project shall require the construction of master planned storm drain improvements in Mill Creek Avenue from Ontario Ranch Road to the point of connection in Bellegrave Avenue, and in Eucalyptus Avenue from Mill Creek Avenue to Hamner Avenue (Phase 1), and in Hamner Avenue from the northeast Property line to the southeast Property line, as described in Exhibits F-1 through F-3. OWNER shall be responsible for the design, construction, and completion of the required master planned storm drain improvements as shown in Exhibits F-1 through F-3. OWNER agrees that no building permits shall be issued by CITY for Phase 1 Production Units prior to, and as a condition precedent to the completion of the storm drain improvements from Bellegrave Avenue to Old Edison Avenue, as described in Exhibit F-1. OWNER agrees that the remaining Phase 1 storm drain improvements from Old Edison Avenue to Ontario Ranch Road, as shown in Exhibit F-1, shall be constructed and completed prior to, and as a condition precedent to CITY issuance of the 101st Production Unit building permit for Phase 1 Units. OWNER also agrees that no Production Unit building permits shall be issued by the CITY for the Phase 2 Units prior to, and as a condition precedent to, the completion of the storm drain improvements as described in Exhibit F-3.

3.7.2 OWNER agrees that development of the Project shall require the construction of Master Planned street improvements on Mill Creek Avenue and Hamner Avenue, including signalization as described in Exhibits F-1 through Exhibit F-3.

3.7.2.1 Street Improvements Phasing. OWNER shall design, construct and complete Street Improvements as described in Exhibits F-1 through F-3. The Street Improvements as shown on Exhibits F-1 and F-2 shall be completed prior to, and as a condition precedent to OWNER requesting the issuance of the first Production Permit for the Phase 1 Units. The Street Improvements as shown on Exhibits F-3 shall be completed prior to, and as a condition precedent to OWNER requesting the issuance of the first Production Permit for the Phase 2 Units. OWNER shall be required to

design, construct, and complete the Mill Creek Avenue street improvements which shall consist of full circulation lanes and median between the southerly Property line to Bellegrave Avenue, plus full improvements along Project frontage from the southerly Property line to Old Edison Avenue, and in Eucalyptus Avenue from Mill Creek Avenue to Hamner Avenue, as shown in Exhibit F-1, prior to and as a condition precedent to OWNER requesting the first Production Unit building permit for Phase 1 Units. OWNER shall complete the construction of the remaining Mill Creek Street Improvements, which shall consist of full circulation lanes and median improvements from Old Edison Avenue to Ontario Ranch Road as shown in Exhibit F-1, prior to and as a condition precedent to OWNER requesting issuance of the 101st Production Unit building permit for Phase 1 Units. OWNER shall also be required to design, construct, and complete the Hamner Avenue street improvements, as shown on Exhibit F-3, prior to and as a condition precedent to OWNER requesting the first Production Unit building permit for Phase 2 Units.

3.7.3 OWNER agrees that development of the Property shall require the extension of permanent master planned water and recycled water utility infrastructure for each Phase as described in Exhibits F-1 consisting generally of the construction of the extension of permanent master planned water and recycled water utility improvements to serve the respective Phase of the Property. OWNER agrees that no building permits shall be issued by CITY for Phase 1 Units prior to, and as a condition precedent to the completion of the water and recycled water Improvements in Mill Creek Avenue, from Bellegrave Avenue to Old Edison Avenue, and in Eucalyptus Avenue from Archibald Avenue to Hamner Avenue. OWNER shall also be required to complete the designs and construction of the remaining water and recycled water improvements from Old Edison Avenue to Ontario Ranch Road, as shown in Exhibit F-1, prior to and as a condition precedent, to OWNER requesting the 101st Production Unit building permit for a Phase 1 Units. OWNER also agrees that no building permits shall be issued by the CITY for the Phase 2 Units prior to, and as a condition precedent to the completion of the water and recycled water Improvements in Hamner Avenue from Ontario Ranch Road to Eucalyptus Avenue, as described in Exhibit F-3. OWNER also agrees that recycled water shall be available and utilized by OWNER for all construction-related water uses including prior to, and during any grading of the Property.

3.7.4 OWNER agrees that NMC Builders shall be responsible for funding a portion of the design and construction of an additional extension of master planned recycled water infrastructure in Haven Avenues to be constructed by CITY. These master planned recycled water Improvements shall also serve the Project. OWNER shall deposit, with NMC Builders an amount equal to the OWNER's capital contribution for the design and construction of the remaining NMC Builders portion of the recycled water improvements in Haven Avenues known as the "remainder of the Phase 2 Recycled Water Improvements" within thirty (30) days after CITY requests funds from NMC Builders for the remainder of the project. If

OWNER has not deposited such amount, with NMC Builders within thirty (30) days after CITY requests such funds from NMC Builders, then CITY shall be entitled to withhold issuance of any further permits (whether discretionary or ministerial) for the Project unless and until OWNER deposits the amount of OWNER's capital contribution with NMC Builders for the remainder of the funding requested by CITY from NMC Builders for the construction of the remaining NMC Builders portion of the Phase 2 Recycled Water System Improvements.

3.7.5 OWNER shall be required to design, construct, and complete construction of the Mill Creek Avenue sewer improvements, as shown in Exhibit F-1, in Bellegrave Avenue from Haven Avenue to Mill Creek Avenue, and in Mill Creek Avenue from Bellegrave Avenue to Old Edison Avenue, and in Eucalyptus Avenue from Mill Creek Avenue to Hamner Avenue, prior to and as a condition precedent to OWNER requesting the first Production Unit building permit for Phase 1 Units. OWNER shall also be required to design, construct, and complete construction of the remaining sewer improvements from Old Edison Avenue to Ontario Ranch Road, as shown in Exhibit F-1, prior to and as a condition precedent to OWNER requesting the 101st Production Unit building permit for Phase 1 Units. The Mill Creek Avenue sewer improvements shall consist of project frontage improvements and off-site improvements south of the Project to the point of connection existing at the time of construction south of the project boundary, as described in Exhibit F-1.

3.7.6 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, as described in the attached Exhibits F- 1 through Exhibit F-3, consisting generally of the construction of the extension of fiber optic communications infrastructure to serve the respective Phase of the Property to the nearest point of connection. Owner agrees that no building permits shall be issued by CITY for Phase 1 Production Units prior to, and as a condition precedent to the completion of the fiber optic communications infrastructure as described in Exhibits F-1. OWNER also agrees that no Production building permits shall be issued by the CITY for the Phase 2 Units prior to, and as a condition precedent to, the completion of the fiber optic communications infrastructure as described in Exhibit F-3.

3.8 Acquisition of Offsite Provision of Real Property Interests. In any instance where OWNER is required by any Development Approval or Land Use Regulation and the Construction Agreement to construct any public improvement on land not owned by OWNER ("Offsite Improvements"), the CITY and OWNER shall cooperate in acquiring the necessary legal interest ("Offsite Property") in accordance with the procedures set forth in Section 2.4 of the Construction Agreement. This section 3.8 is not intended by the parties to impose upon the OWNER an enforceable duty to acquire land or construct any public improvements on land not owned by OWNER, except to the extent that the OWNER elects to proceed with the development of the Project, and then only in accordance with valid conditions imposed by the CITY upon the development of the Project under the Subdivision Map Act or other legal authority.

3.8.1 CITY Acquisition of Non-Construction Agreement Offsite Property. In the event OWNER is required to construct any public improvements on land not owned by OWNER, but such requirement is not based upon the Construction Agreement, Sections 3.8.1 and 3.8.2 shall control the acquisition of the necessary property interest(s) ("Non-Construction Agreement Offsite Property"). If the OWNER is unable to acquire such Non-Construction Agreement Offsite Property, and following the written request from the OWNER to CITY, CITY agrees to use reasonable and diligent good faith efforts to acquire the Non-Construction Agreement Offsite Property from the owner or owners of record by negotiation to the extent permitted by law and consistent with this Agreement. If CITY is unable to acquire the Non-Construction Agreement Offsite Property by negotiation within thirty (30) days after OWNER'S written request, CITY shall, initiate proceedings utilizing its power of eminent domain to acquire that Non-Construction Agreement Subject Property at a public hearing noticed and conducted in accordance with California Code of Civil Procedure Section 1245.235 for the purpose of considering the adoption of a resolution of necessity concerning the Non-Construction Agreement Offsite Property, subject to the conditions set forth in this Section 3.8. The CITY and OWNER acknowledge that the timelines set forth in this Section 3.8.1 represent the maximum time periods which CITY and OWNER reasonably believe will be necessary to complete the acquisition of any Non-Construction Agreement Offsite Property. CITY agrees to use reasonable good faith efforts to complete the actions described within lesser time periods, to the extent that it is reasonably able to do so, consistent with the legal constraints imposed upon CITY.

3.8.2 Owner's Option to Terminate Proceedings. CITY shall provide written notice to OWNER no later than fifteen (15) days prior to making an offer to the owner of the Non-Construction Agreement Offsite Property. At any time within that fifteen (15) day period, OWNER may, at its option, notify CITY that it wants CITY to cease all acquisition proceedings with respect to that Non-Construction Agreement Offsite Property, whereupon CITY shall cease such proceedings. CITY shall provide written notice to OWNER no later than fifteen (15) days prior to the date of the hearing on CITY'S intent to consider the adoption of a resolution of necessity as to any Non-Construction Agreement Offsite Property. At any time within that fifteen (15) day period, OWNER may, at its option, notify CITY that it wants CITY to cease condemnation proceedings, whereupon CITY shall cease such proceedings. If OWNER does not notify CITY to cease condemnation proceedings within said fifteen (15) day period, then the CITY may proceed to consider and act upon the Non-Construction Agreement Offsite Property resolution of necessity. If CITY adopts such resolution of necessity, then CITY shall diligently institute condemnation proceedings and file a complaint in condemnation and seek an order of immediate possession with respect to the Non-Construction Agreement Offsite Property.

3.9 Regulation by Other Public Agencies. It is acknowledged by the parties that other public agencies not within the control of CITY possess authority to regulate aspects of the development of the Property separately from or jointly with CITY and this

Agreement does not limit the authority of such other public agencies. CITY agrees to cooperate fully, at no cost to CITY, with OWNER in obtaining any required permits or compliance with the regulations of other public agencies provided such cooperation is not in conflict with any laws, regulations or policies of the CITY.

3.10 Tentative Tract Maps; Extension. With respect to applications by OWNER for tentative subdivision maps for portions of the Property, CITY agrees that OWNER may file and process tentative maps in accordance with Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the California Government Code and the applicable provisions of CITY's subdivision ordinance, as the same may be amended from time to time. In accordance with the provisions of Section 66452.6 of the Government Code, each tentative subdivision map or tentative parcel map, heretofore or hereafter approved in connection with development of the Property, shall be deemed to have been granted an extension of time to and until the date that is five (5) years following the Effective Date of this Agreement.; The CITY's City Council may, in its discretion, extend any such map for an additional period of up to five (5) years beyond its original term, so long as the subdivider files a written request for an extension with the City prior to the expiration of the initial five (5) year term.

4. PUBLIC BENEFITS.

4.1 Intent. The parties acknowledge and agree that development of the Property will result in substantial public needs that will not be fully met by the Development Plan and further acknowledge and agree that this Agreement confers substantial private benefits on OWNER that should be balanced by commensurate public benefits. Accordingly, the parties intend to provide consideration to the public to balance the private benefits conferred on OWNER by providing more fully for the satisfaction of the public needs resulting from the Project.

4.2 Development Impact Fees.

4.2.1 Amount of Development Impact Fee. Development Impact Fees (DIF) shall be paid by OWNER. The Development Impact Fee amounts to be paid by OWNER shall be the amounts that are in effect at the time such amounts are due. Nothing contained in this Agreement shall affect the ability of the CITY to impose new Development Impact Fees or amend the amounts of existing Development Impact Fees. Additionally, nothing contained in this Agreement shall affect the ability of other public agencies that are not controlled by CITY to impose and amend, from time to time, Development Impact Fees established or imposed by such other public agencies, even though such Development Impact Fees may be collected by CITY.

4.2.2 Time of Payment. The Development Impact Fees required pursuant to Subsection 4.2.1 shall be paid to CITY prior to the issuance of building permit for each applicable residential or other unit, except for the Open Space and Habitat Acquisition Development Impact fee, which shall be paid by OWNER to CITY prior to the issuance of a grading permit. Deferral of the payment of Development

Impact Fees may be granted pursuant to a separate agreement approved by City pursuant to City policy.

4.2.3 Parkland and Quimby Act Fees. Pursuant to the General Plan (Ontario Plan) Goal PR1, Policy PR1-5 (achievement of a park standard of 5 acres of parkland per 1,000 residents) OWNER shall provide improved parks, developed in accordance with the City's park standards in an amount equal to two (2) acres per 1,000 of projected population without credit, reimbursement, offset or consideration from City. CITY and OWNER agree that Lots A through B within Tract 20157 of 4.13 net acres combined shall satisfy OWNER's additional park development requirement. OWNER shall also pay the full Development Impact Fee for the Parkland Acquisition and Development Fee category (Quimby Act fees) for the Project.

4.3 Responsibility for Construction of Public Improvements.

4.3.1 Timely Construction of Public Infrastructure. The phasing of the infrastructure construction within the Property shall be as approved by the CITY. OWNER shall be responsible for the timely design, construction and completion of all public infrastructure required for each Phase of the Project as described in this Agreement and as shown on the attached Exhibits for each Phase of the Project. OWNER shall also be responsible for compliance with any and all other tract map conditions. Unless otherwise specified in a Subdivision Agreement and Tract Map conditions, all other required improvements and all other conditions or requirements of Tract Map 20157 shall be completed and operational prior to, and as a condition precedent to, CITY's granting of a building permit for Phase 1 Units. Additionally, unless otherwise specified in a Subdivision Agreement/Tract Map conditions, all other required improvements and all other conditions for Tract Map 20157 in the Phase 2 area shall be completed and operational prior to, and as a condition precedent to, OWNER requesting and CITY's granting of a building permit for Production Units within the Phase 2 area of the Property.

4.3.1.1 Subject to the provisions of Section 3.7 above, OWNER shall design, construct and complete all public infrastructure from Bellegrave Avenue to Old Edison Avenue, required for Phase 1 of the Project as shown on Exhibit F-1 prior to, and as a condition precedent to, CITY's issuance of the first building permit for Production Units for the Property. OWNER shall also, design, construct, and complete all remaining public infrastructure from Old Edison Avenue to Ontario Ranch Road, required for Phase 1, as shown on Exhibit F-1 prior to, and as a condition precedent to, CITY's issuance of the 101st building permit for Production Units for the Property.

4.3.1.2 OWNER shall design, construct and complete all public infrastructure for Phase 2 as shown in Exhibit F-3, prior to, and as a condition precedent to, CITY's issuance of any building permits for any Production Units in the portion of the Project designated as the Phase 2 area on the Conceptual Phasing Plan (Exhibit E). Unless otherwise

specified in a Subdivision Agreement and Tract Map conditions, all other required improvements and all other conditions or requirements Tract Map 20157 shall be completed and operational prior to, and as a condition precedent to, CITY's granting of a building permit for any Phase 2 Units.

4.3.1.3 OWNER shall also be responsible to pay their fair share contribution, equivalent to twenty-five percent (25%) of the CITY's estimated cost for the design and construction of two (2) non-DIF traffic signals at Clifton Avenue and Eucalyptus Avenue, and at Amherst Avenue and Eucalyptus Avenue. CITY shall provide OWNER with the estimated costs of the two (2) non-DIF traffic signals improvements and OWNER shall make such fair share contribution payment to CITY, prior to and as a condition precedent to, CITY's issuance of the first building permit for Production Units. If OWNER constructs Eucalyptus Avenue as a second point of access, the OWNER shall conduct a warrant analysis to determine the timing of the installation of the traffic signal at Clifton Avenue and Eucalyptus Avenue.

4.3.2 Construction of DIF Program Infrastructure (Construction Agreement). To the extent OWNER is required to construct and completes construction of public improvements that are included in CITY's Development Impact Fee Program and the Construction Agreement between CITY and NMC Builders LLC, CITY agrees that CITY shall issue DIF Credit in accordance with the provisions of the Construction Agreement and any amendments thereto. Use of DIF Credit issued to OWNER as a member of NMC Builders LLC or as a merchant builder to offset OWNER's DIF payment obligations shall also be subject to the provisions of the Construction Agreement and any amendments thereto.

4.3.3 Construction of DIF Program Infrastructure (Non-Construction Agreement). To the extent OWNER is required to construct and completes construction of public improvements that are included in CITY's Development Impact Fee Program and such public improvements are not included the Construction Agreement between CITY and NMC Builders LLC, CITY agrees that CITY shall issue DIF Credit and DIF Reimbursement in accordance with the provisions of a separate Fee Credit Agreement between CITY and OWNER. Limitation on the use of DIF Credit issued to OWNER to offset OWNER's DIF payment obligations shall also be subject to the provisions of a separate Fee Credit Agreement. OWNER may also be eligible to receive reimbursement from DIF collected by CITY and paid by other development that benefits from OWNER's construction of DIF Program Infrastructure. Any such DIF Reimbursement shall be subject to a Fee Credit Agreement between CITY and OWNER. CITY and OWNER agree that the Fee Credit Agreement between CITY and OWNER shall comply with CITY's adopted policies applicable to such agreements.

4.4 Affordable Housing Requirement.

4.4.1 Affordable Housing- Number of Units. OWNER shall provide a minimum number of affordable housing units, equivalent to 10% of the OWNER's total approved residential units within the Project, that are affordable to very low, low and moderate income households. Such requirement for affordable housing shall be met through one, or a combination of one or more, of the options provided in the following Sections 4.4.2.1 through 4.4.2.3. For the purposes of this Section, any term not defined in this Agreement shall be as defined by California Community Redevelopment Law (California Health and Safety Code Section 33000 et seq.).

4.4.2 Affordability Spread. Of the total number of residential dwelling units specified in Section 4.4.1, to be constructed or rehabilitated pursuant to Sections 4.4.2.1 or 4.4.2.2 respectively, thirty percent (30%) shall be available to very low income, thirty percent (30%) shall be available to low income and forty percent (40%) shall be available to moderate income households. "**Households**" shall be as defined by California Health and Safety Code Section 50053.

4.4.2.1 New Construction. If OWNER elects to fully or partially satisfy the affordable housing requirement by the construction of new residential units, it shall construct and restrict the affordability of residential dwelling units within its Project or, at OWNER's option and with the approval of the City, within another project elsewhere within the City. The affordable units constructed shall be intermingled with other units as part of the Project, and shall be built to the same construction, design and aesthetic standards, as well as number of rooms, as other units constructed as part of that OWNER's Project. In addition, the percentage ratio of affordable units offered for sale versus those offered for rent shall equal the percentage ratio of other units offered for sale versus for rent within OWNER's Project. Such construction shall be completed no later than the date that is five (5) years following the issuance of the first building permit for OWNER's Project; provided however that to the extent OWNER has not constructed the required percentage of units, based on the number of building permits for non-restricted units, OWNER shall, prior to the issuance of such building permits, provide security (in the form and substance approved by the City Manager and City Attorney) to City in order to ensure the faithful completion of such required percentage of construction of affordable units. If OWNER elects the option of constructing new affordable units, a detailed Affordable Housing Agreement specifying terms for the allowable monthly housing costs or rents (as applicable) and maintenance and occupancy standards shall be prepared, executed and recorded against such units as a condition to the issuance of a building permit. The Affordable Housing Agreement shall hold a recorded priority position senior to any other non-statutory lien or encumbrance affecting the unit.

4.4.2.2 Rehabilitation. If OWNER elects to fully or partially satisfy the affordable housing requirement by the substantial rehabilitation of existing residential units in the City, it shall substantially rehabilitate and restrict the affordability of, the number of residential units specified in Section 4.4.1, provided that such units shall be provided elsewhere within the City. The rehabilitation work shall be substantial and of high quality and shall also address any deferred property maintenance issues on the property. “**Substantial rehabilitation**” shall mean rehabilitated multi-family rented dwelling units with three or more units and the value of the rehabilitation constitutes 25 percent of the after rehabilitation value of the dwelling, inclusive of land value pursuant to Health and Safety Code Section 33413(b)(2)(A)(iii-iv) as such section exists as of the Effective Date of this Agreement. If OWNER chooses the option of rehabilitation of existing housing units within the City, a detailed Affordable Housing Agreement specifying the terms for the allowable month housing costs or rents (as applicable) and maintenance and occupancy standards shall be prepared, executed and recorded against such units as a condition to the issuance of a building permit. Such rehabilitation shall be completed no later than the date that is five (5) years following the issuance of the first building permit for OWNER’s Project; provided however that to the extent OWNER has not rehabilitated the required percentage of units, based on the number of building permits, OWNER shall, prior to the issuance of such building permits, provide security (in the form and substance approved by the City Manager and City Attorney) to the City in order to ensure the faithful completion of such required percentage of rehabilitation.

4.4.2.3 In-Lieu Fee. If OWNER has not fully complied with the requirements of Section 4.4.2 by providing the minimum number of affordable units through the construction of new affordable units or by the substantial rehabilitation of existing units, shall pay an “**Affordability In-Lieu Fee**”. If OWNER has not provided any affordable residential units by construction or rehabilitation, the Affordability In-Lieu fee shall be equal to Two Dollars Sixty-One Cents (\$2.61) per square foot of residential development within OWNER’s Project or, if pre-paid as set forth below, Two Dollars Twenty-Eight Cents (\$2.28) per square foot of residential development within OWNER’s Project. If OWNER has partially complied with the requirements of Section 4.4.1 by construction or rehabilitation of less than the minimum number of units, then the Affordability In-lieu Fee shall be recalculated and reduced in consideration of the number and type of affordable units provided. The Affordability In-Lieu Fee shall be paid by OWNER to City no later than prior to the issuance of each building permit within OWNER’s Project based on the square footage of the residential unit for which such building permit is sought; provided however that OWNER may, at OWNER’s election, pre-pay such Affordability In-Lieu Fee by paying such Affordability In-Lieu Fee within thirty (30) days following the earliest discretionary approval by the City for OWNER’s Project, including, but not limited to, any general plan amendment, specific plan adoption, development

agreement, tentative map approval, variance, conditional use permit, or resolution of intention to form any public financing mechanism. The Two Dollars, Fifty-Three Cents (\$2.61) and the Two Dollars Twenty-One Cents (\$2.28) per square foot amounts shall automatically be increased annually, commencing on July 1, 2020, and automatically each July 1 thereafter. Such adjustment shall be based on the percentage increase (but no decrease) in the Consumer Price Index (Los Angeles-Anaheim-Riverside County), 1950-2001 (1982-84=100) over the preceding year. The pre-paid Affordability In-Lieu Fee shall be calculated based on the maximum floor area ratio (FAR) permitted within the General Plan and any applicable FAR contained within the applicable specific plan, whichever is greater, and the Maximum Development Density. For purposes of this Agreement, “**Maximum Development Density**” shall be determined by multiplying the OWNER’s Project’s density for residential development potential as set forth in the General Plan or the applicable Specific Plan, whichever is less, by the net acreage of land within OWNER’s Project. All “Affordability In-Lieu Fees” collected by the City shall be used to promote the construction of affordable housing within the City.

4.4.2.4 Affordability Covenants. Prior to the issuance of the first building permit for any affordable unit, the City and OWNER shall enter into an Affordable Housing Agreement. Affordability shall be assured for a period of forty-five (45) years for for-sale units and fifty-five (55) years for rentals. For rental units, base rents shall be established by the City and rental adjustments required by the City shall be performed on an annual basis. In addition, the Affordable Housing Agreement shall impose maximum occupancy limits of 2 occupants per bedroom plus 1 additional occupant per dwelling unit, and a requirement for the owner or tenant to properly maintain each dwelling unit.

4.4.2.5 Transfer of Affordable Project. No transfer of title to any affordable housing project shall occur without the prior written consent of the City. In the event OWNER transfers title to any affordable housing project required to be constructed pursuant to this Agreement to a non-profit entity, or other entity, that receives an exemption from ad valorem real property taxes, the City shall be required to assure payment of an annual in lieu fee to the City on July 1 of each year equal to one-tenth of one percent (0.1%) of the assessed value of such project. The City may permit OWNER to satisfy this obligation by recorded covenants against the property and enforceable against said entity by the City. Any such covenants shall be approved by the Planning Director and the City Attorney.

4.5 Schools Obligations.

4.5.1 Written Evidence of Compliance with Schools Obligations.

OWNER shall, either through joint or individual agreements between OWNER and the applicable school district(s), shall satisfy its new school obligations. The new

school obligations for the Mountain View School District in the Ontario Ranch area have been projected to include the acquisition or dedication of school sites for, and construction of, up to eight (8) schools. Of these eight (8) schools, six (6) are to be elementary (K-5) grade schools and two (2) are to be middle grade schools. The new school obligations for the Chaffey Joint Union High School District in the Ontario Ranch area have been projected to include the dedication of a school site for, and construction of, an additional high school. The new school obligations for the applicable school district shall be met by any of the following or any combination thereof: (1) designating and dedicating school site(s) within the Property as set forth in the General Plan, and/or (2) paying school impact fees, (3) entering into a joint mitigation agreement or individual mitigation agreements, or (4) any combination of the foregoing. Written evidence of approval by the applicable school district that OWNER has met their school obligations may be required by the City as the condition to the issuance by the City of any entitlements for OWNER's Project. In the event OWNER is unable to provide such written evidence from the applicable school district(s), the City shall have the right to decline to honor any DIF Credit, Certificates of MDD Availability, Certificates of Storm Water Treatment Capacity Availability, or any combination thereof, presented by such OWNER, without liability to the City. To the extent that a joint mitigation agreement is approved by the applicable school district(s), and OWNER is a participant in good standing in such mitigation agreement, OWNER shall be deemed to have mitigated its new school obligations under this Section 4.4.1.

4.6 Public Services Funding Fee.

4.6.1 Requirement for Payment of Public Services Funding Fee. In order to ensure that the adequate provision of public services, including without limitation, police, fire and other public safety services, are available to the residents of each Project in a timely manner, OWNER shall pay to CITY a "**Public Services Funding Fee.**" The Public Services Funding Fee shall apply to residential and non-residential uses as set forth below.

4.6.2 Public Services Funding Fee Amount. OWNER shall pay a Public Services Funding fee in the total amount of Two Thousand Forty-Eight dollars (\$2,048) per residential dwelling unit. The Public Services Funding Fee shall be paid in one (1) installment within one hundred eighty (180) calendar days after the effective date of the Development Agreement or in two (2) installments, at OWNER's option, as follows:

4.6.2.1 First Installment (Residential uses). The First Installment of the Public Services Funding Fee shall be One Thousand Twenty-Four Dollars (\$1,024) per residential dwelling unit. The First Installment shall be based upon the "**Maximum Development Density**" of the OWNER Project, as defined in Section 3.7.2.3 of the First Amended and Restated Construction Agreement. The First Installment shall be due and payable 30 days following the effective date of this Development Agreement.

If the First installment amount is not paid for all residential dwelling units within the Project (based on the Maximum Development Density, or the number of units described on “B Maps” if approved) by January 1, 2020, the amount of the First Installment shall be increased. Such increase shall be based on the percentage increase (but no decrease) in the Consumer Price Index (Los Angeles-Anaheim-Riverside County), 1950-2001 (1982-84=100) over the preceding year. Additionally, the amount shall be further increased automatically by the percentage increase in the Consumer Price Index (Los Angeles-Anaheim-Riverside) on each January 1 thereafter.

4.6.2.2 Second Installment (Residential Uses). The Second Installment of the Public Services Funding Fee shall be One Thousand Twenty-Four Dollars (\$1,024) per residential unit. The Second Installment shall be paid at the time of the issuance of each building permit for the Project. The amount of the Second Installment shall increase automatically by percentage increase (but no decrease) in the Consumer Price Index (Los Angeles-Anaheim-Riverside County), 1950-2001 (1982-84=100) over the preceding year on January 1st of each year, beginning on January 1, 2020. OWNER may exercise the option to pay the Second Installment amount for all residential units, a portion of the residential units, or for the remainder of the residential units within OWNER’s Project on or before each December 31st, before the Second Installment amount is automatically increased.

4.6.2.3 Single Installment (Non-residential Uses). A single installment payment of the Public Services Funding Fee shall be required in the amount of Sixty-One Cents (\$0.61) per square foot of non-residential buildings. The single installment for non-residential uses shall be due and payable prior to the issuance of the building permit for a non-residential building. The amount of the Single Installment for non-residential uses shall automatically increase by percentage increase (but no decrease) in the Consumer Price Index (Los Angeles-Anaheim-Riverside County), 1950-2001 (1982-84=100) over the preceding year on January 1st of each year, beginning on January 1, 2020. OWNER may exercise the option to pay any single installment amounts for the remainder of the non-residential square footage within the Project on or before December 31st, before the Single Installment amount is automatically increased.

4.7 Net MDD/Water Availability Equivalents.

4.7.1 Effectiveness of the Agreement. Notwithstanding anything else set forth in this Agreement, CITY and OWNER each acknowledge, confirm, and agree, that (i) the City approval of this Agreement and (ii) the effectiveness of this Agreement, in each case, is conditioned upon OWNER’s admission to NMC Builders LLC as a “Member” thereof pursuant to the terms and conditions of the operating agreement of NMC Builders. OWNER and CITY agree that if OWNER is not already a Member of NMC Builders LLC, OWNER shall become a Member of NMC Builders LLC within 30 days of the effective date of this Agreement.

4.7.2 Assigned Net MDD/Water Availability Equivalents. OWNER acknowledges that the City has agreed with NMC Builders LLC to reserve exclusively for Members of NMC Builders, including OWNER, Net MDD made available through the construction of water system improvements funded by NMC Builders LLC. NMC Builders has assigned to OWNER its allocable share of the Net MDD issued by City. The provisions of the Construction Agreement Amendment require that the City shall not approve a final tract map or issue building permits or certificates of occupancy for the area of development within Ontario Ranch served by the water system improvements funded by NMC Builders LLC, except to the bearer of an Assignment of Net MDD Water Availability.

4.7.3 Use of Assigned Net MDD Water Availability. OWNER shall provide evidence of sufficient Net MDD Water Availability Equivalents (or portions thereof) prior to and as a condition precedent to, the City's approval of any and all tract maps for the Property. The amount of Net MDD Water Availability Equivalents required for City's approval of a tract map shall be based upon water demand factors and assumptions listed in Exhibit C-2R of the Construction Agreement Amendment as "Water Demand Equivalents by Land Use" for each land use category.

4.7.4 Requirement for other Water System Improvements. A Certificate of Net MDD Availability is evidence only of available water capacity and does not satisfy any other conditions applicable to an OWNER's Project, including those relating to design and construction of master-planned potable water and recycled water transmission and distribution system for the respective pressure zone and other public infrastructure requirements.

4.8 Storm Water Capacity Availability.

4.8.1 Requirement for Storm Water Treatment Capacity Availability. OWNER shall provide evidence of sufficient Storm Water Treatment Capacity Availability as reserved in a Certificate of Storm Water Treatment Capacity Availability the same manner and subject to the same limitations as provided for the assignment of Certificates of Net MDD Availability in Section 4.7 of this Agreement.

4.8.2 Use of Storm Water Treatment Capacity Availability. The amount of Storm Water Treatment Capacity Availability required for the issuance of a grading permit to OWNER shall be based upon the Net Residential Acreage of the area to be graded regardless of the corresponding use.

4.8.3 Requirement for other Storm Water Improvements. The Certificate of Storm Water Treatment Capacity Availability is evidence only of available storm water treatment capacity and does not satisfy any other conditions applicable to a particular development project, including those relating to on-site water treatment, water quality, connection to the storm water collection system, or other public infrastructure requirements.

4.9 Maintenance of Open Space. OWNER shall provide for the ongoing maintenance of all park, common areas and open space areas within the Project as more particularly set forth in the Specific Plan, through a homeowners' association as approved by the CITY. Covenants, conditions and restrictions establishing any homeowners' association shall be approved by the Planning Director and City Attorney.

4.10 Compliance with Public Benefits Requirements.

4.10.1 Failure to Provide Public Benefits. In the event OWNER fails or refuses to comply with any condition referenced in Section 4.1 through 4.10, or challenges (whether administratively or through legal proceedings) the imposition of such conditions, OWNER shall be deemed in default of this Agreement pursuant to Section 8.4 hereof, thereby entitling the City to any and all remedies available to it, including, without limitation, the right of the City to withhold OWNER's Project-related building permits, certificates of occupancy, or discretionary approvals, without liability.

5. FINANCING OF PUBLIC IMPROVEMENTS.

5.1 Financing Mechanism(s). In accordance with the Memorandum of Agreement between the CITY and NMC Builders, CITY will cooperate with OWNER in the formation of a CFD, or CFDs, to include all of the Project, to provide a financing mechanism to reimburse the OWNER for funds paid to NMC Builders LLC for OWNER's share of the costs of public infrastructure pursuant to the Construction Agreement and to acquire other public facilities constructed by OWNER subject to the provisions of the Memorandum of Agreement between CITY and NMC Builders LLC. Notwithstanding such reimbursements and acquisitions, OWNER shall remain entitled to DIF Credits as provided for in Article 3 of the Construction Agreement and/or as provided for in a separate Fee Credit Agreement between CITY and OWNER. OWNER agrees that, prior to the recordation of any Tract Map for the Property, the Property shall be included in a CFD to finance City services through annual special taxes that shall initially be \$1,687.00 per Single Family Detached Dwelling Unit, \$1,462.00 per Multiple-Family Dwelling Unit, \$1,226.00 per Gated Apartment Community Dwelling Unit, and \$.31 per square foot for Non-Residential buildings for the CITY's fiscal year 2019-20. These amounts shall be subject to an automatic increase at a rate not to exceed four (4%) percent per year. Depending on the fiscal year that the CFD is formed and the CFD tax is levied, the annual special taxes may be higher. CITY shall be the sole and exclusive lead agency in the formation of any CFD, assessment district or other public financing mechanism within the Property; provided however, that the proceeds of any such CFD, assessment district, or financing mechanism may be used, subject to restrictions that may be imposed by applicable law, for the purposes of acquiring, constructing or maintaining public facilities to be owned or operated by other public agencies, including, without limitation those facilities owned or operated by a school district. In addition to the rights of the CITY pursuant to section 5.2 hereof, CITY shall have the right, but not the obligation, to condition the formation of any CFD, assessment district or other public financing mechanism within the Property on the OWNER mitigating all Project-related impacts to the applicable school district(s) as required by such school district(s). Written evidence

by such school district(s) may be required by the CITY as the condition to the formation of any CFD, assessment district or other public financing mechanism within the Property, or any steps preliminary thereto, including, without limitation, the adoption of any resolution of intention to form such CFD, assessment district or other public financing mechanism within the Property. It is not the intent of the parties hereto, by this provision, to prohibit or otherwise limit the City's ability to take any and all necessary steps requisite to the formation of the CFD to finance City services through annual special taxes as set forth in this Section 5.1. Formation of any CFD, assessment district or other public financing mechanism within the Property, shall be subject to CITY's ability to make all findings required by applicable law and complying with all applicable legal procedures and requirements including, without limitation, CITY's public financing district policies as such policies may be amended from time to time. Notwithstanding the foregoing, it is acknowledged and agreed by the parties that nothing contained in this Agreement shall be construed as requiring CITY or the City Council to form any such district or to issue and sell bonds.

6. REVIEW FOR COMPLIANCE.

6.1 Periodic and Special Reviews.

6.1.1 Time for and Initiation of Periodic Review. The CITY shall review this Agreement every twelve (12) months from the Effective Date in order to ascertain the good faith compliance by the OWNER with the terms of this Agreement. OWNER shall be entitled to initiate up to one additional Periodic Review each calendar year in order to demonstrate good faith compliance by the OWNER to any third party. The OWNER shall submit an Annual Monitoring Report to CITY, in a form acceptable to the City Manager, along with any applicable processing charge within ten (10) days after each anniversary date of the Effective Date of this Agreement. Within fifteen (15) days after the receipt of the Annual Monitoring Report, CITY shall review the Annual Monitoring Report. Prior to the expiration of the fifteen (15) day review period, CITY shall either issue a notice of continuing compliance or a notice of non-compliance and a notice of CITY's intent to conduct a Special Review pursuant to Sections 6.1.2 through 6.1.6. Issuance of a notice of continuing compliance may be issued by the City Manager or his designee.

6.1.2 Initiation of Special Review. A special review may be called either by agreement between the parties or by initiation in one or more of the following ways:

- (1) Recommendation of the Planning staff;
- (2) Affirmative vote of at least four (4) members of the Planning Commission; or
- (3) Affirmative vote of at least three (3) members of the City Council.

6.1.3 Notice of Special Review. The City Manager shall begin the special review proceeding by giving notice that the CITY intends to undertake a special review of this Agreement to the OWNER. Such notice shall be given at least ten (10) days in advance of the time at which the matter will be considered by the Planning Commission.

6.1.4 Public Hearing. The Planning Commission shall conduct a hearing at which the OWNER must demonstrate good faith compliance with the terms of this Agreement. The burden of proof on this issue is upon the OWNER.

6.1.5 Findings Upon Public Hearing. The Planning Commission shall determine upon the basis of substantial evidence whether or not the OWNER has, for the period under review, complied in good faith with the terms and conditions of this Agreement.

6.1.6 Procedure Upon Findings.

(a) If the Planning Commission finds and determines on the basis of substantial evidence that the OWNER has complied in good faith with the terms and conditions of this Agreement during the period under review, the review for that period is concluded.

(b) If the Planning Commission finds and determines on the basis of substantial evidence that the OWNER has not complied in good faith with the terms and conditions of this Agreement during the period under review, the Planning Commission may recommend to the City Council to modify or terminate this Agreement.

(c) The OWNER may appeal a determination pursuant to paragraph (b) to the City Council in accordance with the CITY's rule for consideration of appeals in zoning matters generally.

6.2 Proceedings Upon Modification or Termination. If, upon a finding under Section 6.1.6(b), the CITY determines to proceed with modification or termination of this Agreement, the CITY shall give notice to the property OWNER of its intention so to do. The notice shall contain:

(a) The time and place of the hearing;

(b) A statement as to whether or not the CITY proposes to terminate or to modify this Agreement; and

(c) Other information that the CITY considers necessary to inform the OWNER of the nature of the proceeding.

6.3 Hearing on Modification or Termination. At the time and place set for the hearing on modification or termination, the OWNER shall be given an opportunity to be heard. The OWNER shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. The burden of proof on this issue shall be on the OWNER. If the City Council finds, based upon substantial evidence in the administrative record, that the OWNER has not complied in good faith with the terms and conditions of the agreement, the City Council may terminate or modify this Agreement and impose those conditions to the action it takes as it considers necessary to protect the interests of the CITY. The decision of the City Council shall be final, subject only to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.

6.4 Certificate of Agreement Compliance. If, at the conclusion of a Periodic or Special Review, OWNER is found to be in compliance with this Agreement, CITY shall, upon written request by OWNER, issue a Certificate of Agreement Compliance ("Certificate") to OWNER stating that after the most recent Periodic or Special Review and based upon the information known or made known to the Planning Director and City Council that (1) this Agreement remains in effect and (2) OWNER is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance, shall state whether the Certificate is issued after a Periodic or Special Review and shall state the anticipated date of commencement of the next Periodic Review. OWNER may record the Certificate with the County Recorder. Whether or not the Certificate is relied upon by assignees or other transferees or OWNER, CITY shall not be bound by a Certificate if a default existed at the time of the Periodic or Special Review, but was concealed from or otherwise not known to the Planning Director or City Council.

7. [RESERVED]

8. DEFAULT AND REMEDIES.

8.1 Remedies in General. It is acknowledged by the parties that CITY would not have entered into this Agreement if it were to be liable in damages under this Agreement, or with respect to this Agreement or the application thereof.

In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that CITY shall not be liable in damages to OWNER, or to any successor in interest of OWNER, or to any other person, and OWNER covenants not to sue for damages or claim any damages:

(a) For any breach of this Agreement or for any cause of action which arises out of this Agreement; or

(b) For the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or

(c) Arising out of or connected with any dispute, controversy or issue regarding the application or interpretation or effect of the provisions of this Agreement.

8.2 Specific Performance. The parties acknowledge that money damages and remedies at law generally are inadequate and specific performance and other non-monetary relief are particularly appropriate remedies for the enforcement of this Agreement and should be available to all parties for the following reasons:

(a) Money damages are unavailable against CITY as provided in Section 8.1 above.

(b) Due to the size, nature and scope of the project, it may not be practical or possible to restore the Property to its natural condition once implementation of this Agreement has begun. After such implementation, OWNER may be foreclosed from other choices it may have had to utilize the Property or portions thereof. OWNER has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon the terms of this Agreement, and it is not possible to determine the sum of money which would adequately compensate OWNER for such efforts.

8.3 Release. Except for nondamage remedies, including the remedy of specific performance and judicial review as provided for in Section 6.5, OWNER, for itself, its successors and assignees, hereby releases the CITY, its officers, agents and employees from any and all claims, demands, actions, or suits of any kind or nature arising out of any liability, known or unknown, present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California Constitution, the Fifth Amendment of the United States Constitution, or any other law or ordinance which seeks to impose any other liability or damage, whatsoever, upon the CITY because it entered into this Agreement or because of the terms of this Agreement.

8.4 Termination or Modification of Agreement for Default of OWNER. Subject to the provisions contained in Subsection 6.3 herein, CITY may terminate or modify this Agreement for any failure of OWNER to perform any material duty or obligation of OWNER under this Agreement, or to comply in good faith with the terms of this Agreement (hereinafter referred to as "default"); provided, however, CITY may terminate or modify this Agreement pursuant to this Section only after providing written notice to OWNER of default setting forth the nature of the default and the actions, if any, required by OWNER to cure such default and, where the default can be cured, OWNER has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

8.5 Termination of Agreement for Default of CITY. OWNER may terminate this Agreement only in the event of a default by CITY in the performance of a material term of

this Agreement and only after providing written notice to CITY of default setting forth the nature of the default and the actions, if any, required by CITY to cure such default and, where the default can be cured, CITY has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

9. THIRD PARTY LITIGATION.

9.1 General Plan Litigation. CITY has determined that this Agreement is consistent with its Comprehensive General Plan, as such General Plan exists as of the Effective Date (“General Plan”), and that the General Plan meets all requirements of law. OWNER has reviewed the General Plan and concurs with CITY’s determination. CITY shall have no liability in damages under this Agreement for any failure of CITY to perform under this Agreement or the inability of OWNER to develop the Property as contemplated by the Development Plan of this Agreement as the result of a judicial determination that on the Effective Date, or at any time thereafter, the General Plan, or portions thereof, are invalid or inadequate or not in compliance with law.

9.2 Third Party Litigation Concerning Agreement. OWNER shall defend, at its expense, including attorneys’ fees, indemnify, and hold harmless CITY, its agents, officers and employees from any claim, action or proceeding against CITY, its agents, officers, or employees to attack, set aside, void, or annul the approval of this Agreement or the approval of any permit granted pursuant to this Agreement. CITY shall promptly notify OWNER of any such claim, action or proceeding, and CITY shall cooperate in the defense. If CITY fails to promptly notify OWNER of any such claim, action or proceeding, or if CITY fails to cooperate in the defense, OWNER shall not thereafter be responsible to defend, indemnify, or hold harmless CITY. CITY may in its discretion participate in the defense of any such claim, action or proceeding.

9.3 Indemnity. In addition to the provisions of 9.2 above, OWNER shall indemnify and hold CITY, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever, based or asserted upon any act or omission of OWNER, its officers, agents, employees, subcontractors and independent contractors, for property damage, bodily injury, or death (OWNER’s employees included) or any other element of damage of any kind or nature, relating to or in any way connected with or arising from the activities contemplated hereunder, including, but not limited to, the study, design, engineering, construction, completion, failure and conveyance of the public improvements, save and except claims for damages arising through the sole active negligence or sole willful misconduct of CITY. OWNER shall defend, at its expense, including attorneys’ fees, CITY, its officers, agents, employees and independent contractors in any legal action based upon such alleged acts or omissions. CITY may in its discretion participate in the defense of any such legal action.

9.4 Environment Assurances. OWNER shall indemnify and hold CITY, its officers, agents, and employees free and harmless from any liability, based or asserted,

upon any act or omission of OWNER, its officers, agents, employees, subcontractors, predecessors in interest, successors, assigns and independent contractors for any violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions, and OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents and employees in any action based or asserted upon any such alleged act or omission. CITY may in its discretion participate in the defense of any such action.

9.5 Reservation of Rights. With respect to Sections 9.2, 9.3 and 9.4 herein, CITY reserves the right to either (1) approve the attorney(s) which OWNER selects, hires or otherwise engages to defend CITY hereunder, which approval shall not be unreasonably withheld, or (2) conduct its own defense, provided, however, that OWNER shall reimburse CITY forthwith for any and all reasonable expenses incurred for such defense, including attorneys' fees, upon billing and accounting therefor.

9.6 Survival. The provisions of this Sections 9.1 through 9.6, inclusive, shall survive the termination of this Agreement.

10. MORTGAGEE PROTECTION.

The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. CITY acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. CITY will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any Mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee, has submitted a request in writing to the CITY in the manner specified herein for giving notices, shall be entitled to receive written notification from CITY of any default by OWNER in the performance of OWNER's obligations under this Agreement.

(c) If CITY timely receives a request from a Mortgagee requesting a copy of any notice of default given to OWNER under the terms of this Agreement, CITY shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default

to OWNER. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have an obligation or duty under this Agreement to perform any of OWNER's obligations or other affirmative covenants of OWNER hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by CITY, the performance thereof shall continue to be a condition precedent to CITY's performance hereunder, and further provided that any sale, transfer or assignment by any Mortgagee in possession shall be subject to the provisions of Section 2.4 of this Agreement.

11. MISCELLANEOUS PROVISIONS.

11.1 Recordation of Agreement. This Agreement and any amendment or cancellation thereof shall be recorded with the San Bernardino County Recorder by the City Clerk within the ten (10) days after the CITY executes this Agreement, as required by Section 65868.5 of the Government Code. If the parties to this Agreement or their successors in interest amend or cancel this Agreement as provided for herein and in Government Code Section 65868, or if the CITY terminates or modifies the agreement as provided for herein and in Government Code Section 65865.1 for failure of the applicant to comply in good faith with the terms or conditions of this Agreement, the City Clerk shall have notice of such action recorded with the San Bernardino County Recorder.

11.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements which are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

11.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provision of the Public Benefits set forth in Section 4 of this Agreement, including the payment of the fees set forth therein, are essential elements of this Agreement and CITY would not have entered into this Agreement but for such provisions, and therefore in the event such provisions are determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.

11.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of

California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

11.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

11.6 Singular and Plural. As used herein, the singular of any word includes the plural.

11.7 Joint and Several Obligations. Subject to section 2.4, if at any time during the term of this Agreement the Property is owned, in whole or in part, by more than one owner, all obligations of such owners under this Agreement shall be joint and several, and the default of any such owner shall be the default of all such owners. Notwithstanding the foregoing, no owner of a single lot which has been finally subdivided and sold to such owner as a member of the general public or otherwise as an ultimate user shall have any obligation under this Agreement except as provided under Section 4 hereof.

11.8 Time of Essence. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.

11.9 Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

11.10 No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

11.11 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control, (including the party's employment force), government regulations, court actions (such as restraining orders or injunctions), or other causes beyond the party's control. If any such events shall occur, the term of this Agreement and the time for performance by either party of any of its obligations hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the term of this Agreement shall not be extended under any circumstances for more than five (5) years.

11.12 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

11.13 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and, (c) is binding upon each party and each successor in interest during ownership of the Property or any portion thereof.

11.14 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

11.15 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of San Bernardino, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

11.16 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between CITY and OWNER is that of a government entity regulating the development of private property and the owner of such property.

11.17 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement. The City Manager may delegate his powers and duties under this Agreement to an Assistant City Manager or other management level employee of the CITY.

11.18 Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by CITY of its power of eminent domain.

11.19 Agent for Service of Process. In the event OWNER is not a resident of the State of California or it is an association, partnership or joint venture without a member, partner or joint venturer resident of the State of California, or it is a foreign corporation,

then in any such event, OWNER shall file with the Planning Director, upon its execution of this Agreement, a designation of a natural person residing in the State of California, giving his or her name, residence and business addresses, as its agent for the purpose of service of process in any court action arising out of or based upon this Agreement, and the delivery to such agent of a copy of any process in any such action shall constitute valid service upon OWNER. If for any reason service of such process upon such agent is not feasible, then in such event OWNER may be personally served with such process out of this County and such service shall constitute valid service upon OWNER. OWNER is amenable to the process so served, submits to the jurisdiction of the Court so obtained and waives any and all objections and protests thereto. OWNER for itself, assigns and successors hereby waives the provisions of the Hague Convention (Convention on the Service Abroad of Judicial and Extra Judicial Documents in Civil or Commercial Matters, 20 U.S.T. 361, T.I.A.S. No. 6638).

11.20 Estoppel Certificate. Within thirty (30) business days following a written request by any of the parties, the other party shall execute and deliver to the requesting party a statement certifying that (i) either this Agreement is unmodified and in full force and effect or there have been specified (date and nature) modifications to the Agreement, but it remains in full force and effect as modified; and (ii) either there are no known current uncured defaults under this Agreement or that the responding party alleges that specified (date and nature) defaults exist. The statement shall also provide any other reasonable information requested. The failure to timely deliver this statement shall constitute a conclusive presumption that this Agreement is in full force and effect without modification except as may be represented by the requesting party and that there are no uncured defaults in the performance of the requesting party, except as may be represented by the requesting party. OWNER shall pay to CITY all costs incurred by CITY in connection with the issuance of estoppel certificates under this Section 11.20 prior to CITY's issuance of such certificates.

11.21 Authority to Execute. The person or persons executing this Agreement on behalf of OWNER warrants and represents that he or she/they have the authority to execute this Agreement on behalf of his or her/their corporation, partnership or business entity and warrants and represents that he or she/they has/have the authority to bind OWNER to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year set forth below.

[SIGNATURES CONTAINED ON FOLLOWING PAGE]

**SIGNATURE PAGE
TO DEVELOPMENT AGREEMENT**

"OWNER"

SLV LC Center, , LLC, a
Florida limited liability company,

By: _____
Name: _____
Its: _____
Date: _____

HCW LC Center, LLC, a
Florida limited liability company

By: _____
Name: _____
Its: _____
Date: _____

Strack Farms Land, LLC,
a Delaware limited liability company

By: _____
Name: _____
Its: _____
Date: _____

RHV Edison Avenue, LLC,
a Florida limited liability company,

By: _____
Name: _____
Its: _____
Date: _____

MV Edison Avenue, LLC,
a Florida limited liability company

By: _____
Name: _____
Its: _____
Date: _____

EPC Holdings 938 LLC,
a Washington 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:
COLE HUBER, LLP

City Attorney

ACKNOWLEDGEMENT

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

STATE OF CALIFORNIA)
COUNTY OF _____)

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

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

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

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

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

ACKNOWLEDGEMENT

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

STATE OF CALIFORNIA)
COUNTY OF _____)

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

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

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

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

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

Place Notary Seal Above

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

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

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"
TO DEVELOPMENT AGREEMENT

Legal Description of Property

Real property in the City of Ontario, County of San Bernardino, State of California, described as follows:

PARCEL 1: (APN: PORTION OF 0218-252-08-0-000)

THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THE EASTERLY 390.07 FEET AS MEASURED ALONG THE NORTHERLY LINE. ALSO EXCEPT THE WESTERLY 30 FEET LYING WITHIN CLEVELAND AVENUE. ALSO EXCEPT THAT PORTION CONVEYED TO THE CITY OF ONTARIO, A MUNICIPAL CORPORATION BY DEED RECORDED APRIL 3, 2009 AS INSTRUMENT NO. 2009-0141620 OF OFFICIAL RECORDS.

PARCEL 2: (APN: PORTION OF 0218-252-08-0-000)

GOVERNMENT LOT NO. 2 OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THE WESTERLY 30 FEET LYING WITHIN CLEVELAND AVENUE.

ALSO EXCEPT THE EASTERLY 390.07 FEET AS MEASURED ALONG THE NORTHERLY LINE OF SAID GOVERNMENT LOT NO. 2.

ALSO EXCEPT THAT PORTION CONVEYED TO THE CITY OF ONTARIO, A MUNICIPAL CORPORATION BY DEED RECORDED APRIL 3, 2009 AS INSTRUMENT NO. 2009-0141620 OF OFFICIAL RECORDS.

PARCEL 3: (APN: 0218-252-09-0-000)

ALL OF GOVERNMENT LOT NO. 3 OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THE EAST 30 FEET LYING WITHIN ADAMS AVENUE.

**EXHIBIT "A" CONTINUED
TO DEVELOPMENT AGREEMENT**

Legal Description of Property

ALSO EXCEPT THE WESTERLY 390.57 FEET AS MEASURED ALONG THE NORTHERLY LINE OF SAID LOT NO. 3.

PARCEL 4: (APN: PORTION OF 0218-252-07-0-000)

THE EASTERLY 390.07 FEET, AS MEASURED ALONG THE NORTH LINE, OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO GOVERNMENT SURVEY, TOGETHER WITH THE EASTERLY 390.07 FEET, AS MEASURED ALONG THE NORTHERLY LINE, OF GOVERNMENT LOT NO. 2 OF SAID SECTION 13.

EXCEPT THE SOUTHERLY 45.00 FEET OF THE NORTHERLY 75.00 FEET OF THE EASTERLY 40.00 FEET OF SAID NORTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SAID SECTION 13.

PARCEL 5: (APN: PORTION OF 0218-252-07-0-000)

THE WESTERLY 390.57 FEET, AS MEASURED ALONG THE NORTHERLY LINE OF GOVERNMENT LOT NO. 3, SECTION 13, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO GOVERNMENT SURVEY.

EXCEPT THE WESTERLY 10 FEET OF THE SOUTHERLY 45.00 FEET OF THE NORTHERLY 75 FEET OF SAID GOVERNMENT LOT NO. 3.

EXHIBIT "B"
TO DEVELOPMENT AGREEMENT

Map showing Property and its location

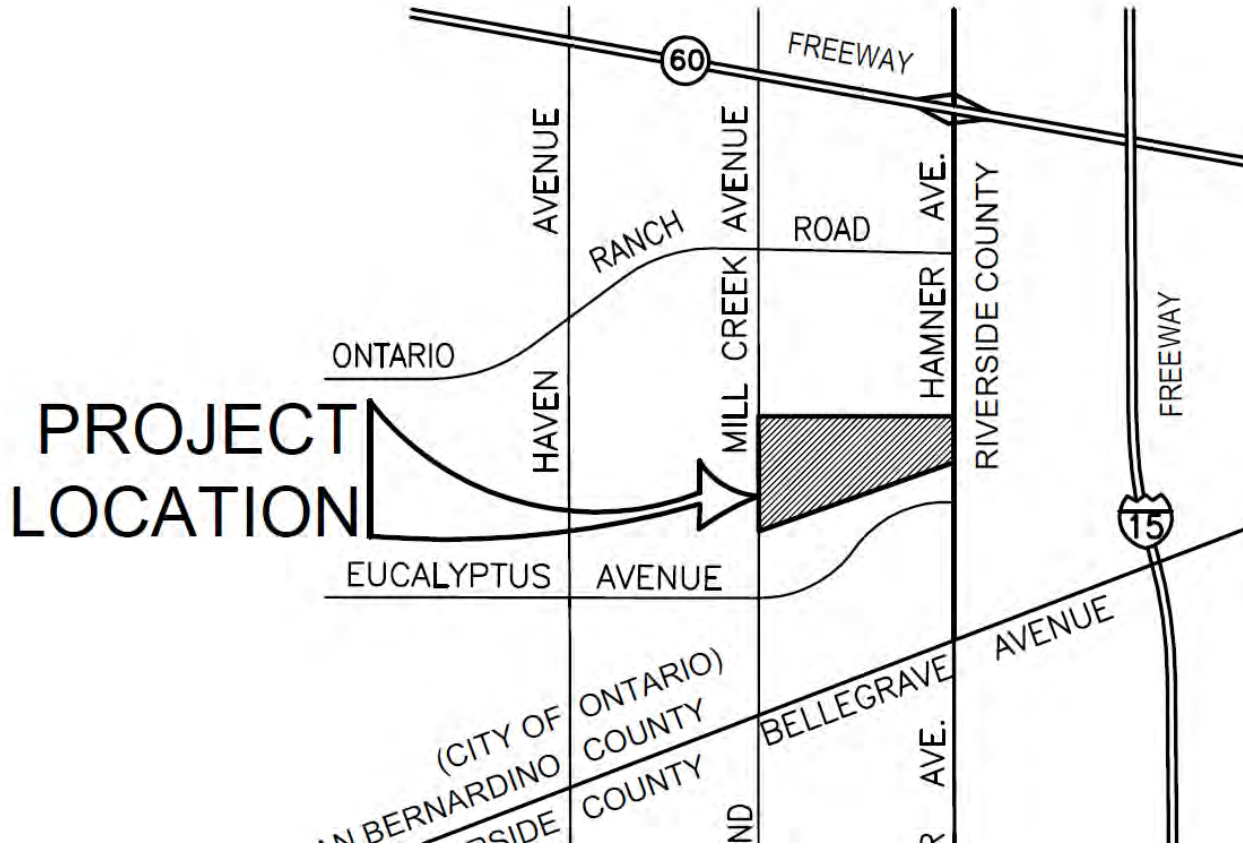


EXHIBIT "C"
TO DEVELOPMENT AGREEMENT

Existing Development Approvals

On December 18, 2006, the Planning Commission:

- a) Issued Resolution No. PC06-170 recommending City Council adopt and certify the Esperanza Environmental Impact Report (SCH#2002061047).
- b) Issued Resolution No. PC06-171 recommending City Council approval of the Esperanza Specific Plan (File No. PSP05-002).

On January 16, 2007, the City Council:

- a) Adopted and certified the Esperanza Environmental Impact Report (SCH#2002061047) and issued Resolution No. 2007-008.

On February 6, 2007, the City Council:

- a) Approved the Esperanza Specific Plan (File No. PSP05-002) and adopted Ordinance No. 2852.

On August 27, 2019, the Planning Commission:

- a) Issued Resolution No. PC19-XXX for the approval of Tentative Tract Map 20157 (File No. PMTT18-002).
- b) Issued Resolution No. PC19-XXX recommending City Council approval of the Development Agreement (File No. PDA19-002).

EXHIBIT "D"
TO DEVELOPMENT AGREEMENT

Existing Land Use Regulations

These documents are listed for reference only:

1. Esperanza Specific Plan EIR (SCH#2002061047), Resolution No. 2007-08
2. Esperanza Specific Plan (File No. PSP05-002), Ordinance No. 2852
3. City of Ontario Municipal Code
 - a. Six – Sanitation & Health
 - b. Seven – Public Works
 - c. Eight – Building Regulations
 - d. Nine – Development Code
 - e. Ten – Parks & Recreation

EXHIBIT "E"
TO DEVELOPMENT AGREEMENT

Phasing Plan

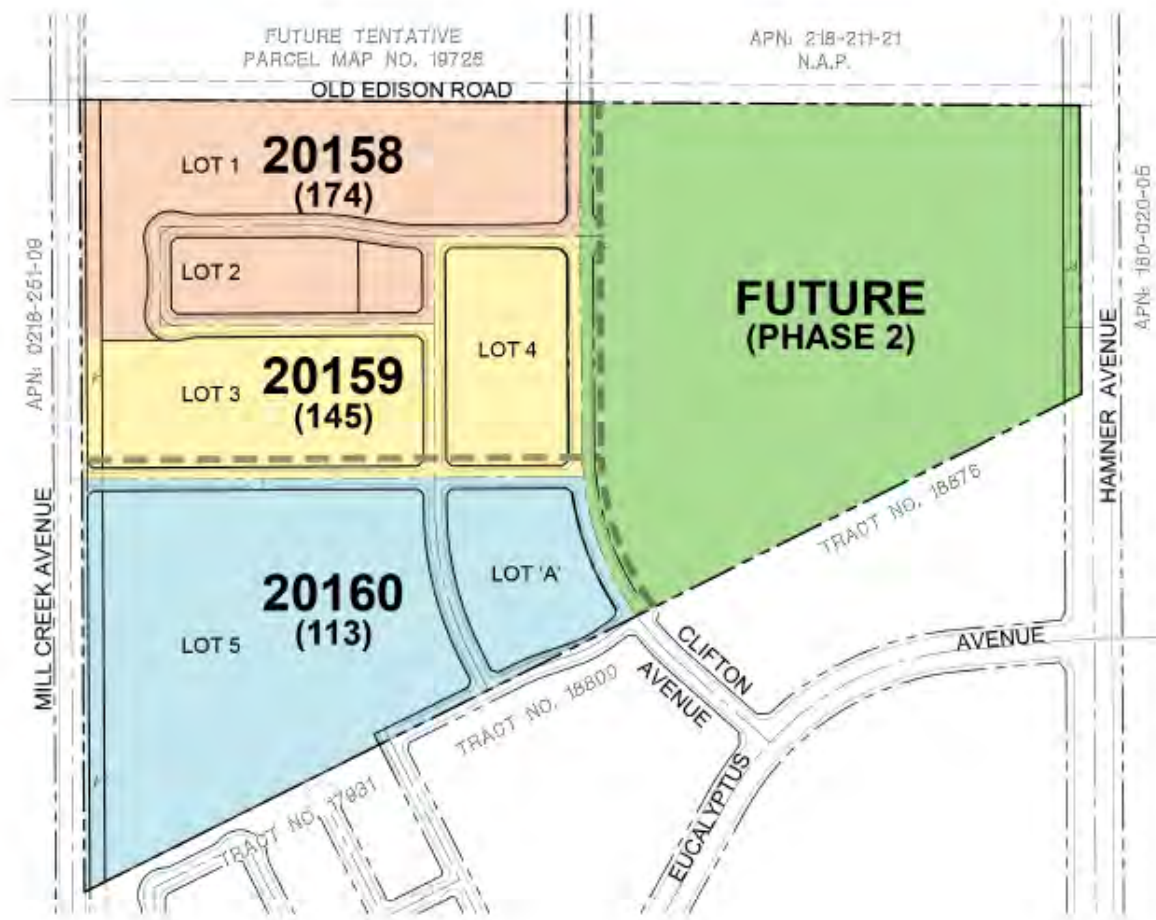


Exhibit "E-1"
TO DEVELOPMENT AGREEMENT
Esperanza Specific Plan Land Use Map

Section 4. **LAND USE**

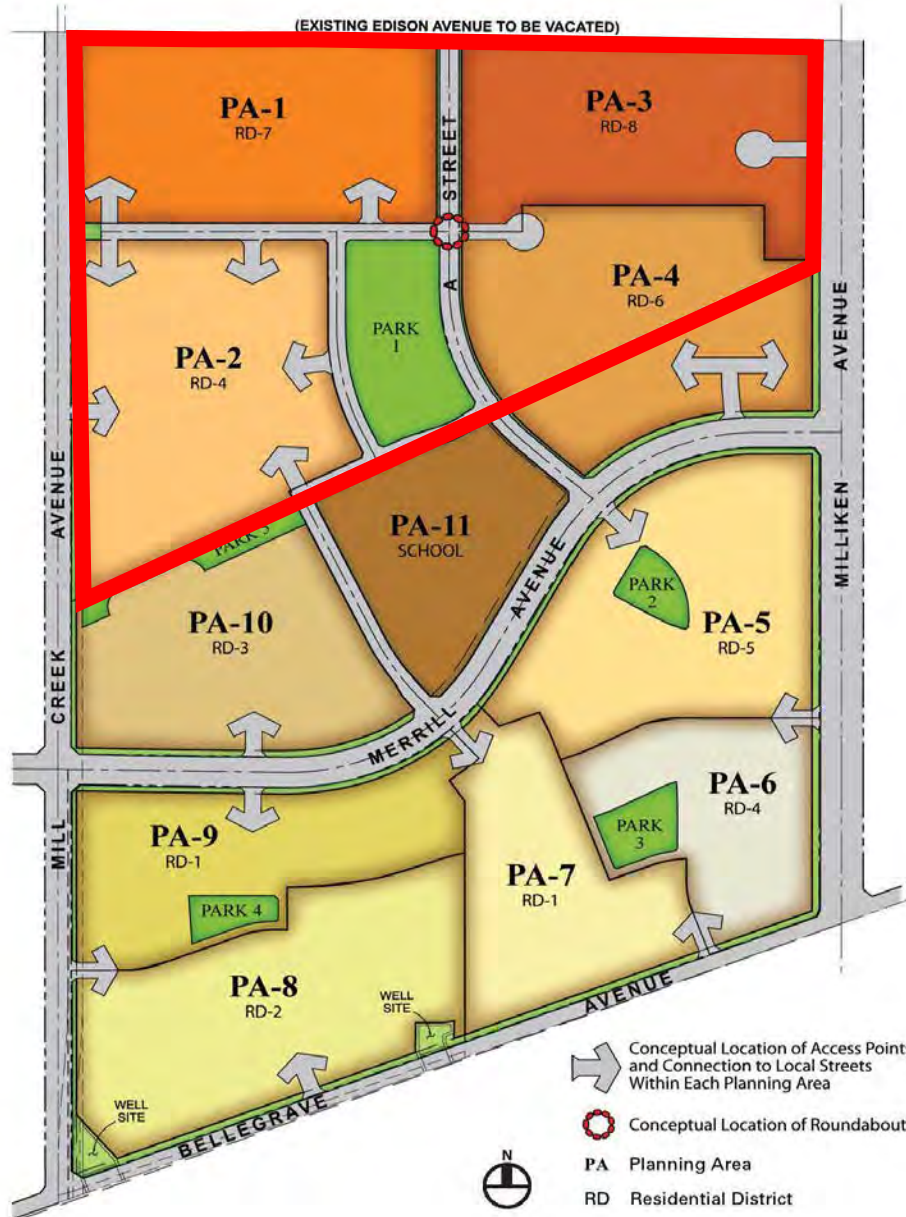


Exhibit 8
 Land Use Plan

Exhibit "F-1" TO DEVELOPMENT AGREEMENT

Required Infrastructure Improvements

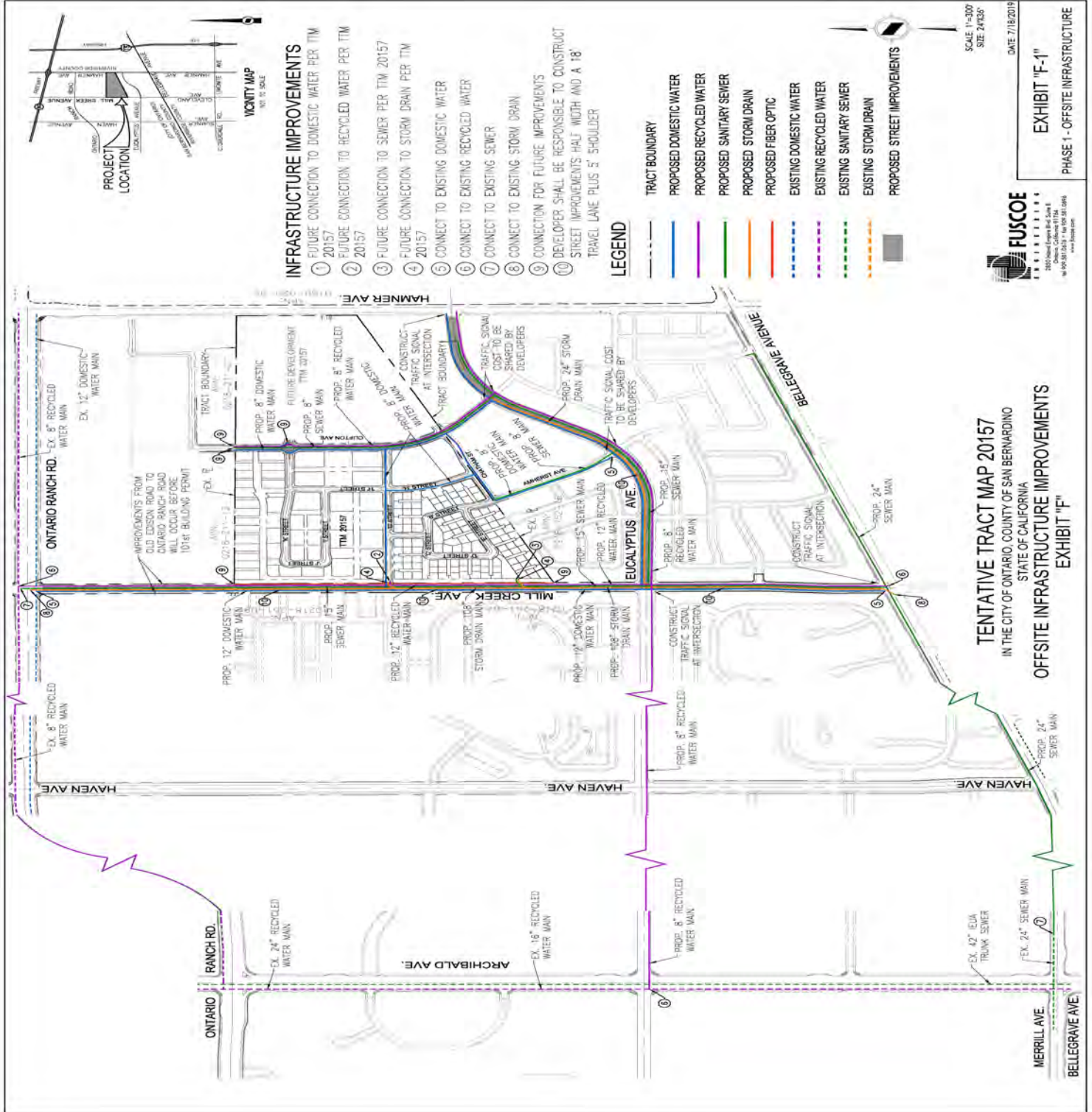


Exhibit "F-2" TO DEVELOPMENT AGREEMENT

Required Infrastructure Improvements

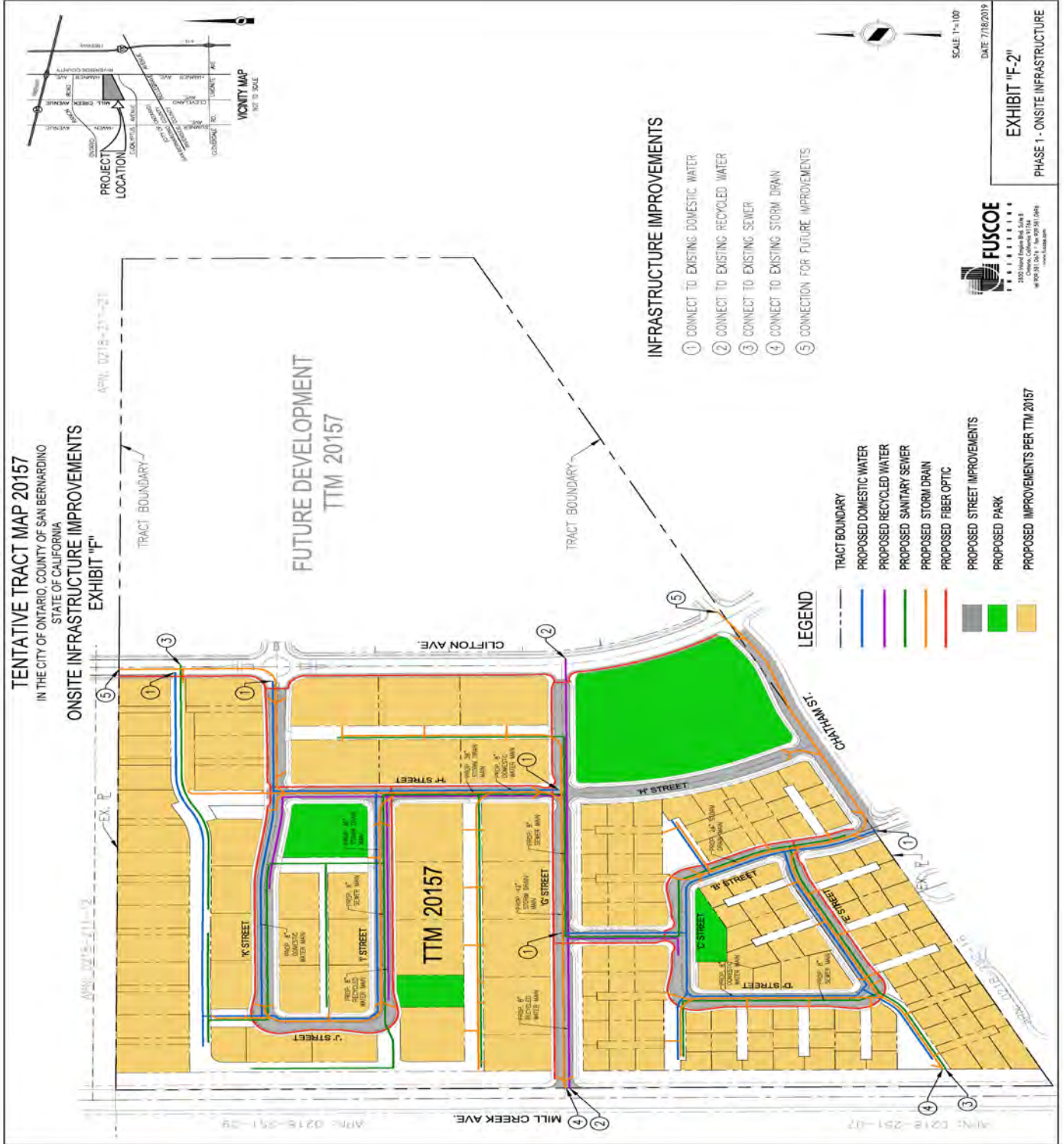
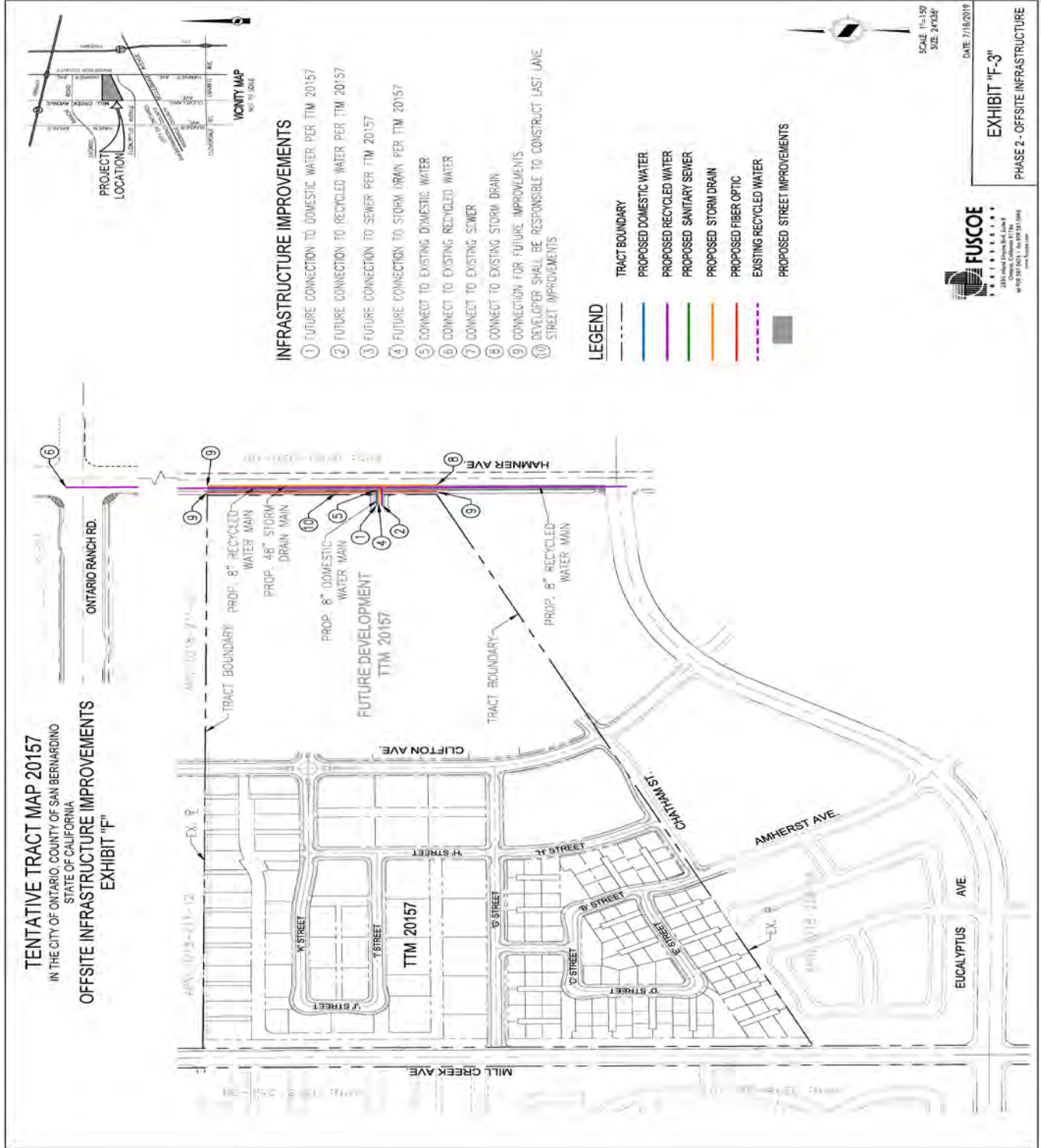


Exhibit "F-3" TO DEVELOPMENT AGREEMENT

Require Infrastructure Improvements





CITY OF ONTARIO

MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Jim Willoughby, Historic Preservation Commission Chair

DATE: August 27, 2019

SUBJECT: Historic Structure Report (HSR) for Jay Littleton Ballpark (JLB)

In April 2001, the City of Ontario became the state's 46th Certified Local Government (CLG). To date, 67 local governments have obtained CLG status. CLG status certifies that a City's preservation program is consistent with federal and state standards and regulations. Many CLG's benefit by streamlining environmental review, receiving grant funds for preservation projects, and increasing heritage tourism and community engagement.

In October 2018, the City of Ontario was awarded a Certified Local Government (CLG) grant to prepare a Historic Structure Report for Jay Littleton Ballpark, a designated local historic landmark. The purpose of the HSR is to guide alterations, improvements, repair, and maintenance in a manner that is consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties to ensure preservation and the continued community use of the City-owned facility. The HSR will inform the development of a 5-Year CIP, in which the highest level of prioritized improvements will be addressed. Such improvements include appropriate repair or replacement of the ballpark's wood features, structural reinforcement, and construction of an ADA compliant restroom(s).

The HSR is organized in two parts. The first part provides a written physical description of the site, historical background and context, an evaluation of historical significance, and identification of character-defining features, structural conditions, and accessibility conditions. Part two identifies preservation objectives, and recommended treatments for rehabilitation and maintenance with cost estimates.

I hope you find the information included in the attached report informative and interesting.

Attachment: Historic Structure Report (HSR) for Jay Littleton Ballpark (JLB)

C: Scott Ochoa, City Manager
Scott Murphy, AICP, Executive Director Development
Tito Haes, Executive Director Public Works

JAY LITTLETON BALL PARK HISTORIC STRUCTURE REPORT

ONTARIO, CALIFORNIA



Page intentionally left blank

TABLE OF CONTENTS

INTRODUCTION	1
METHODOLOGY	2
PROJECT TEAM.....	3
ACKNOWLEDGEMENTS	3
<u>PART ONE</u>	
HISTORICAL BACKGROUND AND CONTEXT	7
LATE 19TH AND EARLY 20TH CENTURY BALL PARKS	7
HISTORY OF BASEBALL IN ONTARIO.....	9
PHYSICAL DESCRIPTION	11
CHRONOLOGY OF DEVELOPMENT	13
SIGNIFICANCE AND INTEGRITY	14
SIGNIFICANCE	14
INTEGRITY.....	14
EXISTING CONDITIONS	15
CHARACTER-DEFINING FEATURE CONDITIONS.....	15
STRUCTURAL CONDITIONS	48
ACCESSIBILITY CONDITIONS	48

PART TWO

PRESERVATION OBJECTIVES 53

 STANDARDS FOR REHABILITATION 53

 STATE HISTORICAL BUILDING CODE 54

RECOMMENDED TREATMENTS 55

 RECOMMENDED STRUCTURAL TREATMENTS 55

 RECOMMENDED MATERIAL AND FINISH TREATMENTS 56

 RECOMMENDED EXTERIOR TREATMENTS 58

 RECOMMENDED INTERIOR TREATMENTS 59

 RECOMMENDED ACCESSIBILITY STRATEGIES 60

FIVE-YEAR PLAN 61

MAINTENANCE PLAN 65

RECOMMENDATIONS FOR FURTHER STUDY 66

REFERENCES 67

TABLE OF FIGURES 68

BIBLIOGRAPHY 69

APPENDICES

 APPENDIX A: REHABILITATION PLAN

 APPENDIX B: COST ESTIMATES

 APPENDIX C: STRUCTURAL UPGRADE PLANS

 APPENDIX D ACCESSIBILITY PLANS

 APPENDIX E: AS-BUILT DRAWINGS

 APPENDIX F: PHOTO KEY AND PHOTOGRAPHS

Page intentionally left blank

Page intentionally left blank

INTRODUCTION



Figure 1. Jay Littleton Ball Park, looking northwest towards the grandstand.

The Jay Littleton Ball Park is located at 1076 N. Grove Avenue at the northeast corner of John Galvin Park in Ontario, California. The ball park consists of a wood-frame grandstand completed in 1937 and a ball field with two ancillary utility sheds, one to the east of the grandstand and one to the northeast of the ball park. It is owned by the City of Ontario and operated by the Public Works Agency. The City designated the facility as a Historic Landmark in 2003.

The City is proposing to make further alterations to the ball park in order to maintain its viability and continued operation as a municipal baseball facility. As a designated landmark, the City Planning Department and Historic Preservation Commission are responsible for reviewing alterations to properties designated as local landmarks. Alterations are reviewed for compliance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (Standards).

GPA Consulting (GPA), Structural Focus, and Spectra Company (Spectra) were retained to prepare this Historic Structure Report (HSR) to help guide the rehabilitation of the Jay Littleton Ball Park in compliance with the Standards. The HSR is organized into two main parts based upon the guidance provided in *Preservation Brief #43: The Preparation and Use of Historic Structure Reports*. Part One documents the history and evolution of the ball park. It includes historical background information, a physical description, a chronology of the alterations, and a summary of significance and integrity. It also includes an assessment of the facility's existing conditions and identifies the ball park's character-defining features. Part Two outlines a scope of recommended work based upon the City's project objectives and the ball park's existing condition. It includes a discussion of historic preservation guidelines, recommendations for overall treatments, rehabilitation and maintenance plans, and cost estimates for the scope of recommended work.

METHODOLOGY

The purpose of this HSR is to guide the rehabilitation of the Jay Littleton Ball Park by identifying character-defining features, documenting existing conditions, and providing appropriate approaches to its rehabilitation in compliance with the Standards. To compile this report, the project team gathered and reviewed the existing information on the ball park and conducted additional research to thoroughly document its construction history. This research included reviewing historic photographs and newspaper articles. The project team also conducted intensive field inspections of the grandstand and ball field to assess the overall physical condition and identify character-defining features. During these field inspections, measurements were taken to produce as-built drawings of the grandstand. Digital photographs were also taken.

Based upon the research and inspections, the project team created a thorough inventory of the ball park's character-defining features, assessed the existing condition of the facility's structure, exterior and interior envelope, and ADA accessibility, as well as recommended treatment. The recommendations are in direct response to the conditions of features and materials observed in the field as well as the City's project objectives. The project team consulted the relevant references and source materials regarding the Standards, including the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings* and various National Park Service Technical Briefs, which are referenced throughout the HSR where applicable.

It is important to note that the intention of this HSR is not to provide a comprehensive recordation of conditions and rehabilitation treatments. This type of exercise is best implemented as a separate, focused

task that is intended to provide specific repair recommendations and specifications. Instead, the intention is to provide a general overview of the scope of work for the rehabilitation of the Jay Littleton Ball Park. Further surveys are needed for certain features or materials. Testing, structural evaluations, and conservation assessments are recommended in order to identify more comprehensively the extent of rehabilitation treatment and repair required. Mockups of a proposed treatment or product to be reviewed and approved by a qualified architect or buildings material conservator are also recommended prior to full-scale implementation or widespread application.

PROJECT TEAM

The members of the project team who were responsible for the preparation of this HSR are as follows:

- Teresa Grimes, GPA, Principal Architectural Historian
- Emily Rinaldi, GPA, Associate Architectural Historian
- Dick Gee, Spectra Company, Architect/Project Manager
- David W. Cocke, Structural Focus, President
- Melineh Zomorrodian, Structural Focus, Associate
- Taylor Funk, Structural Focus, Design Engineer
- Christine Lamb, AEC Consultants, Inc., Project Coordinator

City of Ontario Historic Preservation Subcommittee

- Bob Gregorek, Chairman
- Jim Willoughby, Member
- Richard Gage, Member

City of Ontario Recreation and Parks Commission

- Ken Dean, Chairperson
- Rita Nelsen, Vice-Chairperson
- Virginia Riley, Member
- Larry Trinidad, Member
- Marty Binney, Member
- Daniel Saucedo, Member
- Gary Ovitt, Member

City of Ontario Planning Department

- Cathy Wahlstrom, Planning Director
- Diane Ayala, Senior Planner
- Elly Antuna, Assistant Planner

City of Ontario Public Works Department

- Tito Haes, Executive Directory Public Works
- Michael Johnson, Municipal Services Director
- Adrian Escamilla, Parks and Maintenance Manager



ACKNOWLEDGMENTS

The project team would like to thank the following City staff and commission members for their contributions to this HSR:

City of Ontario Planning and Historic Preservation Commission

- Jim Willoughby, Chairperson
- Nancy DeDiemar, Member
- Rick Gage, Member
- Fausto Reyes, Member
- James Downs, Member
- Bob Gregorek, Member
- Nicola Ricci, Member

Page intentionally left blank



PART ONE

Page intentionally left blank

HISTORICAL BACKGROUND AND CONTEXT

The Jay Littleton Ball Park was constructed between 1936 and 1937 as part of the expansion of the recreational facilities in John Galvin Park during the 1930s. Originally called the Ontario Ball Park, the new ball park was home to the City's semi-professional baseball team, the Ontario Merchants. Additionally, Pacific Coast League teams used it for spring training. The City constructed what would have been at the time a modest, but modern baseball facility with a wood grandstand that could seat 3,500, team locker rooms, and a press box complete with radio transmission towers on the roof.

LATE 19TH AND EARLY 20TH CENTURY BALL PARKS

America's earliest ball parks typically featured U-shaped, open-tier grandstands that were sited behind home plate and extended along the first and third baselines. These grandstands had one or two-tiers of stepped seating covered by a flat or gabled roof and were almost always constructed entirely of wood. Larger ball parks also may have had uncovered stands along the outfield. All early ball parks were enclosed by wood plank fences in order to keep out non-paying spectators.

A typical example of an early ball park was the first League Park in Cleveland, Ohio. Built in 1891 for the National League Cleveland Spiders, the grandstand was sited behind home plate, U-shaped in plan, featured exterior wood siding, and had a roof supported by wood trusses.¹ It was later dismantled and reconstructed in 1910 using steel and concrete. While League Park was simple in its design, a more elaborate early example of a ball park was the second South End Grounds in Boston. Often referred to as the Grand Pavilion, it was built for the National League Boston Red Stockings (later known as the Red Sox) between 1887 and 1888. It was an elaborate double-decked wood grandstand with a series of conical towers.² Designed by architect John Jerome Deery, the grandstand resembled a medieval castle and could seat approximately 6,800 spectators. It was later destroyed in the Great Roxbury Fire of May 15, 1894.

¹ Michael Rotman, "League Park," Cleveland Historical, accessed December 6, 2018, <https://clevelandhistorical.org/items/show/16?tour=10&index=0>.

² Bob Ruzzo, "South End Grounds (Boston)," Society for American Baseball Research, accessed December 6, 2018, <https://sabr.org/bioproj/park/south-end-grounds-boston>.



Figure 2. League Park in Cleveland in circa 1900.

Because early wooden grandstands like the South End Grounds were susceptible to fire, most ball parks for professional teams were constructed of less flammable materials like brick, concrete, and steel by the 1900s and early 1910s. However, semi-professional and amateur ball parks continued to be constructed partially or entirely of wood. Rickwood Field in Birmingham is America's oldest ball park still in operation. Modeled after Forbes Field in Pittsburgh, it was built for the Southern League's Birmingham Barons in 1910 and later became home to the Negro League's Birmingham Black Barons.³ It features a wood-and-steel frame grandstand with a Period Revival-style concrete façade. There are also a few extant wood grandstands dating from the 1920s. An example is Duncan Park Stadium in Spartanburg, South Carolina. The ball park was constructed between 1925 and 1926 for the Southern Atlantic League Spartanburg Spartans and is of wood construction with steel framing and wood weatherboard siding.⁴

Beginning in the late 19th century with the onset of the Progressive Era, city governments began to devise public policies and programs that linked supervised play and active recreation with the idea of social progress.⁵ Facilities, such as parks, playgrounds, and swimming pools, were constructed as a means of combating what was seen as a decline in the public health and general welfare of America's urban inhabitants. This idea that organized physical activities supported a healthy citizenry and positive social and moral conduct later became embedded in the ethos of the New Deal programs instituted during the Great Depression. As a result, thousands of public parks and recreational facilities were built during this period. New Deal programs like the Works Progress Administration (WPA) were designed to bring economic relief to the country necessitated by the Great Depression. The WPA expanded on the existing Civil Works Administration as a vehicle for both easing unemployment and improving infrastructure in the form of dams, roads, bridges, and buildings including ball parks. Examples of WPA-era ball parks listed in the National Register include: Warren Ballpark (1909/1936) in Bisbee, Arizona; Richmond City Grandstand and Baseball Field (1935-1936) in Richmond City, Utah; Carson Park Baseball Stadium (1936) in Eau Claire, Wisconsin; Eugene Civic Stadium (1938) in Eugene, Oregon; and Taylor Field (1939) in Pine Bluff Arkansas. An extant example in Southern California is the Jackie Robinson Memorial Field (1932) in Pasadena. Many of these ball parks were partially or entirely built of wood.

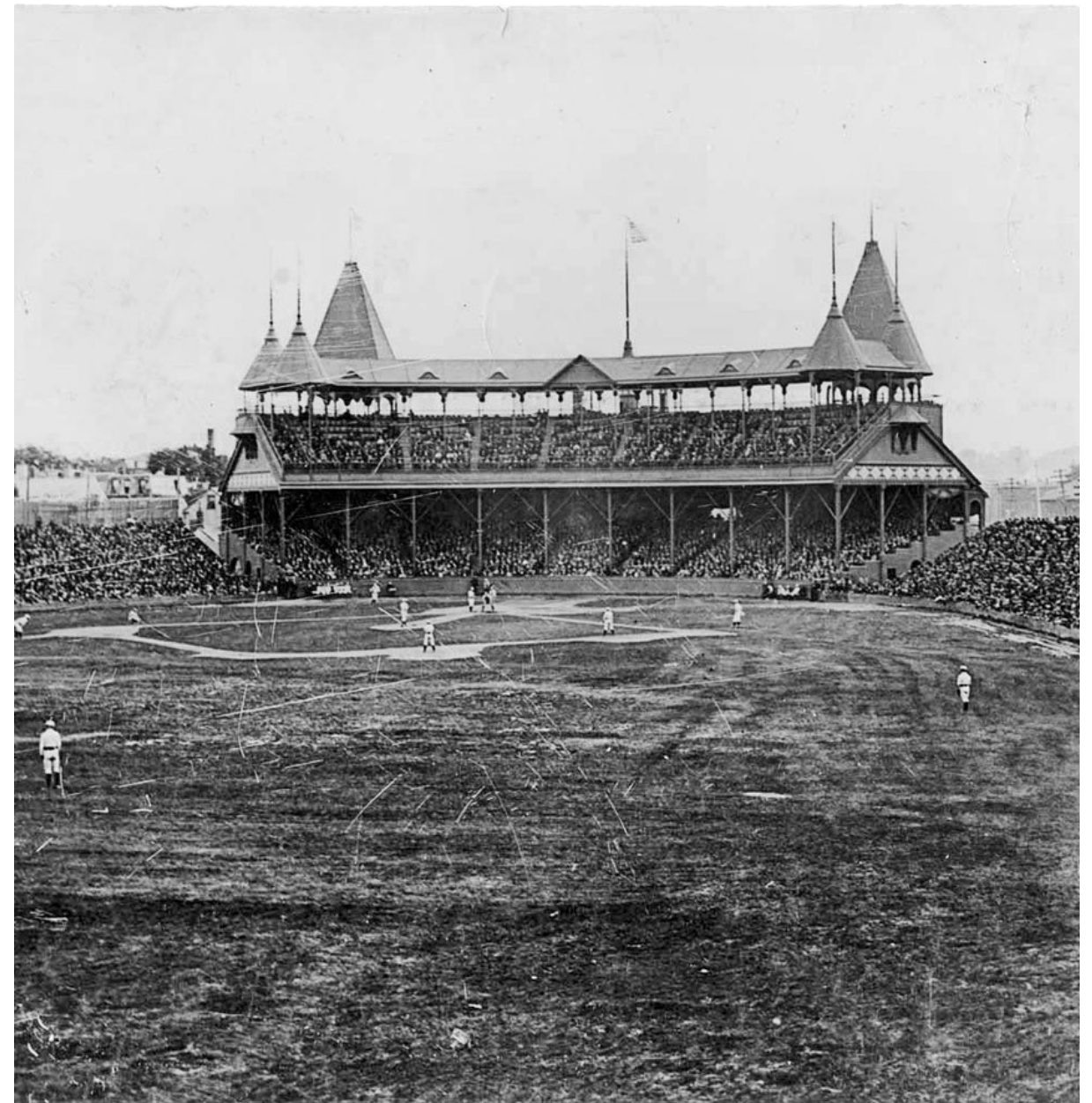


Figure 3. Second South End Grounds in Boston in circa 1890.

³Chloe S. Mercer and Melanie Betz, Alabama Historical Commission, "National Register of Historic Places Nomination: Rickwood Field, Birmingham, Alabama," August 19, 1992.

⁴Katherine Ferguson, "National Register of Historic Places Nomination: Duncan Park Stadium, Spartanburg, South Carolina," December 11, 2015, sect. 7, 4-5.

⁵"History of Recreation in Parks," NYC Parks, accessed December 6, 2018, <https://www.nycgovparks.org/about/history/recreation>.



Figure 4. Hollywood Stars training at Jay Littleton Ball Park in 1946.

The City of Ontario received \$5,000 through the California State Emergency Relief Administration (SERA) for the purchase of materials for Jay Littleton Ball Park.⁶ The State Legislature created SERA in 1933 as a provision of the California Unemployment Bond Relief Act.⁷ It was later succeeded by the State Relief Administration (SRA) in 1935. California created these agencies to distribute state and federal funds for unemployment relief. Projects fully or partially funded by the SERA or SRA in Ontario include the North Hall building and swimming pool at Chaffey High School in Ontario.⁸

HISTORY OF BASEBALL IN ONTARIO

Baseball quickly made its way west across the United States as the game grew in popularity on the East Coast following the Civil War. Its growth was aided by the completion of the transcontinental railroad in 1869 and the rapid increase in the migration of Easterners to the West Coast. An early baseball game in Ontario documented in the *Los Angeles Times* took place on November 30, 1894 between the Ontario Wheelmen, a local bicycle club, and the Cricket Club, a cricket team from England.⁹ It was allegedly the first baseball game many of the members of the Cricket Club had played, which likely explains why the Wheelmen won with a score of 40 to 13. It is unclear exactly where this game took place; however, known locations of early ball fields in Ontario include a field on East "A" Street in front of the Citrus Fruit Exchange Packing House and a field located on Stowell Street, just south of the Atchison Topeka Santa Fe Railroad line. These early ball fields were mostly used by amateur teams and local clubs, like the Ontario Invincibles and Ontario Athletic Club, and semi-professional teams in a Class D league until the city became a popular spring training site for teams in the Pacific Coast League beginning in 1920.¹⁰

Established in 1903, the Pacific Coast League was the West Coast's leading professional baseball league prior to the expansion of the National and American major leagues. Until the 1950s, major league baseball was limited to 16 teams playing in only ten cities, and only one of those teams, St. Louis, was east of the Mississippi River. Therefore, alternative leagues, teams, and clubs developed on the West Coast to entertain baseball fans. At this time, baseball like most social activity in the United States was racially segregated.

⁶ Pamela Daly, Daly & Associates, *Historic Resources Assessment Report of East 4th Street Park-John Galvin Park* (Ontario: City of Ontario, August 2015), 34-36.

⁷ "Inventory of the State Administration Records Finding Aid," Online Archive of California, accessed December 6, 2018, <http://www.oac.cdlib.org/findaid/ark:/13030/tf4489n6b0/?query=baseball>.

⁸ "New Deal Agency: State Emergency Relief Administration (SERA)," *The Living New Deal*, accessed December 10, 2018, <https://livingnewdeal.org/new-deal-agencies/state-emergency-relief-administration-sera/>.

⁹ "Ontario," *Los Angeles Times*, November 30, 1894.

¹⁰ "Sporting: Baseball," *Los Angeles Times*, April 10, 1899, 8; "Ontario: Loving Cup Game," *Los Angeles Times*, April 9, 1902; "Orendorff Busy: Organizes New League," *Los Angeles Times*, February 17, 1910, 17.

African Americans formed their own baseball leagues. Teams in California included the Los Angeles White Sox, Oakland Larks, San Diego Tigers, and San Francisco Sea Lions. After the integration of the major leagues in 1947, interest in black baseball teams began to wane. Mexican Americans were not officially excluded from minor or major league teams like African Americans, but there were few players until the 1950s. Yet baseball was among the most popular sports in Mexican American communities. Amateur baseball teams were often sponsored by businesses with large numbers of Mexican American workers such as fruit packing companies. The sport's popularity was also promoted by the Catholic Church as well as Mexican baseball leagues.¹¹

The Pacific Coast League developed a very separate identity from major league baseball. They paid their players competitive salaries, drew huge crowds, and could play many more games because of the milder year-round weather. In fact, while the Pacific Coast League was officially classified as a "minor league," fans and sportswriters called it the "third major league" and derisively referred to the major leagues as the "Eastern League." The Los Angeles Angels, Hollywood Stars, and San Diego Padres were the three Pacific Coast League teams located in Southern California.

The Portland Beavers are the first Pacific Coast League team noted to have held their spring training in Ontario beginning in 1920.¹² City officials successfully negotiated with owner Judge W. W. McCredie to host the team at their local ball park.¹³ During that spring training season, one of Ontario's first exhibition games between a major league team and a Pacific Coast League team was played between the Beavers and the National League Chicago Cubs. After hosting the Portland Beavers, the City constructed a new ball park on South Campus Avenue in 1924 for the express purpose of hosting wintering professional clubs.¹⁴ Other teams known to have played in Ontario during the 1920s and 1930s were the Ontario Merchants, a local semi-professional team, and the Hotpoint Electric Company, an amateur team in the Southern California Night Baseball League.¹⁵

The State authorized the construction of Jay Littleton Ball Park through the allocation of SERA funding in July 1936 almost simultaneous with the City's approval of plans to host the Los Angeles Angels for spring

training the following year.¹⁶ The new ball park was subsequently dedicated on March 14, 1937 with a game between the Angels and Ontario Merchants. Ontario continued to host the Angels' spring training through 1942, during which several exhibition games were held with major league teams like the National League's Chicago White Sox, Pittsburgh Pirates, and Chicago Cubs.¹⁷

After the Angels decamped for another spring training site, the Jay Littleton Ball Park was used for training by the Pacific Coast League Hollywood Stars in 1946, the Sunset League Ontario Orioles in 1947, and the Pacific Coast League Portland Beavers in 1959.¹⁸ The ball park also continued to host local amateur and semi-professional teams as well as youth and Little League Division baseball teams. In 1998, it was renamed after Joe P. "Jay" Littleton, who was an important local figure in baseball and youth sports. Today, the ball park continues to be used by little leagues and amateur leagues, and is also rented out by the City for filming.

¹¹ GPA Consulting, "National Register of Historic Places Multiple Property Documentation Form, Latinos in Twentieth Century California," 2014, 39-40.

¹² "McCredie Busy After Players," *Los Angeles Times*, February 1, 1920.

¹³ Daly & Associates, 23.

¹⁴ "Hollywood and El Monte Mix," *Los Angeles Times*, January 12, 1924, 10.

¹⁵ "Ontario Team Takes Contest," *Los Angeles Times*, February 4, 1924; "Baseball at Night Proves Very Popular," *Los Angeles Times*, August 12, 1924, 12; and Daly & Associates, 23.

¹⁶ Daly & Associates, 22; "Ontario Picked by Angel Club for Spring Camp," *Los Angeles Times*, July 9, 1936, A13.

¹⁷ Joe Blackstock, "Ontario, Home of the Angels," *Daily Breeze*, March 17, 2008, accessed December 9, 2018, <https://www.dailybreeze.com/2008/03/17/ontario-home-of-angels/>.

¹⁸ Daly & Associates, 24; Blackstock, "Ontario, Home of the Angels;" "City Selected as Official Series Site," *Los Angeles Times*, December 20, 1959, 5G1.

PHYSICAL DESCRIPTION

The Jay Littleton Ball Park is located near the northeastern corner of John Galvin Park.¹⁹ It consists of a grandstand sited along the north, northwest, and west sides of an octagonal baseball field. A concrete block and metal chain link fence surrounds the remaining sides of the field. Directly east of the grandstand is a small, one-story equipment shed. To the north of the field is also a one-story utility shed.

The grandstand is roughly U-shaped in plan and approximately two stories in height. It is divided into three sections, the shorter center section which is located behind home plate and the two longer wings which extend to the south and east along the first and third base lines, respectively. The center section is approximately 48 feet in length, while the south and east wings are approximately 122 feet in length. The grandstand is primarily a wood-frame structure consisting of a metal-and-wood truss system supporting a gable roof with an extended rear roof slope covered in asphalt shingles. Vertical posts supporting the roof are set into concrete and are primarily wood, except for those directly bordering the field which are metal. The exterior faces the street and is clad in wood beadboard siding, while the grandstand seating is located beneath the roof and is open onto the field.

The main entrance is located on the center section. It consists of a large rectangular opening that extends almost the length of the elevation and is accessed via a brick-paved path bordered by integral planters. The entrance is covered by a metal chain-link sliding gate. Ticket booths are located to either side of the entrance and consist of rectangular openings with wood counters. The open entryway has concrete paving, wood board and batten siding on the walls, and a corrugated metal ceiling. To the northeast of the entryway is a men's restroom and to the southwest is a women's restroom. Tunnels that lead to the grandstand seating are also located to either side of the entryway.

On the center section of the grandstand facing the baseball field is a concession stand consisting of a rectangular opening in the wall covered by a metal security gate. The wall is wood board and batten siding and the paving in front of the concession stand is concrete. To the north of the concession stand is a stair with wood treads, risers, and handrails that leads to the press box above. The press box is enclosed by



Figure 5. Jay Littleton Ball Park, aerial view.

¹⁹ Adapted from Daly & Associates, 32-36.

a metal gate and has wood floors and walls. To either side of the concession stand and press box is stepped grandstand seating. The steps are wood while the seating consists of metal benches. The paving in front of the grandstand seating is concrete, and the entire grandstand is bordered by a wood railing and netting along the playing field.

There are two dugouts, one in front of the south wing near first base and another along the east wing near third base. The dugouts are below ground, lined with poured concrete walls, and accessed via steep concrete steps. A flat roof extends from the railing in front of the grandstand seating and is supported by simple round metal poles at the outer corners of the dugout. An opening in the dugout wall, opposite the baseball field, leads to a poured concrete ramp that rises from the dugout to the player's locker rooms. The narrow locker rooms are situated underneath the seating area in the south and east wings adjacent to the exterior wall. They both feature wood cubbies and benches, and have concrete floors, plywood and concrete walls, and a corrugated metal ceiling.

At the east end of the grandstand's east wing is a manager's office. It has carpeted floors, plywood or wood plank walls, and a wood plank ceiling. It also features wood cubbies and benches like those found in the locker rooms. A door opening on the east wall of the office leads to a one-story shed roof building used for storing maintenance and baseball field equipment. According to historic aerials, it was constructed sometime between 1948 and 1952. The building has a shallow-pitch shed roof with exposed rafter tails and is clad with beadboard siding on its south elevation and clapboard siding on its north and east elevations. There is a pair of simple, hinged doors located on its south elevation. Additionally, there is a second utility shed just to the northeast of the grandstand. It has corrugated metal gable roof and siding.

The playing field is standard regulation dimensions for a professional ball park with the outfield fence at 378 feet from home plate. The night game lighting fixtures and support poles, are regularly placed around the edges of the playing field. A scoreboard is situated along the center field fence, and is supported by four, vertically set steel beams.



Figure 6. Jay Littleton Ball Park, looking towards the main entrance.



Figure 7. Jay Littleton Ball Park, looking towards the east wing of the grandstand.



Figure 8. Jay Littleton Ball Park, east wing of the grandstand.



Figure 9. Jay Littleton Ball Park, locker room.

CHRONOLOGY OF DEVELOPMENT

Completed between 1936 and 1937, the Jay Littleton Ball Park has since been altered on its exterior and interior.²⁰ However, because of a lack of documentation, the majority of these alterations occurred at an unknown date. There are no architectural drawings that document the original design of the grandstand. While there are a few historic photographs of the baseball field and southwest face of the grandstand, no photographs of the street-facing elevations of the grandstand were found. Additionally, many of the original features and materials that have been removed appear to have been replaced in kind; therefore, it is difficult to determine the full extent of the alterations to the ball park.

GRANDSTAND STREET-FACING ELEVATION	
DATE (IF KNOWN)	DESCRIPTION OF ALTERATION
Before 1952	Radio transmission towers removed from roof.
Unknown	Original siding possibly covered with existing beadboard siding.
Unknown	Original sign removed.

GRANDSTAND FIELD-FACING ELEVATION	
DATE (IF KNOWN)	DESCRIPTION OF ALTERATION
1975	Upgrade existing restroom facilities.
2004	Original wood plank benches were replaced with existing metal benches.
2005	Existing opening to concession stand constructed on the center section of the grandstand facing the baseball field. Former opening infilled on the opposite side of the center section facing the entrance. Original grandstand seating behind homeplate also possibly removed at this time.

GRANDSTAND FIELD-FACING ELEVATION	
DATE (IF KNOWN)	DESCRIPTION OF ALTERATION
2018	Select wood steps on grandstand seating replaced.
After 1960	Concrete foundation and pylons along baseball field replaced and new wood fence installed. Metal poles possibly replaced at this time.
After 1960	Portions of siding replaced (near utility shed).
After 1960	New netting installed.
After 1960	Dugouts expanded and dugout awnings replaced.

BASEBALL FIELD	
DATE (IF KNOWN)	DESCRIPTION OF ALTERATION
1948-1952	Utility building to the east of the grandstand constructed.
1959-1966	Utility building to the northeast of the baseball field constructed.
circa 1980	Scoreboard replaced and relocated.
2005	Night game light fixtures and support poles replaced with existing light fixtures.
Unknown	Wood plank fence around baseball field replaced with existing metal chain-link fence.

²⁰ Adapted from Daly & Associates, 32-36.

SIGNIFICANCE AND INTEGRITY

SIGNIFICANCE

The Jay Littleton Ball Park was previously evaluated by Daly & Associates in 2015 as eligible for listing in the National Register and California Register under Criterion A/1 for its association with ERA and SERA, forerunners to the Works Progress Administration. The ball park was also evaluated as eligible under Criterion C/3 as an excellent and rare example of a 1930s wood-frame grandstand and baseball field. The period of significance for the ball park is 1936 to 1937, the date of construction.

The City of Ontario designated the ball park as a Historic Landmark in 2003 for meeting the local criteria.²¹ The evaluation of eligibility from the designation resolution is as follows:

It exemplifies or reflects special elements of the City's history.

The ball park's relationship to early American and Californian baseball, as well as its long relationship to youth baseball reflect special elements of Ontario's history.

It is identified with persons or events significant in local, state, or national history.

The ball park is related to the Pacific Coast League, Southern California's major professional baseball league prior to the Dodgers moving to Los Angeles. It is also related to Jay Littleton, who was involved with American Legion Baseball in Ontario for many years. Mr. Littleton's contribution to Ontario baseball was recognized by the City Council when the Ontario Ballpark was renamed in Mr. Littleton's honor.

It embodies distinguishing architectural characteristics of a style, type, period, or method of construction.

As discussed earlier, the ball park contains all of the elements typically found in early ball parks,

regardless of size.

It is one of the few remaining examples in the City, region, state, or nation possessing distinguishing characteristics of an architectural or historical type or specimen.

The Ontario Ballpark is the only example of an early ball park in Ontario, as well as one of the few left in Southern California. In addition, the grandstand has been unaltered, except for removal of a radio transmission tower, which is also rare in Southern California. The vast majority of early ball parks, if surviving, have been modernized over the years.

INTEGRITY

The Jay Littleton Ball Park retains sufficient integrity to convey its significant historical and architectural associations. The ball park has not been moved and therefore retains its integrity of location. It retains its integrity of design because it still retains the necessary essential physical features to convey its historic use as a ball park. These include its site plan, massing, structural system, and arrangement of features and spaces. It also retains its integrity of feeling as a 1930s-era ballpark as well as its important associations under Criteria A and C for the period from 1936 to 1937.

The integrity of materials and workmanship have been diminished by alterations over time, namely the removal of the original wood plank benches and wood-and-concrete fence bordering the grandstand as well as the replacement in kind of original wood features throughout. Except for the construction of new utility sheds, the immediate setting of the Jay Littleton Ball Park remains substantially unaltered, while the broad setting has noticeably changed. Outside of John Galvin Park, the agricultural properties that once characterized this area have been re-developed with tracts of single-family residences. Within John Galvin Park, new surface parking lots were constructed to the north and south of the ball park and Grove Street widened to a four-lane thoroughfare with two-way traffic. However, despite the removal or original features and materials and alterations to the surrounding setting, the Jay Littleton Ball retains sufficient integrity overall.

²¹ Resolution Number 2003-075. A Resolution of the City Council of the City of Ontario, California, Approving File No. PHPO3-014, The Designation of the Ontario Ballpark, Commonly Known as Jay Littleton Ballpark, Located at John Galvin Park, as a Local Historic Landmark. Adopted by City Council September 16, 2003.

EXISTING CONDITIONS

In order to understand the general condition of the Jay Littleton Ball Park, the project team performed a visual inspection of the facility in November 2018 and January 2019, which included the grandstand's structural system, exterior and interior envelope, and ADA accessibility. The primary goal was to provide a general understanding of typical conditions for existing materials and features as well as any localized conditions that warrant further investigation or immediate correction. It is important to note that the intention is not to provide a comprehensive recordation of conditions. This type of exercise is best implemented as a separate, focused task that is intended to provide specific repair recommendations and specifications.

The following is a summary of existing conditions for the Jay Littleton Ball Park. These conditions are organized into three sections: Character-Defining Feature Conditions, Structural Conditions, and ADA Accessibility Conditions. Overall, the ball park is in fair condition; however, potentially significant conditions were identified, and warrant further investigation or immediate correction. The majority of conditions are primarily aesthetic and relate to damaged or deteriorating building materials and features. These material conditions as well as other structural issues or deficiencies in accessibility require replacement or correction in order to maintain the ball park for continued use.

CHARACTER-DEFINING FEATURE CONDITIONS

Character-defining features are the architectural components that contribute to a property's sense of time and place. *Preservation Brief #17: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character* notes:

*A complete understanding of any property may require documentary research about its style, construction, function, its furnishings or contents; knowledge about the original builder, owners, and later occupants; and knowledge about the evolutionary history of the building. Even though buildings may be of historic, rather than architectural significance, it is their tangible elements that embody its significance for association with specific events or persons and it is those tangible elements both on the exterior and interior that should be preserved.*²²

²² Lee H. Nelson, "Preservation Brief #17: Architectural Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character," US Department of the Interior, National Park Service, Cultural Resources, I.



Figure 10. Jay Littleton Ball Park, looking towards the dugout near third base.

The character-defining features of properties can be generally grouped into three categories: the overall visual character of a building, the exterior materials and craftsmanship, and the interior spaces, features, and finishes. The relative importance of character-defining features depends on the level of craftsmanship, visibility, and integrity. In addition, some character-defining features are more important than others in conveying the significance of the building. Primary character-defining features are considered the most important elements contributing to the significance of the property, while secondary features are considered less important.

As previously stated, the Jay Littleton Ball Park is historically significant for its association with ERA and SERA, forerunners to the Works Progress Administration. It is also architecturally significant as an excellent and rare example of a 1930s ball park with a wood-frame grandstand. As such, those distinctive features, spaces, and materials that are key to the feeling and function of a ball park from the 1930s are character defining. The period of significance for the ball park is 1936 to 1937, the date of construction.

The character-defining features of the Jay Littleton Ball Park are described in detail, illustrated, and analyzed in the table on the following pages. The table lists each feature and indicates if it is primary or secondary. The table also lists non-character-defining features for the sake of clarity. Photographs are of representative examples of the character-defining features outlined in the table. Every instance of every feature was not photographed or included in this table. Although practices within the field vary, for this report the three categories of character-defining features are defined as follows:

Primary

- It dates from the period of significance
- It directly relates to the original use and type
- It retains integrity; with no or only minor alterations
- It displays craftsmanship
- It is highly visible

Secondary

- It dates from the period of significance
- It has been altered, but retains integrity overall
- It is less visible and/or not originally accessible to the public

Not

- It post dates the period of significance
- It has been substantially altered
- It is utilitarian in design
- It is constructed from common materials
- It is not visible and/or not originally accessible to the public

The table also lists the condition of each character-defining feature and includes a recommended treatment for preservation, rehabilitation, repair, removal, or replacement. The condition of non-character-defining features were not surveyed as part of this report. The conditions are described as either good, fair, or poor, and are defined as follows:

Good

- Intact, structurally sound, and performing its intended purpose; and
- Needs no repair or rehabilitation beyond routine or preventative maintenance.

Fair

- Signs of wear, failure, or deterioration; and
- Needs repair or rehabilitation beyond routine or preventative maintenance; but
- Structurally sound and performing its intended purpose overall.




Poor

- Signs of wear, failure, or deterioration, as well as no longer structurally sound or performing its intended purpose.




Not Applicable

- Original feature, finish, or material is missing or has been replaced with a new, non-compatible feature, finish, or material.




CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
OVERALL VISUAL CHARACTER	<p>Immediate Setting</p> <ul style="list-style-type: none"> • Setback from the street • Brick paved paths to the north and northwest • Concrete sidewalk to the west • Planters located to the northwest and west • Utility sheds to the north and east • Asphalt paved driveways to the north and west 		<p>Primary: Dates from the period of significance, highly visible, and retains overall integrity.</p>	<p>Good Condition</p> <ul style="list-style-type: none"> • No notable conditions observed
	<p>Massing</p> <ul style="list-style-type: none"> • U-shaped plan • Two stories • Gable roof 		<p>Primary: Dates from the period of significance, highly visible, and retains overall integrity.</p>	<p>Good Condition</p> <ul style="list-style-type: none"> • No notable conditions observed
	<p>Roof Design</p> <ul style="list-style-type: none"> • Gable roof with an extended rear roof slope • Fascia board • Exposed rafter tails • Exposed structural members 		<p>Primary: Dates from the period of significance, highly visible, and retains overall integrity.</p>	<p>Fair to Poor Condition</p> <ul style="list-style-type: none"> • See features below for notable conditions observed at the roof

CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
OVERALL VISUAL CHARACTER	Grandstand Street-Facing Elevation <ul style="list-style-type: none"> • Two stories • Vernacular • Symmetrical design 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair to Poor Condition <ul style="list-style-type: none"> • See features below for notable conditions observed on the Grandstand Street-Facing Elevation
	Grandstand Field-Facing Elevation <ul style="list-style-type: none"> • Two stories • Vernacular • Symmetrical design 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair to Poor Condition <ul style="list-style-type: none"> • See features below for notable conditions observed on the Grandstand Field-Facing Elevation
	Ball Field <ul style="list-style-type: none"> • Grass infield and outfield • Dirt running paths • Dirt pitchers mound at the center of the infield • Concrete and metal fence surrounds outfield 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Good Condition <ul style="list-style-type: none"> • No notable conditions observed




CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
OVERALL VISUAL CHARACTER	<p>Main Entrance Configuration</p> <ul style="list-style-type: none"> • First story • Grandstand street-facing elevation • Large rectangular opening • Wood frame • Metal chain-link gate • Brick paved path 		<p>Primary: Dates from the period of significance, highly visible, and retains overall integrity.</p>	<p>Fair Condition</p> <ul style="list-style-type: none"> • Cracking and checking observed at wood posts to either side of the main entrance
	<p>Secondary Entrance Openings</p> <ul style="list-style-type: none"> • First story • Grandstand street-facing elevation • Two openings on south wing, one off center to the south and one at south end • Two openings on east wing, one at center and one off center to east • Rectangular opening • Wood frame 		<p>Primary: Dates from the period of significance, highly visible, and retains overall integrity.</p>	<p>Fair Condition</p> <ul style="list-style-type: none"> • Cracking and checking observed at wood frames
	<p>Ticket Window Openings</p> <ul style="list-style-type: none"> • First story • Grandstand street-facing elevation • Flanking main entrance • Rectangular opening • Wood frame 		<p>Primary: Dates from the period of significance, highly visible, and retains overall integrity.</p>	<p>Fair Condition</p> <ul style="list-style-type: none"> • Mechanical damage observed at wood frames

CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
OVERALL VISUAL CHARACTER	Window Openings <ul style="list-style-type: none"> • Second story • Grandstand street-facing elevation • Irregularly located throughout • Rectangular opening • Wood frame 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair to Poor Condition <ul style="list-style-type: none"> • Gaps between the window frame and beadboard siding observed at select window openings • Cracking and checking observed on wood frames throughout • Severe cracking observed at locations of metal nails
	Dugout Configuration <ul style="list-style-type: none"> • Ball Field • Adjacent south and east wings at first and third bases • Rectangular trench • Flat awning 		Secondary: Dates from the period of significance and highly visible, but altered since the end of the period of significance.	Fair Condition <ul style="list-style-type: none"> • Dugout trench enlarged and non-original stairs added • See features below for notable conditions observed at the dugouts
	Scoreboard <ul style="list-style-type: none"> • Ball field • Adjacent to outfield fence, west of center field • Electronic metal scoreboard • Steel columns 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Original scoreboard removed and replaced with existing scoreboard




CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
OVERALL VISUAL CHARACTER	East Utility Shed <ul style="list-style-type: none"> • East of the east wing • Rectangular massing • Shed roof • Wood siding 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Non-original utility shed added to the east elevation
	North Utility Shed <ul style="list-style-type: none"> • North of the east wing • Rectangular massing • Gable roof • Corrugated metal siding 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Non-original utility shed added to the north of the ball field
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Board-Formed Concrete <ul style="list-style-type: none"> • First story • Grandstand field-facing elevation • Retaining wall 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair Condition <ul style="list-style-type: none"> • Peeling and deteriorating paint observed throughout • Scaling of the concrete surface observed at select locations • Cracking and spalling observed at select locations



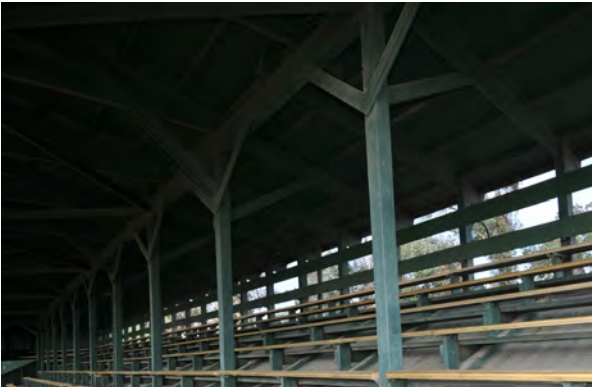
CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Poured Concrete <ul style="list-style-type: none"> All elevations Sidewalks Curbs Column footings 		Secondary: Dates from the period of significance and highly visible, but altered since the end of the period of significance.	Good Condition <ul style="list-style-type: none"> Select replacement of concrete elements throughout Cracking observed at select locations
	Brick <ul style="list-style-type: none"> Grandstand street-facing elevation Center and east wings Entrance paths 		Secondary: Dates from the period of significance and highly visible, but altered since the end of the period of significance.	Fair to Poor Condition <ul style="list-style-type: none"> Select replacement of brick throughout Cracked and damaged bricks observed throughout Deteriorated or missing mortar observed throughout
	Wood <ul style="list-style-type: none"> All elevations Roof sheathing Structural members Grandstand seating platforms Siding Fencing Stairs 		Secondary: Dates from the period of significance and highly visible, but altered since the end of the period of significance.	Fair to Poor Condition <ul style="list-style-type: none"> Select replacement of wood elements throughout Peeling and deteriorating paint observed throughout Weathering, cracking, checking, erosion, and material loss observed throughout



CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Metal <ul style="list-style-type: none"> All elevations Structural members Window infill Handrails Fencing 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> Non-original metal features added
	Corrugated metal <ul style="list-style-type: none"> Roof sheathing 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> Original wood sheathing likely removed and replaced with existing corrugated metal
	Asphalt <ul style="list-style-type: none"> Roof 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> Non-original roofing material added



CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Grandstand Roof <ul style="list-style-type: none"> • Sheathing • Wood 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair Condition <ul style="list-style-type: none"> • Peeling and deteriorating paint observed throughout • Cracking and checking observed at select locations • Severe cracking observed at select locations, most notably at locations of metal nails
	Grandstand Roof Trusses <ul style="list-style-type: none"> • Exposed beams • Wood 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair to Poor Condition <ul style="list-style-type: none"> • Peeling and deteriorating paint observed throughout • Weathering observed throughout • Checking and cracking observed at select locations • Severe cracking observed at select locations, most notably at locations of metal bolts
	Grandstand Roof Square Columns <ul style="list-style-type: none"> • All elevations • Center, south, and east wings • Wood post • Concrete footing 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair to Poor Condition <ul style="list-style-type: none"> • Peeling and deteriorating paint observed throughout • Weathering observed throughout • Checking and cracking observed at select locations • Severe cracking observed at select locations, most notably at locations of metal bolts




CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Grandstand Roof Round Columns <ul style="list-style-type: none"> • Grandstand field-facing elevation • Center, south, and east wings • Metal post • Concrete footing 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Original round columns removed and replaced with existing columns
	Grandstand Roof Fascia Board <ul style="list-style-type: none"> • All elevations • Wood 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair Condition <ul style="list-style-type: none"> • Peeling and deteriorating paint observed throughout • Cracking and checking observed throughout
	Grandstand Roof Exposed Rafter Tails <ul style="list-style-type: none"> • All elevations • Wood 	(See Above)	Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair to Poor Condition <ul style="list-style-type: none"> • Peeling and deteriorating paint observed throughout • Cracking, checking, and material loss observed at select locations

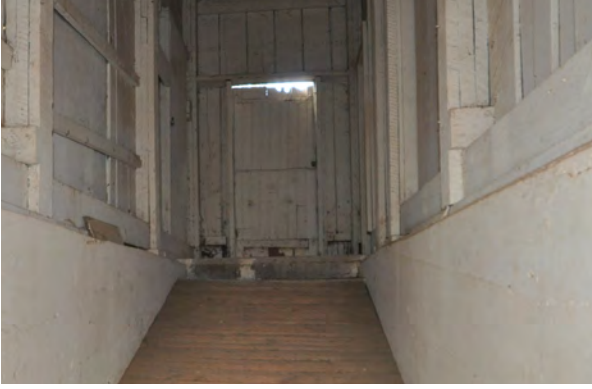


CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Grandstand Street-Facing Elevation Original Guard Rail <ul style="list-style-type: none"> • Second story • South and east wings • Lower guard rail • Wood 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair to Poor Condition <ul style="list-style-type: none"> • Cracking and checking observed throughout • Cracking notably observed at locations of nails • Severe cracking observed at select locations, most notably at locations of metal nails
	Grandstand Street-Facing Elevation Non-Original Guard Rail <ul style="list-style-type: none"> • Second story • South and east wings • Upper guard rail • Wood 	(See Above)	Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Non-original guard rail added
	Grandstand Street-Facing Elevation Siding <ul style="list-style-type: none"> • Center, south, and east wings • Beadboard • Wood 		Not: Post dates period of significance.	Poor Condition <ul style="list-style-type: none"> • Original wood plank siding likely covered by non-original beadboard siding • Cracking and checking observed throughout • Erosion or total loss of material was notably observed along the bottom of the siding adjacent to the baseboard


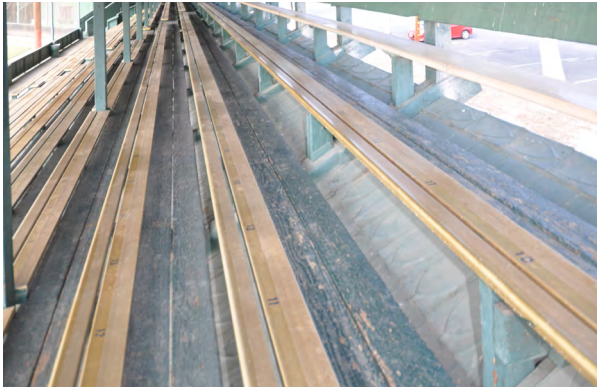

CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Grandstand Street-Facing Elevation Window Infill <ul style="list-style-type: none"> • Second story • Center, south, and east wings • Metal grate infill 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Original window infill likely removed and replaced with existing metal grates
	Grandstand Street-Facing Elevation Main Entrance Gate <ul style="list-style-type: none"> • First story • Center section • Metal chain-link • Paired swinging entry gates 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Original entrance gate possibly removed and replaced with existing entrance gate • Main entrance also possibly originally not enclosed by a gate
	Grandstand Street-Facing Elevation Ticket Window Infill <ul style="list-style-type: none"> • First story • Center section • Wood plank 		Secondary: Dates from the period of significance, but utilitarian feature that retains overall integrity,	Fair Condition <ul style="list-style-type: none"> • Peeling and deteriorating paint observed throughout • Cracking and checking observed

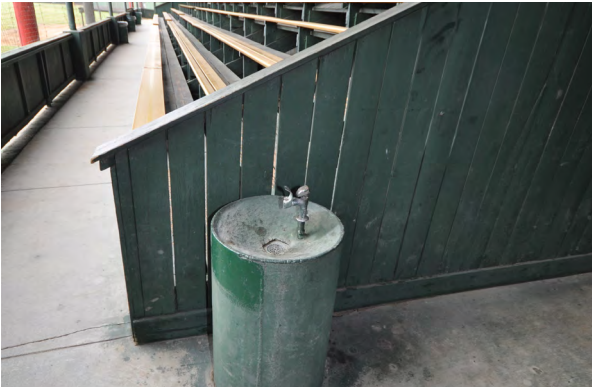


CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Grandstand Street-Facing Elevation Original Secondary Entrance Doors <ul style="list-style-type: none"> • First story • South and east wings • Located at entrances to locker room tunnels • Wood plank doors covered with beadboard siding 		Secondary: Dates from the period of significance and highly visible, but altered since the end of the period of significance.	Poor Condition <ul style="list-style-type: none"> • Non-original beadboard siding appears to cover original wood plank at secondary entrance doors to locker room tunnels • Cracking and checking observed throughout • Erosion or total loss of material was notably observed along the bottom
	Grandstand Street-Facing Elevation Non-Original Secondary Entrance Doors <ul style="list-style-type: none"> • First story • South and east wings • Located at east and south ends of grandstand • Plywood doors covered with beadboard siding 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Non-original doors likely added
	Grandstand Street-Facing Elevation Light Fixtures <ul style="list-style-type: none"> • Second story • All elevations • Center, south, and east wings • Metal 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Original light fixtures removed and replaced with existing light fixtures




CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Grandstand Field-Facing Elevation Grandstand Tiered Platforms <ul style="list-style-type: none"> • First and second stories • South and east wings • Wood 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair to Poor Condition <ul style="list-style-type: none"> • Peeling and deteriorated paint observed throughout • Weathering observed throughout • Cracking and checking observed throughout • Severe cracking notably observed at locations of nails
	Grandstand Field-Facing Elevation Grandstand Benches <ul style="list-style-type: none"> • First and second stories • South and east wings • Metal 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Original wood plank seating removed and replaced with existing metal bleachers
	Grandstand Field-Facing Elevation Grandstand Steps <ul style="list-style-type: none"> • First and second stories • South and east wings • Wood 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair to Poor Condition <ul style="list-style-type: none"> • Original steps selectively removed and replaced in kind • Peeling and deteriorating paint observed throughout • Weathering observed throughout • Cracking and checking observed throughout • Severe cracking notably observed at locations of nails




CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Grandstand Field-Facing Elevation Wood Plank Siding <ul style="list-style-type: none"> • First and second stories • South and east wings • Wood plank 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair to Poor Condition <ul style="list-style-type: none"> • Peeling and deteriorating paint observed throughout • Weathering observed throughout • Cracking and checking observed throughout • Severe cracking notably observed at locations of nails
	Grandstand Field-Facing Elevation Beadboard Siding <ul style="list-style-type: none"> • First and second stories • East wing • Wood 		Not: Post dates period of significance.	Fair to Poor Condition <ul style="list-style-type: none"> • Peeling and deteriorating paint observed throughout • Checking and material loss observed throughout
	Grandstand Field-Facing Elevation Board and Batten Siding <ul style="list-style-type: none"> • First story • Center section • Wood 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Original siding removed and replaced with existing board-and-batten siding




CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Grandstand Field-Facing Elevation Concession Stand <ul style="list-style-type: none"> • First story • Center section • Metal frame and security gates • Rectangular opening 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Concession stand enlarged and non-original window opening added
	Grandstand Field-Facing Elevation Press Box Stair and Railing <ul style="list-style-type: none"> • First and second stories • Center section • Wood treads and risers • Wood plank railing 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair Condition <ul style="list-style-type: none"> • Peeling and deteriorating paint observed throughout • Weathering observed throughout • Cracking and checking observed throughout • Cracking notably observed at locations of nails
	Grandstand Field-Facing Elevation Press Box Stair Hand Rail <ul style="list-style-type: none"> • First and second stories • Center section • Metal 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Non-original metal handrail added




CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Grandstand Field-Facing Elevation Original Sidewalk <ul style="list-style-type: none"> • First story • Center, south, and east wings • Concrete 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Good Condition <ul style="list-style-type: none"> • Cracking observed at select locations
	Grandstand Field-Facing Elevation Non-Original Sidewalk <ul style="list-style-type: none"> • First story • Center section • Concrete 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Original concrete sidewalk removed and replaced with existing sidewalk
	Grandstand Field-Facing Elevation Center Section Field Fence <ul style="list-style-type: none"> • Plywood 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Original fence at center section removed and replaced with existing fence




CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Grandstand Field-Facing Elevation South and East Wing Field Fence <ul style="list-style-type: none"> • First story • Wood plank or plywood, depending on location 		Secondary: Dates from the period of significance and highly visible, but altered since the end of the period of significance.	Fair to Poor Condition <ul style="list-style-type: none"> • Wood planking appears to have been replaced in select locations, possibly throughout • Cracking and checking observed throughout
	Grandstand Field-Facing Elevation Netting <ul style="list-style-type: none"> • First and second stories • Center, south, and east wings • Nylon • Wood poles 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Non-original netting added
	Grandstand Field-Facing Elevation Original Water Fountains <ul style="list-style-type: none"> • First story • Center section • Concrete 		Secondary: Dates from the period of significance, but utilitarian feature that retains overall integrity,	Good Condition <ul style="list-style-type: none"> • No notable conditions observed




CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Grandstand Field-Facing Elevation Non-Original Water Fountains <ul style="list-style-type: none"> • First story • Center section • Metal 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Non-original water fountain added
	Grandstand Field-Facing Elevation Memorial Plaque <ul style="list-style-type: none"> • First story • Center section • Brick plinth • Metal plaque 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Non-original memorial plaque added
	Ball Field Dugout Awnings <ul style="list-style-type: none"> • Asphalt roofing material • Wood sheathing and fascia board • Metal columns 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair to Poor Condition <ul style="list-style-type: none"> • Peeling and deteriorating paint observed throughout • Weathering of wood observed throughout • Cracking and checking of wood observed throughout

CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Ball Field Dugout Trench <ul style="list-style-type: none"> Concrete 		Secondary: Dates from the period of significance and highly visible, but altered since the end of the period of significance.	Fair Condition <ul style="list-style-type: none"> Dugout trench enlarged and non-original stairs added Scaling of the concrete surface observed
	Ball Field Dugout Benches <ul style="list-style-type: none"> Wood plank Concrete footings 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair Condition <ul style="list-style-type: none"> Peeling and deteriorating paint observed throughout Weathering of wood observed throughout Cracking of concrete observed at select locations
	Ball Field Batting Practice Areas <ul style="list-style-type: none"> Located to the south and east of the grandstand Concrete curb 		Not: Post dates period of significance,	Not Applicable <ul style="list-style-type: none"> Non-original batting practice areas added


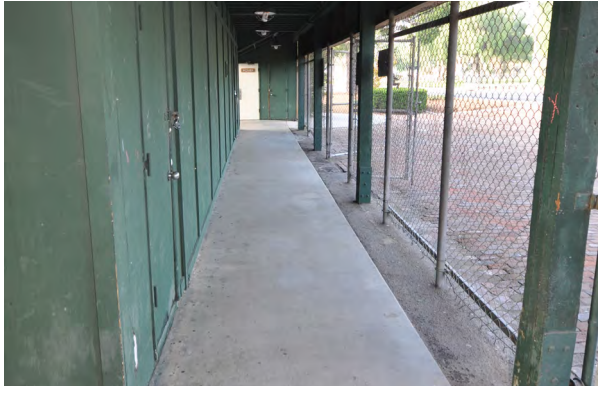
CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Ball Field Water Fountains <ul style="list-style-type: none"> • Located adjacent to dugouts • Brick 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Non-original water fountains added
	Ball Field Bat Racks <ul style="list-style-type: none"> • Located adjacent to dugouts • Metal 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Non-original bat racks added
	Ball Field Infield <ul style="list-style-type: none"> • Grass 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Good Condition <ul style="list-style-type: none"> • No notable conditions observed

CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Ball Field Running Paths <ul style="list-style-type: none"> Dirt 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Good Condition <ul style="list-style-type: none"> No notable conditions observed
	Ball Field Outfield <ul style="list-style-type: none"> Grass 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Good Condition <ul style="list-style-type: none"> No notable conditions observed
	Ball Field Fence <ul style="list-style-type: none"> Bordering ball field Concrete block and metal chain link, depending on location 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> Original wood plank fence removed and replaced with existing fence



CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
EXTERIOR MATERIALS AND CRAFTSMANSHIP	Ball Field Lights <ul style="list-style-type: none"> Regularly spaced along the boundary of the ball field Metal poles Downlights 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> Non-original ball field lights added
INTERIOR SPACES, FEATURES, AND FINISHES	Entrance Vestibule – Space <ul style="list-style-type: none"> First story Center section Located at the main entrance 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Good Condition <ul style="list-style-type: none"> No notable conditions observed
INTERIOR SPACES, FEATURES, AND FINISHES	Entrance Vestibule – Features & Finishes <ul style="list-style-type: none"> Corrugated metal ceiling Board-and-batten siding Concrete sidewalk 	(See Above)	Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> Non-original ceiling, siding, and sidewalk added




CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
INTERIOR SPACES, FEATURES, AND FINISHES	Ticket Booths – Space, Features, & Finishes <ul style="list-style-type: none"> • First story • Located to the north and south of the entrance vestibule • Corrugated metal ceiling • Wood plank siding • Wood counter • Concrete floor 		Secondary: Dates from the period of significance and retains integrity, but not originally intended for public access.	Good Condition <ul style="list-style-type: none"> • No notable conditions observed
	Restrooms – Space <ul style="list-style-type: none"> • First story • Located to the north and south of the main entrance • Cement plaster ceiling • Cementer plaster walls • Concrete floor 		Secondary: Dates from the period of significance, but not highly visible and altered since the end of the period of significance.	Good Condition <ul style="list-style-type: none"> • No notable conditions observed


CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
INTERIOR SPACES, FEATURES, AND FINISHES	Restrooms – Features & Finishes <ul style="list-style-type: none"> • Plaster ceiling • Plaster walls • Plastic toilet partitions • Concrete floor 	(See Above)	Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Restrooms likely remodeled and non-original features and fixtures added
	Concession Stand – Space, Features, & Finishes <ul style="list-style-type: none"> • First story • Located to the east of the entrance vestibule • Plaster ceiling • Plaster walls • Concrete floor 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Concession stand enlarged and non-original features and fixtures added
	Entrance Tunnels – Space, Features, & Finishes <ul style="list-style-type: none"> • First story • Located to the north and south of the entrance vestibule • Rectangular opening • Wood plank siding • Concrete walkway 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Fair to Poor Condition <ul style="list-style-type: none"> • See Grandstand Ball Field Elevation, Wood Plank Siding for notable conditions observed



CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
INTERIOR SPACES, FEATURES, AND FINISHES	Grandstand Walkways – Space, Features, & Finishes <ul style="list-style-type: none"> • First story • Located along the grandstand seating • Concrete 		Primary: Dates from the period of significance, highly visible, and retains overall integrity.	Good Condition <ul style="list-style-type: none"> • See Grandstand Field-Facing Elevation for notable conditions observed
	Locker Room Tunnels – Space, Features, & Finishes <ul style="list-style-type: none"> • First story • Located to the north and west of the dugouts • Corrugated metal ceiling • Wood plank walls atop cement foundation • Wood plank floor 		Secondary: Dates from the period of significance and retains integrity, but not originally intended for public access.	Fair Condition <ul style="list-style-type: none"> • Weathering of wood observed throughout • Cracking and checking of wood observed at select locations • Material loss of wood planking observed at select locations
	Locker Rooms – Space, Features, & Finishes <ul style="list-style-type: none"> • First story • Located to the west and north of the locker room tunnels • Corrugated metal ceiling • Plywood walls • Wood locker partitions • Concrete floor 		Secondary: Dates from the period of significance and retains integrity, but not originally intended for public access.	Fair Condition <ul style="list-style-type: none"> • Non-original plywood walls added • Weathering of wood observed throughout • Cracking and checking observed at select locations • Material loss observed at plywood walls • Missing, loose, and displaced elements of lockers observed at select locations



CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
INTERIOR SPACES, FEATURES, AND FINISHES	Lock Room Restrooms – Space <ul style="list-style-type: none"> • First story • Located at the center of the locker room 		Secondary: Dates from the period of significance and retains integrity, but not originally intended for public access.	Good Condition <ul style="list-style-type: none"> • No notable conditions observed
	Lock Room Restrooms – Features & Finishes <ul style="list-style-type: none"> • Corrugated metal ceiling • Plaster walls • Concrete floor 	(See Above)	Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Restrooms likely remodeled and non-original features and fixtures added


CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
INTERIOR SPACES, FEATURES, AND FINISHES	<p>Manager's Office – Space, Features, & Finishes</p> <ul style="list-style-type: none"> • First story • Located at the east end of the grandstand • Wood plank ceiling • Plywood walls • Carpet floor 		<p>Secondary: Dates from the period of significance and retains integrity, but not originally intended for public access.</p>	<p>Fair to Poor Condition</p> <ul style="list-style-type: none"> • Non-original carpet and plywood walls added • Material loss at plywood walls observed at select locations
	<p>Storage Spaces – Space, Features, & Finishes</p> <ul style="list-style-type: none"> • First story • Located on the southeast and southwest of the entrance vestibule • Wood plank ceiling • Wood plank walls • Concrete or dirt floor, depending on location 		<p>Secondary: Dates from the period of significance and retains integrity, but not originally intended for public access.</p>	<p>Good Condition</p> <ul style="list-style-type: none"> • No notable conditions observed


CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
INTERIOR SPACES, FEATURES, AND FINISHES	Grandstand Base – Space, Features, & Finishes <ul style="list-style-type: none"> • First story • Located beneath grandstand seating • Exposed structural members • Wood plank siding • Dirt floor 		Secondary: Dates from the period of significance and retains integrity, but not originally intended for public access.	Fair to Poor Condition <ul style="list-style-type: none"> • See above features for notable conditions observed
	Press Box – Space, Features, & Finishes <ul style="list-style-type: none"> • Second story • Located above the concession stand • Plywood walls • Rectangular opening covered by metal security gate • Plywood floors 		Secondary: Dates from the period of significance and retains integrity, but not originally intended for public access.	Fair Condition <ul style="list-style-type: none"> • Non-original metal security gate added • Weathering of wood features observed



CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">INTERIOR SPACES, FEATURES, AND FINISHES</p>	<p>East Utility Shed – Space, Features, & Finishes</p> <ul style="list-style-type: none"> • Located to the east of the grandstand • Wood plank ceiling • Wood plank walls • Concrete floor 		<p>Not: Post dates period of significance.</p>	<p>Not Applicable</p> <ul style="list-style-type: none"> • Non-original utility shed added
	<p>North Utility Shed – Space, Features, & Finishes</p> <ul style="list-style-type: none"> • Located to the northwest of the ball park • Corrugated metal ceiling and walls • Concrete floor 		<p>Not: Post dates period of significance.</p>	<p>Not Applicable</p> <ul style="list-style-type: none"> • Non-original utility shed added

CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
INTERIOR SPACES, FEATURES, AND FINISHES	Door Type A <ul style="list-style-type: none"> • Wood slab • Metal hardware 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Non-original door added
	Door Type B <ul style="list-style-type: none"> • Wood paneled • Metal hardware 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Non-original door added

CHARACTER-DEFINING FEATURE CONDITIONS TABLE

TYPE	FEATURE	PHOTO (IF APPLICABLE)	IMPORTANCE: REASON	CONDITION
INTERIOR SPACES, FEATURES, AND FINISHES	Door Type C <ul style="list-style-type: none"> • Metal gate 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Non-original gate added
	Light Fixtures <ul style="list-style-type: none"> • Fluorescent 		Not: Post dates period of significance.	Not Applicable <ul style="list-style-type: none"> • Non-original light fixtures added

STRUCTURAL CONDITIONS

The ball park's gravity system consists of wood roof trusses and joists supported on wood and steel posts that are continuous to the foundation. The wood framed bleachers are also supported on wood posts that are continuous to the foundations. A series of small rooms are situated underneath the high side of the bleachers and are currently used for bathrooms, storage and locker rooms. For this evaluation, it was assumed that the lateral resisting system for the building consists of a straight sheathed wood roof diaphragm supported on a series of cantilever columns with frame action provided by the bleacher stringers in the transverse direction, and cantilever columns along with the exterior straight sheathed wood walls in the longitudinal direction. Overall the ball park is structurally in good condition. There is no sign of significant damage of the structural members, and there were no member failures observed.

The following structural conditions were observed:

- Existing wood members show signs of minor deterioration in select locations.
- Most notable area of minor structural deterioration observed is the connection of the high end of the bleacher stringers to the exterior wood posts, which have been exposed to weather over time.
- Members throughout the structure exhibit large splits in the wood, such as the kickers from the roof to the intermediate posts.

ACCESSIBILITY CONDITIONS

The ball park was not originally constructed as an accessible facility. Although the City has undertaken alterations to make the ball park more accessible over time, deficiencies in accessibility were identified that are not in compliance with the most current code applicable for the facility, the 2016 California Building Code. The building would also be eligible to utilize the State Historic Building Code, Part 8 Title 24 as applicable. If an existing building cannot meet full compliance, the California Building Code, Section 11B-202.4, Exception 8, lists priorities for compliance. Existing accessibility conditions are listed below according to the following priorities:

"In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access in the following order:

1. An accessible entrance;
2. An accessible route to the altered area;
3. At least one accessible restroom for each sex;
4. Accessible telephones;
5. Accessible drinking fountains; and
6. When possible, additional accessible elements such as parking, storage and alarms."

The following accessibility conditions were observed:

Accessible Entrance

Not Accessible:

- Chain-link sliding gates at main entrance
- Path of travel from the public right-of-way to the main entrance

Accessible:

- Path of travel from parking to the main entrance
- Level landings at main entrance

Accessible Route to the Altered Area

Not Accessible:

- Upper-level seating
- Upper-level press box
- Restrooms
- Locker rooms and showers
- Dugout seating
- Storage spaces

Accessible:

- Route to concession stand
- Seating area behind home plate

At Least One Accessible Restroom for Each Sex

Not Accessible:

- Women's restroom
- Men's restroom

Accessible Telephones

- Not considered in this report

Accessible Drinking Fountains

Not Accessible:

- Drinking fountain fixture throughout

Accessible:

- Route and landing to drinking fountain

Accessible Elements Such as Parking, Storage and Alarms

Not Accessible:

- Van accessible parking space(s)
- Storage spaces
- Alarms are not considered in this report

Accessible:

- Two standard parking spaces



Figure II. Baseball game at Jay Littleton Ball Park at unknown date.

Page intentionally left blank



PART TWO

Page intentionally left blank

PRESERVATION OBJECTIVES

The *Secretary of the Interior's Standards for the Treatment of Historic Properties* (Standards) are a series of best practices issued by the National Park Service for maintaining, repairing, and replacing historic materials, as well as designing new additions or making alterations to historic properties. The Standards are accompanied by Guidelines for four types of treatments for historical resources: Preservation, Rehabilitation, Restoration, and Reconstruction. The Standards are used by the City's Planning Department and Historic Preservation Commission in their review of proposed alterations to buildings designated as local landmarks. As a designated landmark, the Jay Littleton Ball Park is subject to the Standards.

As described in Part One, the Jay Littleton Ball Park is architecturally significant as an excellent and rare example of a 1930s ball park with a period of significance of 1936–1937, the date of construction. Since it was completed, the ball park has been altered. Many of these alterations have negatively impacted the historic and architectural character of the Jay Littleton Ball Park, diminishing its overall integrity of design and materials.

The City is proposing to make further alterations to the Jay Littleton Ball Park in order to maintain its viability and continued operation as a municipal baseball facility. The recommendations in Part Two of this report are intended to help guide future projects so that they are undertaken in a manner that preserves the integrity of this historical resource. The overall objective of these recommendations is to preserve the features that are significant to the ball park's historic and architectural character, and to further enhance its integrity of original design by replacing features that have been removed or are deteriorated beyond repair, while also making appropriate changes to suit modern amenities and code requirements. The most appropriate treatment for the buildings is therefore rehabilitation. Rehabilitation emphasizes the protection of existing historic fabric while allowing for compatible change.

STANDARDS FOR REHABILITATION

The definition of rehabilitation assumes that at least some repair or alteration of the historic property will be needed in order to provide for an efficient contemporary use; however, these repairs and alterations must not damage or destroy materials, features, or finishes that are important in defining the building's historic

and architectural character. To this end, the character-defining features of the Jay Littleton Ball Park are identified in Character-Defining Features section of this report.

The Standards for Rehabilitation are as follows:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials,

features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

- IO. New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

It is important to note that the Standards are not intended to be prescriptive, but instead provide general guidance. They are intended to be flexible and adaptable to specific project conditions to balance continuity and change, while retaining materials and features to the maximum extent feasible. Their interpretation requires exercising professional judgment and balancing the various opportunities and constraints of any given project. Not every Standard necessarily applies to every aspect of a project, nor is it necessary to comply with every Standard to achieve compliance.

STATE HISTORICAL BUILDING CODE³⁷

The California State Historical Building Code (SHBC) is one of the state's most valuable tools for the preservation of historic buildings. It is defined in Sections 18950 to 18961 of Division 13, Part 2.7, of the Health and Safety Code and is part of California law. While the California Building Code (§ 3403.5) makes provisions for the special treatment of qualified historic buildings, the SHBC amplifies and codifies this protection. The intention of the SHBC is to save California's architectural heritage by recognizing the unique construction issues inherent in maintaining and adaptively reusing historic buildings. It provides alternative building regulations for permitting repairs as well as for alterations and additions necessary for the preservation, rehabilitation, or continued use of a "qualified historical building or structure."

As a designated landmark, the Jay Littleton Ball Park is considered a "qualified historic building or structure" under the SHBC. Relevant sections of the SHBC that allow alternative means of code compliance should be applied when code-required work would otherwise negatively impact its historic character.



Figure 12. Aerial photograph of Jay Littleton Ball Park and John Galvin Park in 1939.

³⁷ Adapted from "State Historical Building Code," California Office of Historic Preservation, accessed October 2, 2018, http://ohp.parks.ca.gov/?page_id=21410.

RECOMMENDED TREATMENTS

The recommendations for the Jay Littleton Ball Park are in direct response to the conditions of features and materials observed in the field as well as the City's project objectives. These recommendations are organized into five sections: Recommended Structural Treatments, Recommended Material and Finish Treatments, Recommended Exterior Treatments, Recommended Interior Treatments, and Recommended Accessibility Strategies. Within each section, the recommendations are prioritized according to the following categories:

- High Priority: Recommended for further investigation or immediate repair. Postponing high priority items will likely allow further deterioration or damage to occur.
- Medium Priority: Recommended for further investigation or repair if budget allows.
- Low Priority: Recommended to improve the historic character and integrity of the building. Low priority items typically pertain more to cosmetic than functional improvements.

Following the Recommended Treatments section is the Five-Year Plan and Maintenance Plan. The Five-Year Plan sequences recommended treatments that are high priority and/or meet the City's project objectives to maintain the ball park's viability and continued operation as a municipal baseball facility. Preventative maintenance items are listed in the Maintenance Plan. For a full sequencing of all the recommended treatments, please see Appendix A, Rehabilitation Plan. For additional cost estimates for recommended structural treatments and accessibility strategies as well as cost estimates for other rehabilitation treatments, please see Appendix B, Cost Estimates. Please also see Appendix C for proposed structural upgrades plans and Appendix D for proposed accessibility upgrade plans.

RECOMMENDED STRUCTURAL TREATMENTS

Overall, the ball park's structure is in good condition; however, minor structural deterioration was observed at select wood members throughout. Most notably, minor structural deterioration was noted at the connection of the high end of the bleacher stringers to the exterior wood posts, which have been exposed to weather over time and should be repaired. Several members throughout the structure also exhibit large splints in the

wood, such as the kickers from the roof to the intermediate posts. It is recommended that the split members be replaced in kind to protect against the member possibly failing in the future.

The recommended treatments for the ball park's structure relate to repairing or replacing wood structural members as well as seismically upgrading the facility's structure to meet current seismic performance standards. Under the SHBC, any seismic upgrades would be considered as voluntary by the City of Ontario Building Department. The SHBC allows for the evaluation of the building using engineering judgement, instead of the prescriptive rules of the current code provisions, and limits required structural modifications in order to keep the historic character of the ball park intact. The recommended structural treatments are as follows:

- Split members should be replaced in kind or sistered with the same size members as required. (High Priority)
- Deteriorated ends of wood members that are supporting occupiable areas (supporting gravity loads, such as bleacher seats and steps) should be treated with a water-repellant wood preservative that can be painted and sealed for continued use. (High Priority)
- Existing wood exterior posts should be strengthened to provide adequate lateral support for the roof by installing new 2x6 wood members on each side of the existing triple 2x6 wood posts (two – new 2x6 members total at each post). In addition, new connections should be provided between the posts and the foundations to resist uplift. The connection between the post and the bleacher stringer and the roof framing should be strengthened as well. (High Priority)
- Existing intermediate posts should be strengthened to provide adequate lateral support for the roof by installing new MC7 steel channels on each side of the existing triple 2x6 wood posts (two – new MC7 members total at each post). In addition, new connections should be provided between the posts and the foundations to resist uplift. The connection between the post and the bleacher stringer and the roof framing should be strengthened as well. (High Priority)
- Existing double 2x12 wood stringers should be strengthened for the lateral frame action by sistering a new 2x12 stringer on each side of the existing members (two – new 2x12 members total at each

stringer). In addition, new connections should be provided between the posts and the foundations to resist uplift. The connection between the bleacher stringer and the posts should be strengthened as well. (Medium Priority)

- Along the exterior wood sheathed walls, new steel rod braces should be provided on the interior side of the sheathing below bleachers. At this time, it is assumed that six bays of bracing will be required along the North and West exterior elevations. Enlarge existing footings at end columns of multi-bay braced frames to resist uplift. (Medium Priority)
- Deteriorated ends of wood members not supporting occupiable areas (not supporting gravity loads such as the cantilevered extensions of bleacher stringers) should be treated with a water-repellant wood preservative that can be painted and sealed for continued use. (Low Priority)

RECOMMENDED MATERIAL AND FINISH TREATMENTS

The grandstand at Jay Littleton Ball Park is primarily a wood-frame structure clad in wood beadboard siding. The treatments recommended for these exterior materials relate to cleaning, repairing physical conditions, and conducting further investigation of materials as required. Where the severity of deterioration requires replacement, treatment of exterior materials may include replacement in kind or, in select cases, replacement with a compatible substitute material (see *Preservation Brief #16*). The recommended material and finish treatments are as follows:

Wood

Throughout the grandstand, wood features exhibit a range of conditions from good to poor. Previous repair campaigns have also resulted in the removal and replacement of original wood features over time. As an organic material, wood is often more susceptible to damage as well as deterioration and decay due to persistent exposure to weather and moisture. While wood features should be replaced in kind when they are deteriorated beyond repair, removing wood features that should be stabilized and repaired negatively impacts the ball park's historic character, diminishing its overall integrity of materials and workmanship. Therefore, a qualified buildings material conservator, architect, or contractor should be engaged to conduct further surveys to determine the extent of repair and replacement of wood features required.

- Further investigation should be conducted by a qualified professional to determine whether wood

features exhibiting signs of deterioration can be strengthened and stabilized by consolidation or if the feature is deteriorated beyond repair and should therefore be replaced in kind. (High Priority)

- Wood that is not deteriorated beyond repair may be strengthened and stabilized by consolidation using epoxies or wood fillers. After correcting any problems, apply a water-repellant wood preservative that can be painted. (High Priority) (see *Preservation Brief #9*)
- Localized areas of deterioration may also be patched with a Dutchman repair. The repair procedure involves cutting a piece of wood, called a Dutchman, slightly larger than the area of damage that has been cut out. The Dutchman then is laid over the damaged area and an outline scribed into the original wood surface below. Next, a chisel or router is used to follow the scribed line to form an opening in the existing wood for the new piece. As a preventive measure, an appropriate fungicide should be applied to the surrounding old wood and allowed to dry. The Dutchman is then glued into place with waterproof adhesive, such as an epoxy formulated for wood. The repair is finished by trimming or sanding the surface of the new wood down flush with the surrounding existing surfaces, priming and painting. (High Priority) (see *Preservation Brief #45*)
- Wood that is deteriorated beyond repair should be replaced in kind. Replacement wood features should match the historic component as closely as possible in design, color, texture, and other qualities to retain the ball park's historic character. (High Priority) (see *Preservation Brief #45*)
- Analysis of original wood features should be completed by a qualified professional in order to identify the species. If the species of the original wood is unsuitable in terms of its durability, a more suitable wood species, such as a decay-resistant, high-grade, vertical grain lumber, may be considered as long as it conveys a close visual match and has similar characteristics to the original wood species. (High Priority)
- Large structural members that are deteriorated beyond repair should be replaced in kind in coordination with a qualified structural engineer with experience working with historic properties. (High Priority)
- Wood features that require replacement should be carefully removed by a qualified professional. Deteriorated portions should be cut off and undeteriorated portions should be salvaged for reinstallation on the site. (High Priority)

Concrete

Overall, the concrete features of the ball park are in good condition. Therefore, while the concrete sidewalks and floors exhibit signs of cracking at select locations, these features should only be repaired if they present a tripping hazard. The only other notable condition observed was the scaling of the concrete foundation at the ball field fence.

- Severely cracked concrete units should be replaced with new matching concrete if they present a dangerous tripping hazard. The new concrete should replicate the material properties and appearance of the historic concrete. (High Priority)
- Severely spalled areas of the concrete foundation at the ball field fence should be patched with patching material that replicates the material properties and appearance of the historic concrete. Damaged concrete should be cut back, and the new patch carefully applied so that it will bond satisfactorily with the historic concrete. (Medium Priority)
- Hairline to moderate cracks in concrete sidewalks and flooring do not require repair. Hairline and moderate cracks are generally defined as a superficial crack less than approximately one millimeter in width that does not go through the body of the masonry unit. (Low Priority)

Brick

The brick paving at the main entrance is generally in poor condition. Conditions of deterioration include cracking and areas of material loss as well as areas of disintegrating and total mortar loss.

- Further study of the brick paving should be conducted to ensure it was previously installed on an appropriate underlying material rather than the bare ground by removing a section of brick. (Medium Priority)
- Remove brick paving and install new concrete base if necessary. (Medium Priority)
- Salvage intact brick units for reinstallation. Salvaged bricks should be stacked no more than five layers high and should be stored in an indoor, weather-controlled space until reinstalled. (Medium Priority)
- Recreate existing brick paving pattern using a mix of salvaged and new bricks. New bricks should replicate the appearance of the historic bricks as well as be interspersed throughout the paving area. (Medium Priority)

- Finished brick surface should be repointed using an appropriate mortar that is softer and more permeable than the historic brick. (Medium Priority)

Paint

The grandstand exhibits a variety of paint surface conditions, which range from areas that require no paint removal to areas that require total paint removal. Overall, painted features, most especially wood features, should be regularly maintained in order to slow their deterioration. Before repainting, wood features should be further surveyed by a qualified professional to determine whether they require repair or replacement. Repair or replacement of deteriorated wood should take place before repainting.

- Painted features should be cleaned using low pressurized water. Pressure cleaning should not exceed 300 pounds per square inch (PSI). The cleaned surface should be rinsed thoroughly, and permitted to dry before further inspection to determine if repainting is necessary. (High Priority)
- Areas of heavy soiling or staining that cannot be removed through pressure cleaning should be cleaned using a household detergent and a medium soft bristle brush. (High Priority)
- Areas of intercoat peeling are areas where the newest layer of paint did not adhere properly to the previous layer and are therefore peeling. The peeling top coat should be scrapped off with a putty knife and hand or mechanically sanded. (High Priority)
- Areas of peeling to a bare material surface should be scrapped off with a putty knife and hand or mechanically sanded to the bare material. (High Priority) (see *Preservation Brief #10*)
- Areas of cracking that are present at only the top layer should be scrapped off with a putty knife and hand or mechanically sanded. (High Priority) (see *Preservation Brief #10*)
- Areas of cracking that have progressed to bare wood and the paint has begun to flake should be scrapped off with a putty knife and hand or mechanically sanded to the bare material. (High Priority) (see *Preservation Brief #10*)
- High-quality oil type exterior primer should also be applied within 48 hours before repainting. (High Priority)
- Repaint all painted features following proper surface preparation. (High Priority)

RECOMMENDED EXTERIOR TREATMENTS

Alterations to the ball park have negatively impacted its historic and architectural character, diminishing its overall integrity of design and materials. The treatments recommended for the exterior relate to selective removal and replacement of non-character-defining features. Missing or previously removed features that are important to the ball park's historic appearance should be replaced with new features that are an accurate replication based on documentary and physical evidence, if possible. Entirely new features should be differentiated from the historic, but compatible in their design with the historic character of the ball park. A false sense of history should not be created by adding conjectural features or features from other properties, or by combining features that never existed together historically. The recommended exterior treatments are as follows:

Grandstand Street-Facing Elevation

- Beadboard siding appears to be a later addition and not original. The underlying wood planks are painted, indicating that this material was originally exposed. Further investigation is recommended in order to determine if the original wood siding remains extant. If the underlying wood planks appear to be the original siding, the existing beadboard siding, which is in poor condition, should be removed and the original siding repaired as necessary. If the original siding is deteriorated beyond repair, it should be replaced in kind with new siding that matches the original in design, size, shape, and texture. (High Priority)
- Window frames appear to be a later addition and not original. It is possible that the beadboard siding and window frames were applied over the original. Further investigation is recommended in order to determine if the original window frames remain extant. If the original wood frames remain, they should be repaired as necessary. If the original window frames do not remain, new compatible window frames that are unobtrusive and simple in design may be installed. (High Priority)
- Window infill appears to be a later addition and not original; however, the design of the original window infill is unknown. The existing infill may be retained or replaced as necessary with new infill that is unobtrusive and simple in design. (Low Priority)
- Signage on the street-facing elevation of the grandstand is a later addition and not original. This sign may be removed and replaced as necessary. A cohesive wayfinding design plan should be installed throughout. (Low Priority)

Grandstand Field-Facing Elevation

- Portions of the wood siding are later additions and not original. This non-original siding, which is generally in poor condition, should be removed and replaced with new wood siding that matches the original. Some original wood siding appears to remain along the east pedestrian tunnel that leads to the grandstand seating. This original wood siding should be used to ensure that all visual qualities, including design, size, shape, and texture, are matched. (High Priority)
- Metal bleachers are a later addition and not original. The metal bleachers should be removed and replaced with new wood bleachers that match the original. Some of the original wood bleachers are being stored in the north utility shed and should be used to ensure that all visual qualities, including design, size, shape, and texture, are matched. (Low Priority)
- Ball field fence along the grandstand appears to be a later addition and not original; however, the exact design of the original ball field fence is unknown. It appears to be a wood plank fence topped by a wood railing along the east and south wings, similar to what is existing. The fence behind home plate was originally taller and appears to have been constructed of plywood. Portions of the ball field fence are in poor condition and may be replaced in kind as necessary. (High Priority)
- East utility shed is a later addition and not original. It should be removed and the original configuration of the grandstand restored. (Low Priority)

Ball Field

- Dugouts have been altered and no longer retain their original configuration. Originally, the dugouts consisted of narrow trenches not much larger than the existing awnings. As a matter of functionality, the dugouts should not be restored to their original configuration but should be preserved as they exist today. (Low Priority)
- Scoreboard is a later addition and not original. The original scoreboard was located behind right field at the southwest corner and was manually operated. The replacement of a manual scoreboard with an electronic scoreboard is a typical alteration for historic ball parks to facilitate their continued use. (Low Priority)
- Ball field fence along the outfield is a later addition and not original. This non-original fence, portions of which are in poor condition, should be removed and replaced with a new wood plank fence. (Medium Priority)

RECOMMENDED INTERIOR TREATMENTS

The Jay Littleton Ball Park retains original and character-defining spaces. The locker rooms and locker room tunnels are primary character-defining spaces with original and distinctive features, finishes and materials. The treatment recommendations for these interior spaces relate to cleaning and repairing existing features, finishes, and materials. The configuration of secondary character-defining spaces and remaining historic fabric should be retained where possible and cleaned and repaired as necessary.

New features, finishes, and materials installed in primary and secondary character-defining spaces should be compatible with the historic and architectural character of the building. Non-character-defining spaces and features may be altered or removed as required to comply with current building codes standards, upgrade facilities, or accommodate new uses. The historic and architectural character of the ball park should remain evident in the design of new spaces and the selection of new finishes. The recommended interior treatments are as follows:

- Character-defining interior spaces, features, and finishes, such as the lock rooms, locker room tunnels, and the entrance vestibule, should be preserved. (High Priority)
- New partitions should be constructed in secondary or non-character-defining spaces whenever feasible. (High Priority)
- Design of new spaces, such as ADA accessible restrooms, should not adversely impact the grandstand exterior or character-defining spaces. The historic character of the grandstand should remain evident in the design of new spaces and the selection of new finishes. (High Priority)
- Concession stand has been altered and no longer retains its original configuration or features and finishes. As a matter of functionality, the concession stand should not be restored to its original configuration but should be retained as is. (Low Priority)
- Carpet in manager's office is a later addition and not original. Further investigation is recommended in order to determine if the original floor remains extant underneath the carpet. (Low Priority)
- Plywood walls appear to be a later addition and not original. The interior walls were likely originally uncovered. Plywood, which is generally in poor condition, should be removed and the exterior siding left exposed. (Medium Priority)
- Wood lockers in locker rooms and manager's office should be preserved and repaired as necessary.

Repair may include limited replacement in kind if an element is deteriorated beyond repair or missing. (Medium Priority)

- Doors to the locker room tunnels appear to be original and should be preserved and repaired as necessary. If the doors are deteriorated beyond repair, they should be replaced in kind. The existing doors should be used to ensure that all visual qualities, including design, size, shape, and texture, are matched. Hardware should be salvaged and reinstalled if possible. (High Priority)
- Remaining doors appear to be replacements and not original; however, the design of the original doors is unknown. Doors may be replaced as necessary with new compatible doors that are unobtrusive and simple in design. (Low Priority)
- Corrugated metal sheathing appears to be a later addition and not original. The metal sheathing should be removed and replaced with new wood sheathing that matches the original. It appears that original wood sheathing remains in the manager's office. This original wood sheathing should be used to ensure that all visual qualities, including design, size, shape, and texture, are matched. (Low Priority)
- Restroom and shower fixtures appear to be later additions and not original; however, the design of the original restroom and shower fixtures is unknown. Existing restroom and shower fixtures may be removed and replaced as necessary with new compatible fixtures. New fixtures should be unobtrusive and simple in design. (Low Priority)
- Light fixtures appear to be later additions and not original; however, the design of the original light fixtures is unknown. Existing light fixtures may be removed and replaced as necessary with new compatible light fixtures. New lighting should be unobtrusive and simple in design. (Low Priority)
- Non-character-defining features and finishes may be removed as necessary. (Low Priority)

RECOMMENDED ACCESSIBILITY STRATEGIES

The recommended strategies for compliance with current accessibility standards primarily relate to providing accessible routes and restrooms in accordance with the 2016 California Building Code. Accessibility modifications should be in scale with the historic grandstand, visually compatible, and reversible whenever possible. The design of these new features should also be differentiated from the remaining historic fabric so that the evolution of the ball park is evident. The recommended accessibility strategies are listed below in order of code priority categories with further priority degrees identified as follows:

- High Priority: Recommended to incorporate in any accessibility project.
- Medium Priority: May be eligible for exclusion if it exceeds hardship threshold, but recommended if budget allows.
- Low Priority: May be eligible for exclusion if exceeds hardship threshold. Potential candidate for deferred work.

Please see Appendix D for proposed accessibility upgrade plans.

Accessible Entrance

- Main entrance chain-link sliding gate at level concrete landing bay should be replaced with an accessible swing gate and sliding gate. (High Priority)
- Accessible concrete path of travel should be provided from the public right-of-way to the existing accessible sidewalk. The proposed route detailed on the accessibility plans in Appendix D avoids altering the existing brick-paved path, statues, and trees at the main entrance. The route is adjacent to the existing driveway entrance and preserves the existing configuration and features as much as possible. (High Priority)

Accessible Route to Each Significant Use

- Accessible concrete sidewalk and landing route should be provided to new accessible restrooms. (High Priority)
- Lift to upper-level press box should be provided. (Medium Priority)
- Lift to upper-level seating should be provided and an upper-level flat platform for accessible seating with companion seating bench should be constructed. (Medium Priority)
- Accessible concrete walkway and door to the locker rooms should be provided. Access to the second locker room is separated because creating an accessible path of travel to the northeast locker room would be more extensive and have more impact on historic fabric. (Medium Priority–One locker room; Low Priority–Both locker rooms)
- Access gate and level concrete pad should be added to provide an accessible team seating area adjacent to the dug-out. (Medium Priority)

- Accessible counter and ordering area should be provided at the concession stand. (Medium Priority)
- Accessible shower in the locker rooms should be provided. Showers may be capped in lieu of making accessible upgrades if the shower are no longer required for use. (Low Priority)
- Provide accessible path to storage areas. Existing storage areas have original door sizes. (Low Priority)

At Least One Accessible Restroom for Each Sex

- New accessible unisex restrooms should be provided. Providing separate restrooms in lieu of upgrading the existing restrooms minimizes the impact to the historic grandstand, provide additional fixtures, and add for family restrooms with baby-changing stations. Adding only one restroom would be acceptable, but an additional restroom is recommended as a means of adding additional fixtures and accommodations for families with young children. (High Priority)

Accessible Telephones

- Not considered in this report.

Accessible Drinking Fountains

- Hi-low drinking fountain should be added. (Medium Priority)

Accessible Elements Such as Parking, Storage and Alarms

- Existing parking should be restriped to provide two van accessible parking space(s) and provide new signage. (High Priority)
- Accessible storage in the concessions stand should be provided. Other accessory rooms either have non-conforming doors or are low priority. (Medium Priority)
- Alarms were not considered in this report.

FIVE-YEAR PLAN

The City of Ontario funds public work projects in five year cycles. The Five-Year Plan sequences recommended treatments over ten phases for the City’s first five-year funding cycle. The recommended treatments included below are either high priority work items or work items that meet the City’s project objectives to maintain the ball park’s viability and continued operation as a municipal baseball facility. These recommendations are ordered in a logical sequencing of work over ten phases for budget and construction management purposes. The Five-Year Plan describes the work to be undertaken in each phase, the location of the work, and the estimated cost, when applicable. Some recommended treatments do not have an associated estimated cost because these items require further investigation in order to accurately calculate an estimate. For example, a survey of the ball park’s wood features is required in order to estimate the rough quantities of features that require repair or in-kind replacement. For a full sequencing of all high, medium, and low-priority work items, please see Appendix A, Rehabilitation Plan.

PHASE NO.	RECOMMENDED TREATMENT	LOCATION	ESTIMATED COST
1.	FURTHER INVESTIGATION		
1a.	Further investigation should be conducted by a qualified professional to determine whether wood features exhibiting signs of deterioration can be strengthened and stabilized by consolidation or if the feature is deteriorated beyond repair and should therefore be replaced in kind.	Throughout	\$6,000
1b.	Analysis of original wood features should be completed by a qualified professional in order to identify the species. If the species of the original wood is unsuitable in terms of its durability, a more suitable wood species, such as a decay-resistant, high-grade, vertical grain lumber, may be considered as long as it conveys a close visual match and has similar characteristics to the original wood species.	Throughout	\$5,000
2.	ACCESSIBLE RESTROOM		
2a.	Engage a qualified architect with demonstrated experience in historic buildings and structures to develop construction documents for the construction of an accessible restroom, submit plans for plan check and agency approvals, as well as issue final bid documents.	N/A	\$22,590 (Construction Documents)/ \$7,120 (Plan Check and Bidding)
2b.	New accessible unisex restrooms should be provided. Providing separate restrooms in lieu of upgrading the existing restrooms minimizes the impact to the historic grandstand, provide additional fixtures, and add for family restrooms with baby-changing stations. Adding only one restroom would be acceptable, but an additional restroom is recommended as a means of adding additional fixtures and accommodations for families with young children.	Street-Facing Elevation/Interior	\$34,325 (One Restroom)/ \$58,650 (Two Restrooms)

PHASE NO.	RECOMMENDED TREATMENT	LOCATION	ESTIMATED COST
3.	STRUCTURAL REPAIRS		
3a.	Engage a qualified structural engineer with demonstrated experience in historic buildings and structures to develop construction documents for the structural repairs, submit plans for plan check and agency approvals, as well as issue final bid documents.	N/A	\$22,000 (Design Phase)/ \$6,000 (Plan Check)/ \$9,000 (Construction Administration)
3a.	Split members should be replaced in kind or sistered with the same size members as required.	Throughout	\$30,000
3b.	Existing wood exterior posts should be strengthened to provide adequate lateral support for the roof by installing new 2x6 wood members on each side of the existing triple 2x6 wood posts (two–new 2x6 members total at each post). In addition, new connections should be provided between the posts and the foundations to resist uplift. The connection between the post and the bleacher stringer and the roof framing should be strengthened as well.	Throughout	\$123,240
3c.	Existing intermediate posts should be strengthened to provide adequate lateral support for the roof by installing new MC7 steel channels on each side of the existing triple 2x6 wood posts (two–new MC7 members total at each post). In addition, new connections should be provided between the posts and the foundations to resist uplift. The connection between the post and the bleacher stringer and the roof framing should be strengthened as well.	Throughout	\$381,658
4.	GRANDSTAND STREET-FACING ELEVATION		
4a.	Beadboard siding appears to be a later addition and not original. The underlying wood planks are painted, indicating that this material was originally exposed. Further investigation is recommended in order to determine if the original wood siding remains extant. If the underlying wood planks appear to be the original siding, the existing beadboard siding, which is in poor condition, should be removed and the original siding repaired as necessary. If the original siding is deteriorated beyond repair, it should be replaced in kind with new siding that matches the original in design, size, shape, and texture.	Street-Facing Elevation	\$2,500 (Investigation only)
4b.	Window frames appear to be a later addition and not original. It is possible that the beadboard siding and window frames were applied over the original. Further investigation is recommended in order to determine if the original window frames remain extant. If the original wood frames remain, they should be repaired as necessary. If the original window frames do not remain, new compatible window frames that are unobtrusive and simple in design may be installed.	Street-Facing Elevation	See Phase No. 4a
4c.	Plywood walls appear to be a later addition and not original. The interior walls were likely originally uncovered. Plywood, which is generally in poor condition, should be removed and the exterior siding left exposed.	Interior	\$950

PHASE NO.	RECOMMENDED TREATMENT	LOCATION	ESTIMATED COST
5.	WOOD REPAIR AND REPLACEMENT		
5a.	Wood that is not deteriorated beyond repair may be strengthened and stabilized by consolidation using epoxies or wood fillers. After correcting any problems, apply a water-repellant wood preservative that can be painted.	Throughout	Further Investigation Required
5b.	Localized areas of deterioration may also be patched with a Dutchman repair. The repair procedure involves cutting a piece of wood, called a Dutchman, slightly larger than the area of damage that has been cut out. The Dutchman then is laid over the damaged area and an outline scribed into the original wood surface below. Next, a chisel or router is used to follow the scribed line to form an opening in the existing wood for the new piece. As a preventive measure, an appropriate fungicide should be applied to the surrounding old wood and allowed to dry. The Dutchman is then glued into place with waterproof adhesive, such as an epoxy formulated for wood. The repair is finished by trimming or sanding the surface of the new wood down flush with the surrounding existing surfaces, priming and painting.	Throughout	Further Investigation Required
5c.	Wood that is deteriorated beyond repair should be replaced in kind. Replacement wood features should match the historic component as closely as possible in material, design, color, texture, and other qualities to retain the ball park's historic character.	Throughout	Further Investigation Required
5d.	Deteriorated ends of wood members that are supporting occupiable areas (supporting gravity loads, such as bleacher seats and steps) should be treated with water-repellant wood preservative that can be painted and sealed for continued use.	Throughout	\$19,600
5e.	Deteriorated ends of wood members not supporting occupiable areas (not supporting gravity loads such as the cantilevered extensions of bleacher stringers) should be treated with a water-repellant wood preservative that can be painted and sealed for continued use.	Throughout	\$25,000
5f.	Doors to the locker room tunnels appear to be original and should be preserved and repaired as necessary. If the doors are deteriorated beyond repair, they should be replaced in kind. The existing doors should be used to ensure that all visual qualities, including design, size, shape, and texture, are matched. Hardware should be salvaged and reinstalled if possible.	Street-Facing Elevation	\$5,000
6.	GRANDSTAND FIELD-FACING ELEVATION		
6a.	Portions of the wood siding are later additions and not original. This non-original siding, which is generally in poor condition, should be removed and replaced with new wood siding that matches the original. Some original wood siding appears to remain along the east pedestrian tunnel that leads to the grandstand seating. This original wood siding should be used to ensure that all visual qualities, including design, size, shape, and texture, are matched.	Field-Facing Elevation	Further Investigation Required
6b.	Ball field fence along the grandstand appears to be a later addition and not original; however, the exact design of the original ball field fence is unknown. It appears to be a wood plank fence topped by a wood railing along the east and south wings, similar to what is existing. The fence behind home plate was originally taller and appears to have been constructed of plywood. Portions of the ball field fence are in poor condition and may be replaced in kind as necessary.	Field-Facing Elevation	\$24,000 (Complete Replacement)

PHASE NO.	RECOMMENDED TREATMENT	LOCATION	ESTIMATED COST
7.	LOCKER ROOMS		
7a.	Wood lockers in locker rooms and manager's office should be preserved and repaired as necessary. Repair may include limited replacement in kind if an element is deteriorated beyond repair or missing.	Interior	Further Investigation Required
8.	REPAINT WOOD SURFACES		
8a.	Painted features should be cleaned using low pressurized water. Pressure cleaning should not exceed 300 pounds per square inch (PSI). The cleaned surface should be rinsed thoroughly, and permitted to dry before further inspection to determine if repainting is necessary.	Throughout	\$400,925 (Total Cost)
8b.	Areas of heavy soiling or staining that cannot be removed through pressure cleaning should be cleaned using a household detergent and a medium soft bristle brush.	Throughout	See Phase No. 8a
8c.	Areas of intercoat peeling are areas where the newest layer of paint did not adhere properly to the previous layer and are therefore peeling. The peeling top coat should be scrapped off with a putty knife and hand or mechanically sanded.	Throughout	See Phase No. 8a
8d.	Areas of peeling to a bare material surface should be scrapped off with a putty knife and hand or mechanically sanded to the bare material.	Throughout	See Phase No. 8a
8e.	Areas of cracking that are present at only the top layer should be scrapped off with a putty knife and hand or mechanically sanded.	Throughout	See Phase No. 8a
8f.	Areas of cracking that have progressed to bare wood and the paint has begun to flake should be scrapped off with a putty knife and hand or mechanically sanded to the bare material.	Throughout	See Phase No. 8a
8g.	High-quality oil type exterior primer should also be applied within 48 hours before repainting.	Throughout	See Phase No. 8a
8h.	Repaint all painted features following proper surface preparation.	Throughout	See Phase No. 8a
9.	GRANDSTAND ENTRANCE		
9a.	Main entrance chain-link sliding gate at level concrete landing bay should be replaced with an accessible swing gate and sliding gate.	Street-Facing Elevation	\$12,500 (Chain-Link Sliding Gate) \$33,000 (Wrought Iron Gate)
9b.	Accessible concrete path of travel should be provided from the public right-of-way to the existing accessible sidewalk. The proposed route detailed on the accessibility plans in Appendix C avoids altering the existing brick-paved path, statues, and trees at the main entrance. The route is adjacent to the existing driveway entrance and preserves the existing configuration and features as much as possible.	Site	\$7,800

PHASE NO.	RECOMMENDED TREATMENT	LOCATION	ESTIMATED COST
9c.	Accessible concrete sidewalk and landing route should be provided to new accessible restrooms.	Site	See Phase No. 9b
9d.	Further study of the brick paving should be conducted to ensure it was previously installed on an appropriate underlying material rather than the bare ground by removing a section of brick.	Site	\$10,000
9e.	Remove brick paving and install new concrete base if necessary.	Site	See Phase No. 9d
9f.	Salvage intact brick units for reinstallation. Salvaged bricks should be stacked no more than five layers high and should be stored in an indoor, weather-controlled space until reinstalled.	Site	See Phase No. 9d
9g.	Recreate existing brick paving pattern using a mix of salvaged and new bricks. New bricks should replicate the appearance of the historic bricks as well as be interspersed throughout the paving area.	Site	See Phase No. 9d
9h.	Finished brick surface should be repointed using an appropriate mortar that is softer and more permeable than the historic brick.	Site	See Phase No. 9d
10.	PARKING LOT		
10a.	Existing parking should be restriped to provide two van accessible parking space(s) and provide new signage.	Site	\$750

MAINTENANCE PLAN

FREQUENCY	MAINTENANCE ITEM	LOCATION
Ongoing	Inspect the facility for graffiti on an ongoing basis. Fresh graffiti is typically easier to remove which minimizes the potential for harsh or abrasive cleaning techniques. When graffiti is found, identify the type of substance used to create it. Substances may include spray paints, permanent markers, chalk, or other types of paint. For painted surfaces, graffiti can typically be painted over to match the surrounding painted surface. For unpainted masonry surfaces, select the gentlest means possible for removing the graffiti and always conduct a test in a discrete location before applying any method or cleaning agent. Typically, the gentlest means for removing graffiti from masonry includes poultices and low-pressure water washes with non-ionic detergents.	Grandstand Exterior/Interior
Ongoing	Inspect plants for general health and overgrowth on an ongoing basis. Keep foliage and plants off of the grandstand and away from gutters and surface drains. Keep beds and planters clean and free of debris that could attract unwanted pests.	Ball Park Site
Ongoing	Inspect interior spaces of grandstand for moisture penetration on an ongoing basis. If repair or remediation is required, always ide	Grandstand Interior
Every Year	Inspect roof annually or after major rain and wind events. Keep it clean and free from debris. Ensure roofing material, sheathing, and flashing is secure and tight and that no leaks exist. Repair as necessary. Replace missing elements when necessary.	Grandstand Roof
Every Year	Clean gutters and downspouts annually or after major rain and wind events to keep them free of debris. Ensure they are weather-tight and operational. Repair any cracks or flaws.	Grandstand Roof
Every Year	Inspect site drainage systems annually or after major rain and wind events to ensure they are unobstructed and working properly. Ensure that surface drains are clear and functional. Repair as necessary.	Ball Park Site
Every Year	Inspect wood features for signs of deterioration. Repair as necessary. Wood that is deteriorated beyond repair should be replaced in kind.	Grandstand Exterior/Interior
Every Three Years	Treat and seal ends of wood members that are supporting occupiable areas (supporting gravity loads, such as bleacher seats and steps).	Grandstand Structure
Every Five Years	Painted features should be cleaned using low pressurized water. Pressure cleaning should not exceed 300 pounds per square inch. Repaint all painted features following proper surface preparation.	Grandstand Exterior/Interior

RECOMMENDATIONS FOR FURTHER STUDY

Further studies are recommended in order to better understand alterations made to the ball park over time as well as to determine the extent of rehabilitation treatment or repair required. The recommended studies are as follows:

- A comprehensive paint analysis is recommended in order to determine the original palette of exterior finishes as well as how the color palette has changed over time. If the original paint layer is identified, the color may be matched and the ball park repainted its original paint color. A complete analysis of the paint layers on surfaces within a structure can also reveal a great deal about the sequence of alterations that have occurred, as well as potentially providing ranges of dates for some of these changes. (see *Preservation Brief #28*)
- An analysis of the original wood features is recommended in order to determine the species of wood. Because different species have different characteristics, such as rates of expansion and shrinkage, matching the original species or using a compatible species is necessary to ensure a seamless and durable repair. (see *Preservation Brief #45*)
- Further investigation of the grandstand street-facing elevation is recommended in order to determine if the original wood siding remains extant. A qualified professional should be engaged to remove a section of the existing beadboard siding.
- Further investigation should be conducted by a qualified professional to determine whether wood features exhibiting signs of deterioration can be strengthened and stabilized by consolidation or if the feature is deteriorated beyond repair and should therefore be replaced in kind. (see *Preservation Brief #45*)

REFERENCES

The National Park Service provides information and guidance on the preservation, rehabilitation, and restoration of historic buildings. They have produced a variety of publications, including the Preservation Briefs series, on a broad range of topics and techniques for the treatment of historic buildings. The Interpreting the Standards (ITS) Bulletins explain decisions made by the National Park Service in its administration of the Federal Historic Preservation Tax Incentive Programs. Web versions can be found at <https://www.nps.gov/tps/how-to-preserve/briefs.htm>. The Preservation Briefs most relevant to the Jay Littleton Ball Park are:

2. Repointing Mortar Joints in Historic Masonry Buildings
3. Improving Energy Efficiency in Historic Buildings
4. Roofing for Historic Buildings
6. Dangers of Abrasive Cleaning to Historic Buildings
8. Aluminum and Vinyl Siding on Historic Buildings: The Appropriateness of Substitute Materials for Resurfacing Historic Wood Frame Buildings
10. Exterior Paint Problems on Historic Woodwork
15. Preservation of Historic Concrete
16. The Use of Substitute Materials on Historic Building Exteriors
17. Architectural Character—Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character
18. Rehabilitating Interiors in Historic Buildings—Identifying Character-Defining Elements
24. Heating, Ventilating, and Cooling Historic Buildings: Problems and Recommended Approaches
25. The Preservation of Historic Signs
28. Painting Historic Interiors
32. Making Historic Properties Accessible
35. Understanding Old Buildings: The Process of Architectural Investigation
37. Appropriate Methods of Reducing Lead-Paint Hazards in Historic Housing
39. Holding the Line: Controlling Unwanted Moisture in Historic Buildings
41. The Seismic Rehabilitation of Historic Buildings
43. The Preparation and Use of Historic Structure Reports
45. Preserving Historic Wooden Porches

TABLE OF FIGURES

Report Cover: Earliest known photograph of Jay Littleton Ball Park, looking north towards the grandstand.
No date. Robert E. Ellingwood Model Colony History Room Collection. Ontario City Library.

Figure 1: Jay Littleton Ball Park, looking northwest towards the grandstand.
2018. GPA Consulting.

Part One Divider: Jay Littleton Ball Park right field in circa 1960, looking southwest towards original scoreboard.
No date. Robert E. Ellingwood Model Colony History Room Collection. Ontario City Library.

Figure 2: League Park in Cleveland in circa 1900.
Circa 1900. Detroit Publishing Company Photograph Collection. Library of Congress. LC-DIG-det-4a18626.

Figure 3: Second South End Grounds in Boston in circa 1890.
Circa 1890. Boston Public Library. Accessed May 16, 2019, https://en.wikipedia.org/wiki/South_End_Grounds#/media/File:Southendgrounds.jpg.

Figure 4: Hollywood Stars Training at Jay Littleton ball Park in 1946.
1946. Herald Examiner Collection. Los Angeles Public Library. 00053343.

Figure 5: Jay Littleton ball Park, aerial view.
2018. Google Maps.

Figure 6: Jay Littleton Ball Park, looking towards the main entrance.
2018. GPA Consulting.

Figure 7: Jay Littleton Ball Park, looking towards the east wing of the grandstand.
2018. GPA Consulting.

Figure 8: Jay Littleton ball Park, east wing of the grandstand.
2018. GPA Consulting.

Figure 9: Jay Littleton ball Park, locker rooms.
2018. GPA Consulting.

Figure 10: Jay Littleton Ball Park, looking towards the dugout near third base.
2018. GPA Consulting.

Character-Defining Features Conditions Table Photographs
2018. GPA Consulting.

Figure 11: Baseball game at Jay Littleton Ball Park at an unknown date.
No date. Robert E. Ellingwood Model Colony History Room Collection. Ontario City Library.

Part Two Divider: Jay Littleton Ball Park in circa 1960, looking towards first base.
No date. Robert E. Ellingwood Model Colony History Room Collection. Ontario City Library.

Figure 12: Aerial photograph of Jay Littleton Ball Park and John Galvin Park in 1939.
1939. Aerial Photograph Collection. University of California, Santa Barbara Library. C-5659.

Appendices Divider: manager Harry "Truck" Hannah and three new Angels during spring training at Jay Littleton ball Park in 1938.
1938. Herald Examiner Collection. Los Angeles Public Library. 00052324.

BIBLIOGRAPHY

"Baseball at Night Proves Very Popular." Los Angeles Times. August 12, 1924.

Blackstock, Joe. "Ontario, Home of the Angels." Daily Breeze. March 17, 2008. Accessed December 9, 2018. <https://www.dailybreeze.com/2008/03/17/ontario-home-of-angels/>.

"City Selected as Official Series Site." Los Angeles Times. December 20, 1959.

Daly, Pamela, Daly & Associates. *Historic Resources Assessment Report of East 4th Street Park-John Galvin Park*. Ontario: City of Ontario, August 2015.

Ferguson, Katherine. "National Register of Historic Places Nomination: Duncan Park Stadium, Spartanburg, South Carolina." December 11, 2015.

GPA Consulting. "National Register of Historic Places Multiple Property Documentation Form, Latinos in Twentieth Century California." 2014.

"History of Recreation in Parks." NYC Parks. Accessed December 6, 2018. <https://www.nycgovparks.org/about/history/recreation>.

"Hollywood and El Monte Mix." Los Angeles Times. January 12, 1924.

"Inventory of the State Administration Records Finding Aid." Online Archive of California. Accessed December 6, 2018. <http://www.oac.cdlib.org/findaid/ark:/13030/tf4489n6b0/?query=baseball>.

Nelson, Lee H. "Preservation Brief #17: Architectural Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character." US Department of the Interior, National Park Service, Cultural Resources.

"McCredie Busy After Players." Los Angeles Times. February 1, 1920.

Mercer, Chloe S. and Melanie Betz, Alabama Historical Commission. "National Register of Historic Places Nomination: Rickwood Field, Birmingham, Alabama." August 19, 1992.

"New Deal Agency: State Emergency Relief Administration (SERA)." The Living New Deal. Accessed December 10, 2018. <https://livingnewdeal.org/new-deal-agencies/state-emergency-relief-administration-sera/>.

"Orendorff Busy: Organizes New League." Los Angeles Times. February 17, 1910.

"Ontario." Los Angeles Times. November 30, 1894.

"Ontario: Loving Cup Game." Los Angeles Times. April 9, 1902.

"Ontario Picked by Angel Club for Spring Camp." Los Angeles Times. July 9, 1936.

"Ontario Team Takes Contest." Los Angeles Times. February 4, 1924.

Resolution Number 2003-075. A Resolution of the City Council of the City of Ontario, California, Approving File No. PHPO3-014, The Designation of the Ontario Ballpark, Commonly Known as Jay Littleton Ballpark, Located at John Galvin Park, as a Local Historic Landmark. Adopted by City Council September 16, 2003.

Rotman, Michael. "League Park." Cleveland Historical. Accessed December 6, 2018. <https://clevelandhistorical.org/items/show/16?tour=10&index=0>.

Ruzzo, Bob. "South End Grounds (Boston)." Society for American Baseball Research. Accessed December 6, 2018. <https://sabr.org/bioproj/park/south-end-grounds-boston>.

"State Historical Building Code." California Office of Historic Preservation. Accessed October 2, 2018. http://ohp.parks.ca.gov/?page_id=21410.

"Sporting: Baseball." Los Angeles Times. April 10, 1899.



APPENDICES

Page intentionally left blank

APPENDIX A

Page intentionally left blank

REHABILITATION PLAN

	LOCATION	NO.	RECOMMENDED TREATMENT	PRIORITY
GRANDSTAND	Throughout	1a.	Further investigation should be conducted by a qualified professional to determine whether wood features exhibiting signs of deterioration can be strengthened and stabilized by consolidation or if the feature is deteriorated beyond repair and should therefore be replaced in kind.	High Priority
	Throughout	1b.	Analysis of original wood features should be completed by a qualified professional in order to identify the species. If the species of the original wood is unsuitable in terms of its durability, a more suitable wood species, such as a decay-resistant, high-grade, vertical grain lumber, may be considered as long as it conveys a close visual match and has similar characteristics to the original wood species.	High Priority
	Street-Facing Elevation/Interior	2.	New accessible unisex restrooms should be provided. Providing separate restrooms in lieu of upgrading the existing restrooms minimizes the impact to the historic grandstand, provide additional fixtures, and add for family restrooms with baby-changing stations. Adding only one restroom would be acceptable, but an additional restroom is recommended as a means of adding additional fixtures and accommodations for families with young children.	High Priority
	Field-Facing Elevation/Interior	3a.	Lift to upper-level press box should be provided.	Medium Priority
	Field-Facing Elevation/Interior	3b.	Lift to upper-level seating should be provided and an upper-level flat platform for accessible seating with companion seating bench should be constructed.	Medium Priority
	Throughout	4a.	Split members should be replaced in kind or sistered with the same size members as required.	High Priority
	Throughout	4b.	Existing wood exterior posts should be strengthened to provide adequate lateral support for the roof by installing new 2x6 wood members on each side of the existing triple 2x6 wood posts (two–new 2x6 members total at each post). In addition, new connections should be provided between the posts and the foundations to resist uplift. The connection between the post and the bleacher stringer and the roof framing should be strengthened as well.	High Priority
	Throughout	4c.	Existing intermediate posts should be strengthened to provide adequate lateral support for the roof by installing new MC7 steel channels on each side of the existing triple 2x6 wood posts (two–new MC7 members total at each post). In addition, new connections should be provided between the posts and the foundations to resist uplift. The connection between the post and the bleacher stringer and the roof framing should be strengthened as well.	High Priority

GRANDSTAND	LOCATION	NO.	RECOMMENDED TREATMENT	PRIORITY
	Field-Facing Elevation	4d.	Existing double 2x12 wood stringers should be strengthened for the lateral frame action by sistering a new 2x12 stringer on each side of the existing members (two – new 2x12 members total at each stringer). In addition, new connections should be provided between the posts and the foundations to resist uplift. The connection between the bleacher stringer and the posts should be strengthened as well.	Medium Priority
	Interior	5a.	Plywood walls appear to be a later addition and not original. The interior walls were likely originally uncovered. Plywood, which is generally in poor condition, should be removed and the exterior siding left exposed.	Medium Priority
	Street-Facing Elevation	5b.	Along the exterior wood sheathed walls, new steel rod braces should be provided on the interior side of the sheathing below bleachers. At this time, it is assumed that six bays of bracing will be required along the North and West exterior elevations. Enlarge existing footings at end columns of multi-bay braced frames to resist uplift.	Medium Priority
	Street-Facing Elevation	5c.	Beadboard siding appears to be a later addition and not original. The underlying wood planks are painted, indicating that this material was originally exposed. Further investigation is recommended in order to determine if the original wood siding remains extant. If the underlying wood planks appear to be the original siding, the existing beadboard siding, which is in poor condition, should be removed and the original siding repaired as necessary. If the original siding is deteriorated beyond repair, it should be replaced in kind with new siding that matches the original in design, size, shape, and texture.	High Priority
	Street-Facing Elevation	5d.	Window frames appear to be a later addition and not original. It is possible that the beadboard siding and window frames were applied over the original. Further investigation is recommended in order to determine if the original window frames remain extant. If the original wood frames remain, they should be repaired as necessary. If the original window frames do not remain, new compatible window frames that are unobtrusive and simple in design may be installed.	High Priority
	Throughout	6a.	Wood that is not deteriorated beyond repair may be strengthened and stabilized by consolidation using epoxies or wood fillers. After correcting any problems, apply a water-repellant wood preservative that can be painted.	High Priority
	Throughout	6b.	Localized areas of deterioration may also be patched with a Dutchman repair. The repair procedure involves cutting a piece of wood, called a Dutchman, slightly larger than the area of damage that has been cut out. The Dutchman then is laid over the damaged area and an outline scribed into the original wood surface below. Next, a chisel or router is used to follow the scribed line to form an opening in the existing wood for the new piece. As a preventive measure, an appropriate fungicide should be applied to the surrounding old wood and allowed to dry. The Dutchman is then glued into place with waterproof adhesive, such as an epoxy formulated for wood. The repair is finished by trimming or sanding the surface of the new wood down flush with the surrounding existing surfaces, priming and painting.	High Priority

GRANDSTAND	LOCATION	NO.	RECOMMENDED TREATMENT	PRIORITY
	Throughout	6c.	Wood that is deteriorated beyond repair should be replaced in kind. Replacement wood features should match the historic component as closely as possible in material, design, color, texture, and other qualities to retain the ball park's historic character.	High Priority
	Throughout	6d.	Deteriorated ends of wood members that are supporting occupiable areas (supporting gravity loads, such as bleacher seats and steps) should be treated with water-repellant wood preservative that can be painted and sealed for continued use.	High Priority
	Throughout	6e.	Deteriorated ends of wood members not supporting occupiable areas (not supporting gravity loads such as the cantilevered extensions of bleacher stringers) should be treated with a water-repellant wood preservative that can be painted and sealed for continued use.	Low Priority
	Street-Facing Elevation	6f.	Doors to the locker room tunnels appear to be original and should be preserved and repaired as necessary. If the doors are deteriorated beyond repair, they should be replaced in kind. The existing doors should be used to ensure that all visual qualities, including design, size, shape, and texture, are matched. Hardware should be salvaged and reinstalled if possible.	High Priority
	Interior	7.	Corrugated metal sheathing appears to be a later addition and not original. The metal sheathing should be removed and replaced with new wood sheathing that matches the original. It appears that original wood sheathing remains in the manager's office. This original wood sheathing should be used to ensure that all visual qualities, including design, size, shape, and texture, are matched.	Low Priority
	Street-Facing Elevation	8.	Window infill appears to be a later addition and not original; however, the design of the original window infill is unknown. The existing infill may be retained or replaced as necessary with new infill that is unobtrusive and simple in design.	Low Priority
	Street-Facing Elevation	9.	Main entrance chain-link sliding gate at level concrete landing bay should be replaced with an accessible swing gate and sliding gate.	High Priority
	Throughout	10.	Remaining doors appear to be replacements and not original; however, the design of the original doors is unknown. Doors may be replaced as necessary with new compatible doors that are unobtrusive and simple in design.	Low Priority
	Field-Facing Elevation	11a.	Accessible counter and ordering area should be provided at the concession stand.	Medium Priority
Street-Facing Elevation/Field-Facing Elevation	11b.	East utility shed is a later addition and not original. It should be removed and the original configuration of the grandstand restored.	Low Priority	
Field-Facing Elevation	11c.	Portions of the wood siding are later additions and not original. This non-original siding, which is generally in poor condition, should be removed and replaced with new wood siding that matches the original. Some original wood siding appears to remain along the east pedestrian tunnel that leads to the grandstand seating. This original wood siding should be used to ensure that all visual qualities, including design, size, shape, and texture, are matched.	High Priority	

	LOCATION	NO.	RECOMMENDED TREATMENT	PRIORITY
GRANDSTAND	Field-Facing Elevation	12a.	Access gate and level concrete pad should be added to provide an accessible team seating area adjacent to the dug-out.	Medium Priority
	Field-Facing Elevation	12b.	Severely spalled areas of the concrete foundation at the ball field fence should be patched with patching material that replicates the material properties and appearance of the historic concrete. Damaged concrete should be cut back, and the new patch carefully applied so that it will bond satisfactorily with the historic concrete.	Medium Priority
	Field-Facing Elevation	12c.	Ball field fence along the grandstand appears to be a later addition and not original; however, the exact design of the original ball field fence is unknown. It appears to be a wood plank fence topped by a wood railing along the east and south wings, similar to what is existing. The fence behind home plate was originally taller and appears to have been constructed of plywood. Portions of the ball field fence are in poor condition and may be replaced in kind as necessary.	Low Priority
	Field-Facing Elevation	13.	Metal bleachers are a later addition and not original. The metal bleachers should be removed and replaced with new wood bleachers that match the original. Some of the original wood bleachers are being stored in the north utility shed and should be used to ensure that all visual qualities, including design, size, shape, and texture, are matched.	Low Priority
	Field-Facing Elevation	14.	Hi-low drinking fountain should be added.	Medium Priority
	Interior	15.	Carpet in manager's office is a later addition and not original. Further investigation is recommended in order to determine if the original floor remains extant underneath the carpet.	Low Priority
	Interior	16.	Wood lockers in locker rooms and manager's office should be preserved and repaired as necessary. Repair may include limited replacement in kind if an element is deteriorated beyond repair or missing.	Medium Priority
	Interior	17a.	Restroom and shower fixtures appear to be later additions and not original; however, the design of the original restroom and shower fixtures is unknown. Existing restroom and shower fixtures may be removed and replaced as necessary with new compatible fixtures. New fixtures should be unobtrusive and simple in design.	Low Priority
	Interior	17b.	Accessible shower in the locker rooms should be provided. Showers may be capped in lieu of making accessible upgrades if the shower are no longer required for use.	Low Priority
	Interior	18.	Light fixtures appear to be later additions and not original; however, the design of the original light fixtures is unknown. Existing light fixtures may be removed and replaced as necessary with new compatible light fixtures. New lighting should be unobtrusive and simple in design.	Low Priority
	Interior	19a.	Accessible storage in the concessions stand should be provided. Other accessory rooms either have non-conforming doors or are low priority.	Medium Priority
	Field-Facing Elevation	19b.	Provide accessible path to storage areas. Existing storage areas have original door sizes.	Low Priority

GRANDSTAND	LOCATION	NO.	RECOMMENDED TREATMENT	PRIORITY
	Site	20a.	Accessible concrete path of travel should be provided from the public right-of-way to the existing accessible sidewalk. The proposed route detailed on the accessibility plans in Appendix C avoids altering the existing brick-paved path, statues, and trees at the main entrance. The route is adjacent to the existing driveway entrance and preserves the existing configuration and features as much as possible.	High Priority
	Site	20b.	Accessible concrete sidewalk and landing route should be provided to new accessible restrooms.	High Priority
	Site	20c.	Accessible concrete walkway and door to the locker rooms should be provided.	Medium Priority
	Site	21.	Access to the second locker room is separated because creating an accessible path of travel to the northeast locker room would be more extensive and have more impact on historic fabric.	Low Priority
	Throughout	22a.	Severely cracked concrete units should be replaced with new matching concrete if they present a dangerous tripping hazard. The new concrete should replicate the material properties and appearance of the historic concrete.	High Priority
	Throughout	22b.	Hairline to moderate cracks in concrete sidewalks and flooring do not require repair. Hairline and moderate cracks are generally defined as a superficial crack less than approximately one millimeter in width that does not go through the body of the masonry unit.	Low Priority
	Site	23.	Existing parking should be restriped to provide two van accessible parking space(s) and provide new signage.	High Priority
	Site	24a.	Further study of the brick paving should be conducted to ensure it was previously installed on an appropriate underlying material rather than the bare ground by removing a section of brick.	Medium Priority
	Site	24b.	Remove brick paving and install new concrete base if necessary.	Medium Priority
	Site	24c.	Salvage intact brick units for reinstallation. Salvaged bricks should be stacked no more than five layers high and should be stored in an indoor, weather-controlled space until reinstalled.	Medium Priority
	Site	24d.	Recreate existing brick paving pattern using a mix of salvaged and new bricks. New bricks should replicate the appearance of the historic bricks as well as be interspersed throughout the paving area.	Medium Priority
	Site	24e.	Finished brick surface should be repointed using an appropriate mortar that is softer and more permeable than the historic brick.	Medium Priority
Throughout	25a.	Painted features should be cleaned using low pressurized water. Pressure cleaning should not exceed 300 pounds per square inch (PSI). The cleaned surface should be rinsed thoroughly, and permitted to dry before further inspection to determine if repainting is necessary.	High Priority	
Throughout	25b.	Areas of heavy soiling or staining that cannot be removed through pressure cleaning should be cleaned using a household detergent and a medium soft bristle brush.	High Priority	
Throughout	25c.	Areas of intercoat peeling are areas where the newest layer of paint did not adhere properly to the previous layer and are therefore peeling. The peeling top coat should be scrapped off with a putty knife and hand or mechanically sanded.	High Priority	

GRANDSTAND	LOCATION	NO.	RECOMMENDED TREATMENT	PRIORITY
	Throughout	25d.	Areas of peeling to a bare material surface should be scrapped off with a putty knife and hand or mechanically sanded to the bare material.	High Priority
	Throughout	25e.	Areas of cracking that are present at only the top layer should be scrapped off with a putty knife and hand or mechanically sanded.	High Priority
	Throughout	25f.	Areas of cracking that have progressed to bare wood and the paint has begun to flake should be scrapped off with a putty knife and hand or mechanically sanded to the bare material.	High Priority
	Throughout	25g.	High-quality oil type exterior primer should also be applied within 48 hours before repainting.	High Priority
	Throughout	25h.	Repaint all painted features following proper surface preparation.	High Priority
	Street-Facing Elevation	26.	Signage on the street-facing elevation of the grandstand is a later addition and not original. This sign may be removed and replaced as necessary. A cohesive wayfinding design plan should be installed throughout.	Low Priority

BALL FIELD	LOCATION	NO.	RECOMMENDED TREATMENT	PRIORITY
	Outfield	27.	Ball field fence along the outfield is a later addition and not original. This non-original fence, portions of which are in poor condition, should be removed and replaced with a new wood plank fence.	Medium Priority
	Outfield	28.	Scoreboard is a later addition and not original. The original scoreboard was located behind right field at the southwest corner and was manually operated. The replacement of a manual scoreboard with an electronic scoreboard is a typical alteration for historic ball parks to facilitate their continued use.	Low Priority
Infield	29.	Dugouts have been altered and no longer retain their original configuration. Originally, the dugouts consisted of narrow trenches not much larger than the existing awnings. As a matter of functionality, the dugouts should not be restored to their original configuration but should be preserved as they exist today.	Low Priority	

APPENDIX B

Page intentionally left blank

COST ESTIMATES

Jay Littleton Ball Park

1076 N. Grove Ave., Ontario, CA 91764

Prepared by Spectra Company

5/29/19

COST ESTIMATE SUMMARY

	Scope of Work	Sub-Total or Total
	Accessibility Estimate	\$198,750.00
	Structural Estimate	\$837,802.40
	Other Rehabilitation Estimate	\$468,514.00
TOTAL ESTIMATED COSTS		\$1,505,066.40

ACCESSIBILITY UPGRADES ESTIMATES

	Scope of Work	Remarks	Estimated Cost of Work	Sub-Total or Total
01	New Accessible Restrooms a. Selective Demolition b. Concrete c. Rough Carpentry d. Insulation e. Doors, frames & hardware f. Drywall g. Tile h. Painting i. Toilet accessories j. Plumbing k. HVAC l. Electrical	Cut-out on [E] perimeter beadboard siding for (2) new door openings; removal/relocation of [E] wood bleacher supports; re-routing/relocation of [E] utility lines [N] concrete slab, approx. 150 sf, incl. finish grading, base compaction; new concrete entry landings 2x wood framing for [N] door openings behind beadboard siding; [N] 2x wood framing for perimeter to enclose restroom; 2x framing for partition between M & W restrooms; misc carpentry (e.g. backings, etc.) Batt insulation inside wall perimeter, partition, and ceiling Install 2 sets HM doors, HM door frames, and hardware Moisture resistant gyp bd on walls and ceilings 5' h ceramic wall tiles, ceramic floor tiles, waterproofing Walls from 5' up, ceilings, doors Grab bars (36" & 42"), toilet paper holders, soap dispensers, combo paper towel dispenser & trash in M & W's, baby changing station Plumbing fixtures (i.e., std. 1 toilet & 1 lav sink ea for M & W's, 1 urinal for M's), new water supply, sanitary sewer, and vent system piping Ceiling exhaust fan in M & W's 1 set each ceiling mounted light fixture w/ occupancy sensor, light switch, and power supply for exhaust fan in M & W's		\$34,325.00
02	New Wheelchair Lift a. Selective Demolition	Demo storage room inside concession booth at ground floor; cut out approx. 5' x 6' opening on portion of flooring in announcer's booth above the concession booth; remove portion of upper bleacher seating for [N] level accessible seating; saw cut and break [E] slab on grade in storage	\$10,050.00	

	<p>b. Concrete</p> <p>c. Rough Carpentry</p> <p>d. Wheelchair Lift System</p> <p>e. Painting</p> <p>f. Plumbing</p> <p>g. Electrical</p>	<p>room and excavate (hand-dig) for new post footings and lift pad; relocate door in concession booth; haul away spoils</p> <p>[N] wheelchair lift pad on grade and post footings</p> <p>Install 4x or 6x wood posts on concrete footings and misc. 2x bracings around lift shaft up to announcer's booth area; install floor joists and wood flooring at [N] leveled accessible seating area (approx. 130 sf) adjacent to wheelchair lift; install [N] wood panels to cover exposed wall siding framing around leveled accessible seating</p> <p>Furnish and install</p> <p>Painting of new wood posts, frames, braces, walls</p> <p>Relocation of sink and water heater in concession booth</p> <p>[N] power supply for wheelchair lift motor</p>	<p>\$1,800.00</p> <p>\$15,150.00</p> <p>\$45,000.00</p> <p>\$2,650.00</p> <p>\$1,500.00</p> <p>\$10,000.00</p>	<p>\$86,150.00</p>
03	<p>New Locker Room Entrance Door</p> <p>a. Selective Demolition</p> <p>b. Rough Carpentry</p> <p>c. Doors, frames & hardware</p> <p>d. Painting</p> <p>e. Entrance door concrete landing</p>	<p>Cut-out on [E] perimeter beadboard siding for [N] door opening along grandstand-facing beadboard siding</p> <p>2x wood framing for [N] door opening behind beadboard siding</p> <p>Install 1 set HM door, HM door frame, and hardware</p> <p>Painting of [N] HM door and door frame</p>	<p>\$400.00</p> <p>\$500.00</p> <p>\$1,450.00</p> <p>\$250.00</p> <p>\$1,500.00</p>	<p>\$4,100.00</p>
04	<p>Team Player Seating Area With Companion Seating</p> <p>a. Concrete</p> <p>b. Rough Carpentry</p> <p>c. Painting</p>	<p>Concrete slab on grade, approx. 52 sf x 2 locations; base preparation, compaction, form work, reinforcement</p> <p>Cutting in [E] wood fence, framing, and installation of wooden gate from cut panel, install companion bench; 2 locations (int. East elev. and int. South elev.)</p> <p>Painting of wooden gate (2 locations)</p>	<p>\$5,700.00</p> <p>\$1,450.00</p> <p>\$200.00</p>	<p>\$7,350.00</p>
05	<p>Miscellaneous Accessibility Upgrades</p>			
	<p>a. [N] On Grade Accessible Seating</p>	<p>Demo and remove two (2) rows of bleacher seating, approx. 5 ft. long; HC stencil; modifications to add guardrail and</p>	<p>\$950.00</p>	

	re-route bleacher exit path for 2 rows		
b. Modify Concession Stand Serving Counter Height	New counter and transaction window; modify window grill accordingly	\$2,500.00	
c. Level Non-Compliant Cross-Slope	Incl. saw cutting, supply & install'n of trench, drainage, level concrete topping	\$4,500.00	
d. Restripe Accessible Seating Area and New Companion Bench Seat	HC stencil	\$200.00	
e. Restripe van accessible parking spaces and new	HC stencil, new signage	\$750.00	
f. Add New Water Fountain	New hi-lo accessible water fountain; incl. saw cutting of slab, plumbing (water & drainage), concrete patchback, etc.	\$4,500.00	
g. New concrete pathway	Incl. clearing & demo, prep, formwork, concrete	\$7,800.00	
h. [N] Gates at grandstand main entrance	Provide a 12' w double sliding CL gate to replace existing 6'-6" double swing gate, and 1 ea. 4' w pedestrian swing gate on both ends (L & R) of main entrance (incl. sectional demo of existing CL fence	\$12,500.00	
			\$33,700.00
Total Direct Costs			\$165,625.00
Contractor's GC, OH & Profit (20%)			\$33,125.00
TOTAL ESTIMATED COST OF ACCESSIBILITY UPGRADES			\$198,750.00

SEISMIC UPGRADES ESTIMATES

	Scope of Work	Remarks	Estimated Cost of Work
01	Replace split members in kind or sister with the same size members as required	Allowance, i.e., no recorded number of members that have splits	\$30,000.00
02	Treat and seal deteriorated ends of wood members that are supporting occupiable areas for continued use	56 locations @ \$350/location	\$19,600.00
03	Strengthen the existing wood exterior posts to provide adequate lateral support for the roof by installing new 2 x 6 wood members on each side of the existing triple 2 x 6 wood posts (2- new 2 x 6 members total at each post). In addition, new connections to be provided between posts and the foundations to resist uplift. Connection between the post and bleacher stringer and roof framing to be strengthened as well.	56 - 18' h ext. perimeter posts 112 pcs. - 2 x 6 x 18' @\$35 ea. = \$3,920 ~ \$5,000 Hardware (wood ties/bolts, connectors): 1 lot = \$5,000 Labor to open up exterior beadboard siding: 4 labor @ \$712/day/labor x 3 days = \$8,544 Labor to install 2 x 6 new members 4 posts ave./day = 14 days total 4 labor @ \$712/day/labor x 14 days = \$39,872 Labor to re-install beadboard siding, repair/replace worn-out sections as needed: 4 labor @ \$712/day/labor x 6 days = \$17,088 Materials allowance = \$5,000 Painting of ext. beadboard siding: 4 labor @ \$712/day/labor x 2 days = \$5,696 Materials = \$1,500 Scaffolding rental: \$15,000 \$5,000 + \$5,000 + \$8,544 + \$39,872 + \$17,088 + \$5,000 + \$5,5695 + \$1,500 + \$15,000 = \$102,700 est. total direct cost \$102,700 + 20% contractor's GC, OH & profit = \$123,240	\$123,240.00
04	Strengthen the existing intermediate posts to provide adequate lateral support for the roof by installing new MC7 steel channels on	26 - 20' h intermediate posts 52 pcs.- MC7 steel channels, cored for bolts and ties, primed at shop 52 pcs. @\$4,000 ea. = \$208,000	

	<p>each side of the existing triple 2 x 6 wood posts (2 - new MC7 members at each post). In addition, new connections to be provided between the posts and the foundations to resist uplift. Connection between the post and bleacher stringer and roof framing to be strengthened as well.</p>	<p>Hardware (wood ties/bolts, connectors): 1 lot = \$5,000 Labor to cut 2' x 2' roof openings over 26 post locations 4 labor @ \$712/day/labor x 2 days = \$5,696 Materials for temp protection: \$1,000 Labor to install hoisted MC steel channels; includes clearing removal bleacher sections, kickers, braces, etc. to give way to MC steel channel install'n @ 2 posts/day = 13 days total 4 labor @ \$712/day/labor x 13 days = \$37,024 Labor to re-install bleacher sections, kickers, braces temporarily removed for MC steel installation 4 labor @ \$712/day/labor x 5 days = \$14,240 Materials = \$1,000 Labor to patch 26 - 2' x 2' roof openings 4 labor @ \$712/day/labor x 4 days = \$11,392 Materials = \$2,000 Painting of posts with MC steel 4 labor @ \$712/day/labor x 2 days = \$5,696 Materials = \$1,500 Scaffolding rental: \$10,000 Crane rental: \$5,500 Crane operator: \$10,000 \$208,000 + \$5,000 + \$5,696 + \$1,000 + \$37,024 + \$14,240 + \$1,000 + \$11,392 + \$2,000 + \$5,696 + \$1,500 + \$10,000 + \$5,500 + \$10,000 = \$318,048 est. total direct cost \$318,048 + 20% contractor's GC,OH & profit = \$381,657.60</p>	<p>\$381,657.60</p>
<p>05</p>	<p>Strengthen the existing double 2x12 stringers for the lateral frame action by sistering a new 2x12 stringer n each side of the existing members (2 - new 2x12 members total at each stringer). In addition, new connections to be provided between the posts and the foundations to resist uplift. The connection between the bleacher stringer and the posts to be strengthened as well.</p>	<p>44 - 30' bleacher stringers 88 pcs. - 2 x 12 x 30' @ \$100 ea. = \$8,800 Hardware (wood ties/bolts, connectors): 1 lot = \$3,000 Labor to remove bleacher seating ledge and supports 8 labor @ \$712/day/labor x 3 days = \$17,088 Labor to install 2 - 2 x 6 per bleacher stringer @ 10 stringers a day 4 labor @ \$712/day/labor x 5 days = \$14,240 Painting of new stringer members 4 labor @ \$712/day/labor x 3 days = \$8,544 Materials = \$2,000 Labor to remove bleacher seating ledge and supports 8 labor @ \$712/day/labor x 4 days = \$22,816 Materials = \$1,500</p>	

		$\$8,800 + \$3,000 + \$17,088 + \$14,240 + \$8,544 + \$2,000 +$ $\$22,816 + \$1,500 = \$77,988$ est. total direct cost $\$77,988 + 20\%$ contractor's GC/OH & profit = $\$93,585.60$	\$93,585.60
06	Along the exterior wood sheathed walls, provide new steel rod braces on the interior side of the sheathing below bleachers. Assume 6 bays of bracing to be required along the North and West exterior elevations. Enlarge existing footings at end columns of multi-bay braced frames to resist uplift.	<p>12 steel rod braces @\$3,500 ea. = \$42,000</p> <p>Misc. hardware, 1 lot = \$2,500</p> <p>Labor to open up exterior beadboard siding: 4 labor @ \$712/day/labor x 3 days = \$8,544</p> <p>Labor to install 16 enlarged conc footings (incl. saw cutting, excavation (hand dig), forming, rebar placing) 4 labor @ \$712/day/labor x 8 days = \$22,784</p> <p>Materials = \$4,500</p> <p>Labor to pour concrete 4 labor @ \$712/day/labor x 1 day = \$2,848</p> <p>Labor to install steel rod braces @ 3 ea./day 4 labor @ \$712/day/labor x 4 days = \$11,408</p> <p>Painting of steel rod braces 4 labor @ \$712/day/labor x 1 day = \$2,848</p> <p>Materials = \$550</p> <p>Labor to re-install beadboard siding, repair/replace worn-out sections as needed: 4 labor @ \$712/day/labor x 6 days = \$17,088</p> <p>Materials allowance = \$5,000</p> <p>Painting of ext. beadboard siding: 4 labor @ \$712/day/labor x 2 days = \$5,696</p> <p>Materials = \$1,500</p> <p>Scaffolding rental: \$10,000</p> $\$42,000 + \$2,500 + \$8,544 + \$22,784 + \$4,500 + \$2,848 +$ $\$11,408 + \$2,848 + \$550 + \$17,088 + \$5,000 + \$5,696 +$ $\$1,500 + \$10,000 = \$137,266$ est. total direct cost $\$137,266 + 20\%$ GC/OH + profit =	\$164,719.20
07	Treat and seal deteriorated ends of wood members not supporting occupiable areas for continued use.	Allowance, i.e., no recorded number of members that have splits	\$25,000.00
TOTAL ESTIMATED COST OF SEISMIC UPGRADES			\$837,802.40

OTHER REHABILITATION ESTIMATES

	Scope of Work	Remarks	Estimated Cost of Work
01	Remove plywood along walls in locker rooms and manager's office	Along perimeter walls in two (2) locker rooms & manager's office 105 lf total. Includes hauling & disposal of demo'd materials	\$950.00
02	Investigative removal of 12' x 8' section of bead board siding to check condition of original wood siding and window frames	Include reinstallation of siding after inspection by team	\$2,500.00
03	Survey to estimate rough quantities of wood in-kind replacement and epoxy repair, wood lockers/manager's office, door repair/replacement and concrete repair	Rough Estimate for Wood Repair: Abatron wood epoxy repair @ \$350 per SF or \$150 board/foot Rough Estimate for Wood Replcaement: Framing replacement @ \$75 board/foot Siding replacement @ \$150 board/foot	\$6,000.00
04	Brick repair salvage and reinstallation costs	At grandstand main entrance and on sidewalk outside of the grandstand east wing = 1,660 sf; assume 20% needs to be repaired ~ 332 sf; incl. cleaning of entire paved area by water pressure washer	\$10,000.00
05	Repaint all wood surfaces	Include low pressure washing of all painted surfaces, spot cleaning with detergent and sof bristle brush, scrape loose paint, repaint with primer and finish coat Labor to pressure wash, spot clean w/ detergent and soft brush bristle, scrape loose paint 16 labor @ \$712/day/labor x 14 days = \$159,488 Materials & tools: \$5,000 Lift equipment rental: 10,000 Scaffolding rental: \$10,000 Labor to paint all wood surfaces, prime and finish coat 12 labor @ \$712/day/labor x 14 days = \$119,616	\$400,924.80
		Materials & tools: \$10,000 Lift equipment rental: 10,000	

		Total direct cost: \$334,104 + 20% contractor's GC/OH + profit	
06	Remove and replace ball field fence along out-field	South field fence: 137 lf. + East field fence: 136 lf = 303 lf total Labor to remove existing fence 2 labor @ \$712/day/labor x 1.5 days = \$2,136 Labor to build new fence and paint finish 4 labor @ \$712/day/labor x 10 days = \$28,480 Materials = \$9,500 Total direct cost: \$40,116 + 20% contractor's GC/OH + profit	\$48,139.20
07	Doors to locker room tunnel. Replace in-kind if required.	Replacement in-kind of doors to locker room tunnel. Salvage and reuse existing hardware.	\$5,000.00
08	Remove/replace siding along field-facing elev.	250 lf to match original siding.	\$24,000.00
TOTAL ESTIMATED COST OF OTHER REHABILITATION WORKS			\$468,514.00

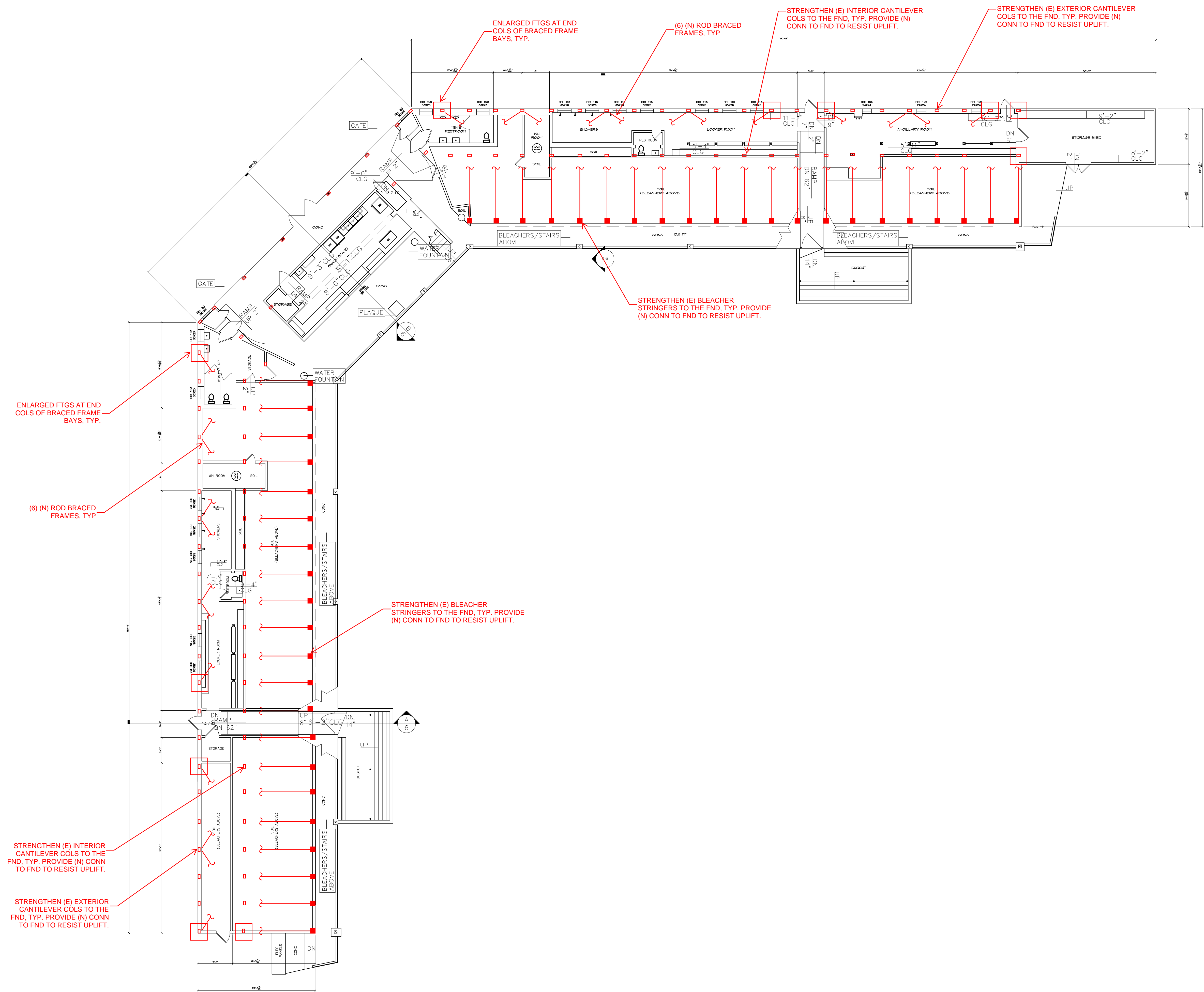
ALTERNATES			
A1	Alternate: 2 Restrooms Construct two (1) 73 sf accessible restrooms in lieu of one (1) restroom in Accessibility Estimate, Item No. 1	Includes, selective demo, [N] concrete slab, rough framing to enclose restroom; [N] gyp bd ceiling and walls w/ insulation; [N] door, frame, h'ware; tile and paint finishes; toilet accessories, MEPs; lump sum	\$58,650.00
A2	Alternate: Remove Spot Cleaning Prep Repaint all wood surfaces, NO spot cleaning with detergent and soft bristle brush, scrape loose paint in lieu of Item No. 5	Low pressure washing of all painted surfaces Labor to pressure wash 4 labor @ \$712/day/labor x 7 days = \$19,936 Materials & tools: \$4,000 Lift equipment rental: 10,000 Labor to paint all wood surfaces, prime and finish coat 12 labor @ \$712/day/labor x 14 days = \$119,616 Materials & tools: \$10,000 Lift equipment rental: 10,000 Scaffolding rental: \$10,000 Total direct cost: \$183,552 + 20% contractor's GC/OH + profit	\$220,262.40
A3	Alternate: Upgrade Chainlink Entry to W.I. Provide all wrought iron gates and fences at grandstand main entrance in lieu of Accessibility Estimate, Item No. 5h	Provide all wrought iron (WI) 12' double sliding gate to replace the [E] 6'-6" CL swing gates; 1 ea. 4' w pedestrian swing gate on both ends of the main entrance; and replace [E] CL fixed panels with WI fence; incl. demo of [E] 50' long CL fences & gates, cutting of G.I. posts to FF, gates h'ware, painting	\$37,000.00

Page intentionally left blank

APPENDIX C

Page intentionally left blank

ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764

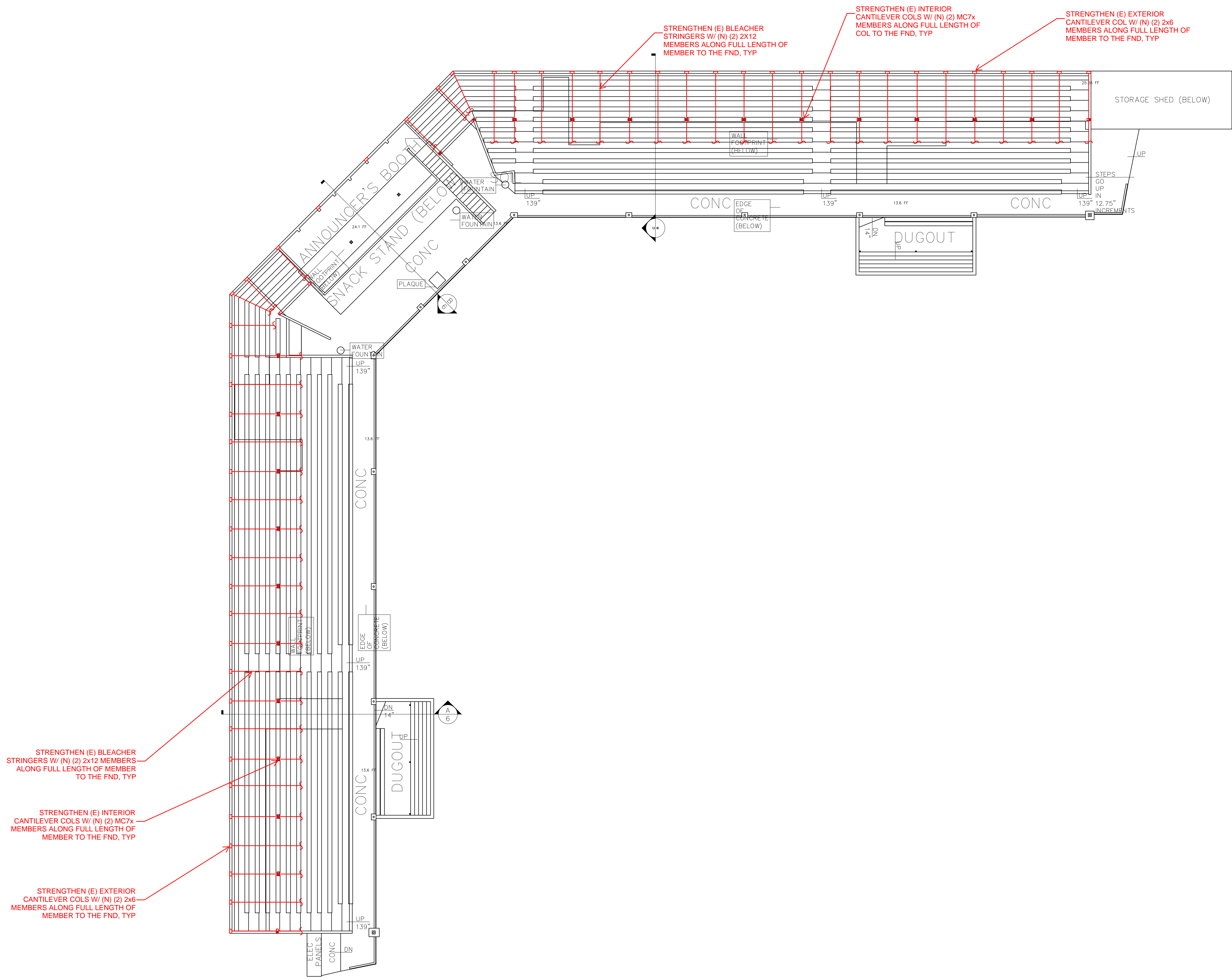


01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE

SHEET TITLE
STRUCTURAL FOCUS
 PROJECT #18299
FLOOR PLAN LEVEL 1
RECOMMENDED STRUCTURAL TREATMENTS

HL	PROJECT MANAGER
HL	PROJECT DIRECTOR
012317-1	PROJECT NUMBER
3/32"=1'-0"	SCALE
CL	DRAWN BY
	SHEET NUMBER

AB-1



STRENGTHEN (E) BLEACHER STRINGERS W/ (N) (2) 2x12 MEMBERS ALONG FULL LENGTH OF MEMBER TO THE FND, TYP

STRENGTHEN (E) INTERIOR CANTILEVER COLS W/ (N) (2) MC7x MEMBERS ALONG FULL LENGTH OF MEMBER TO THE FND, TYP

STRENGTHEN (E) EXTERIOR CANTILEVER COLS W/ (N) (2) 2x6 MEMBERS ALONG FULL LENGTH OF MEMBER TO THE FND, TYP

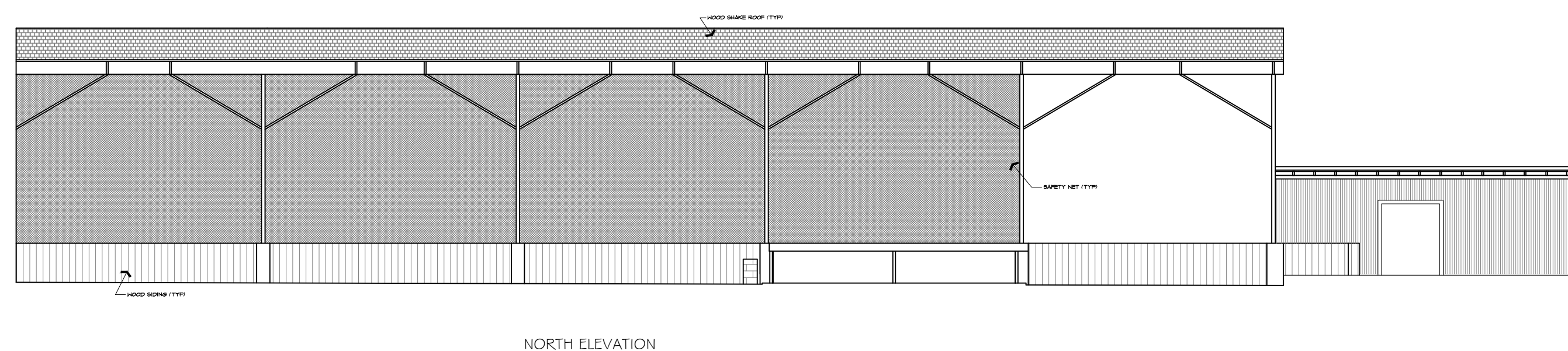
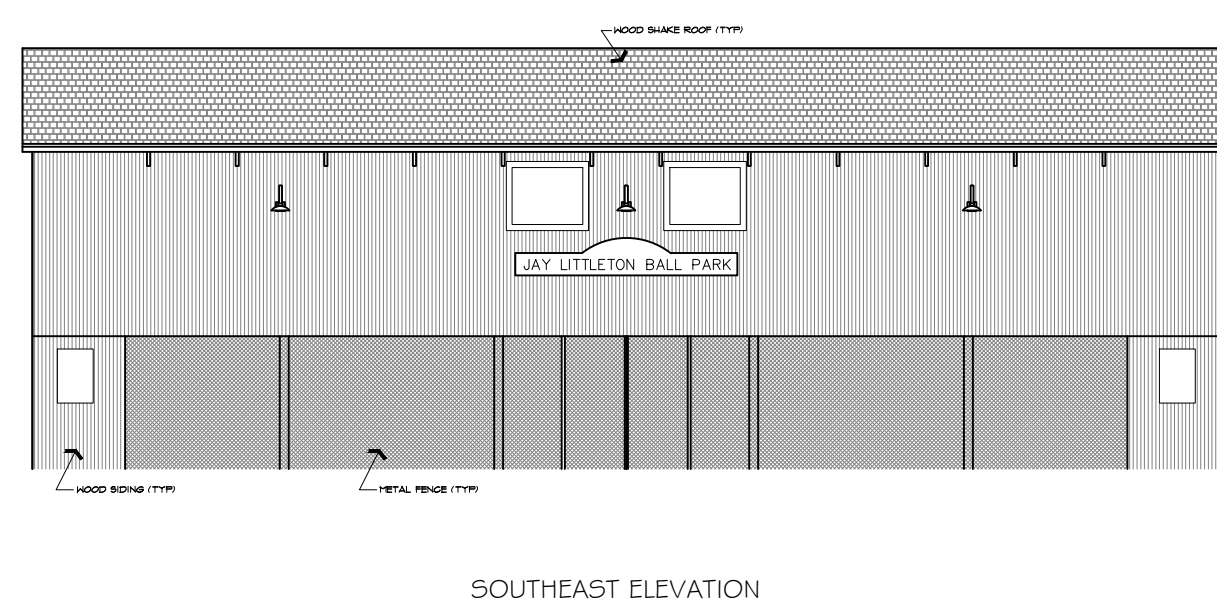
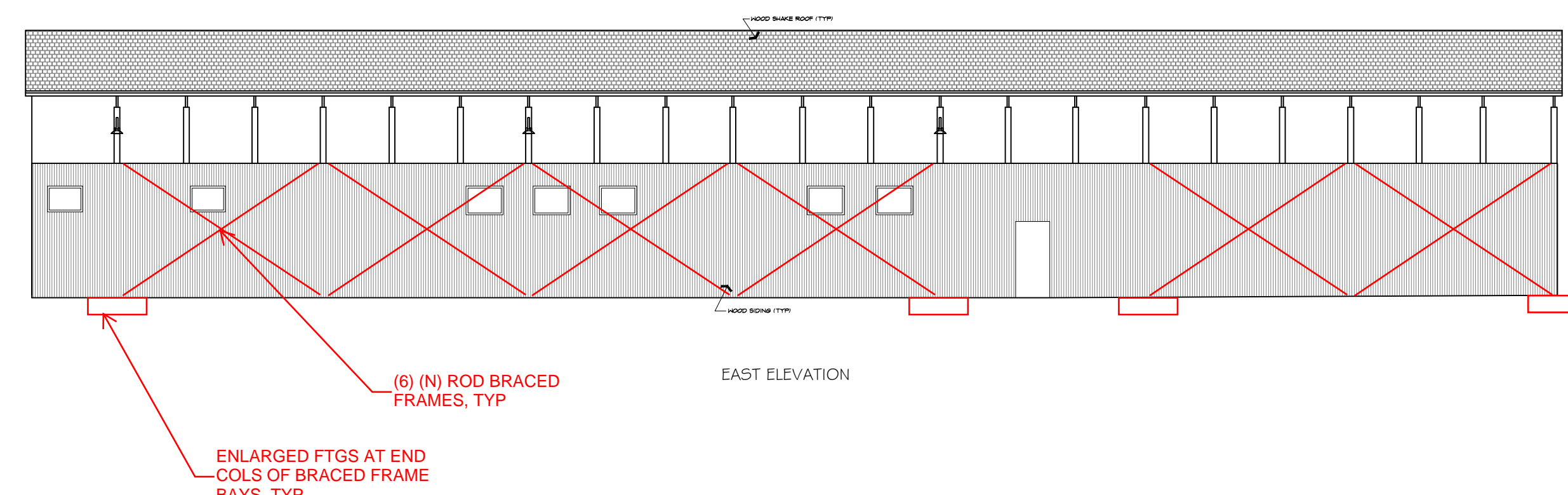
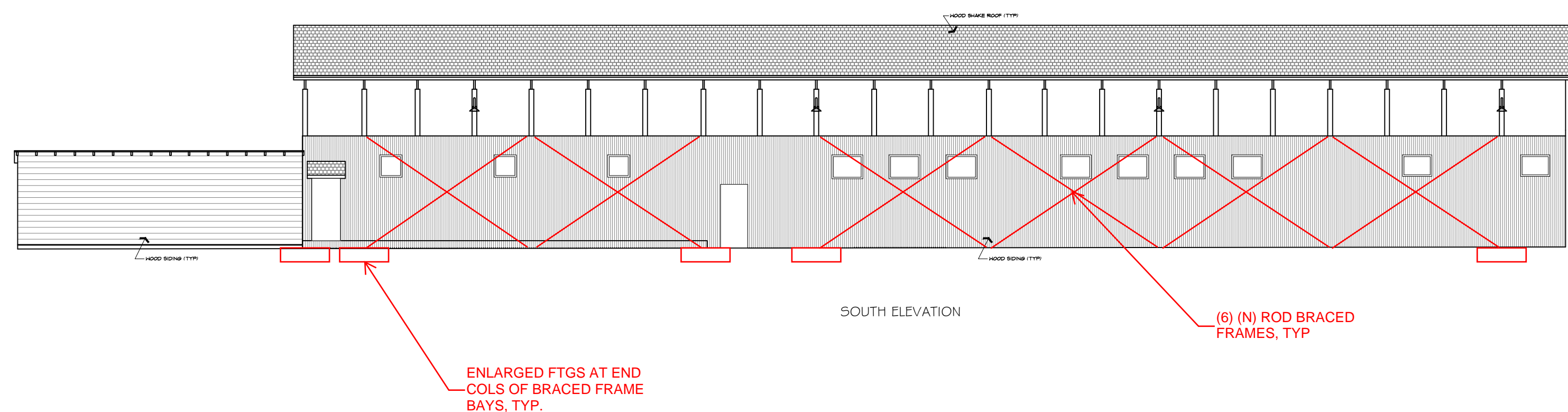
ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764

01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE

STRUCTURAL FOCUS
PROJECT #18299
FLOOR PLAN LEVEL 2
RECOMMENDED STRUCTURAL TREATMENTS

HL	PROJECT MANAGER
HL	PROJECT DIRECTOR
012317-1	PROJECT NUMBER
3/32"=1'-0"	SCALE
CL	DRAWN BY
	SHEET NUMBER

AB-2



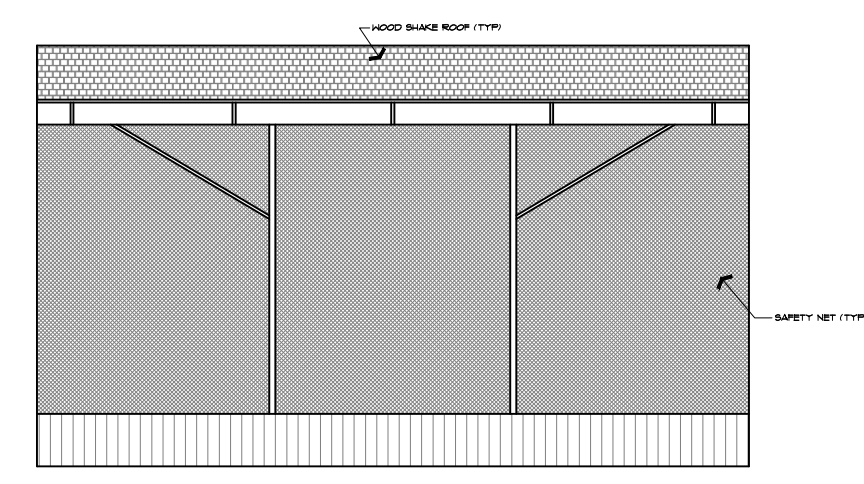
ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764

01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE

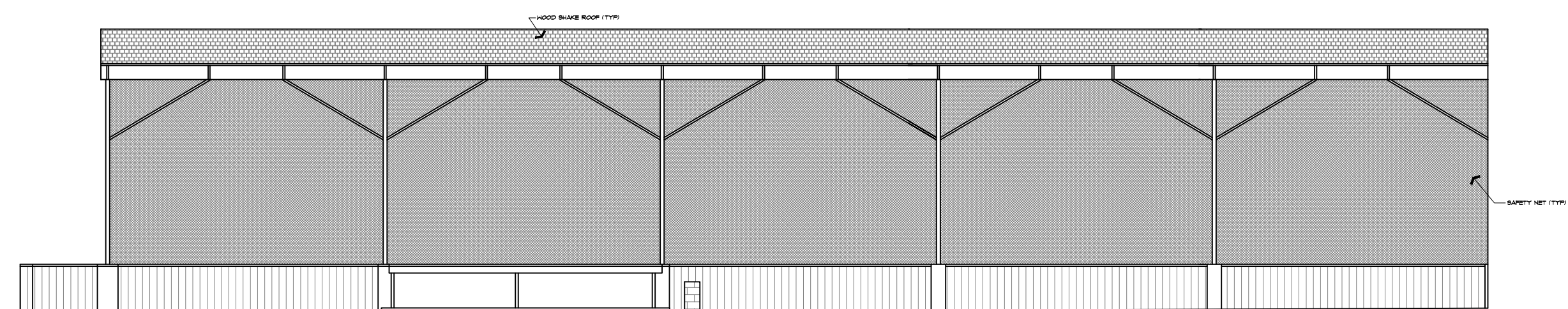
SHEET TITLE
STRUCTURAL FOCUS
PROJECT #18299
EXTERIOR ELEVATIONS
RECOMMENDED STRUCTURAL TREATMENTS

HL	PROJECT MANAGER
HL	PROJECT DIRECTOR
012317-1	PROJECT NUMBER
3/32"=1'-0"	SCALE
CL	DRAWN BY
	SHEET NUMBER

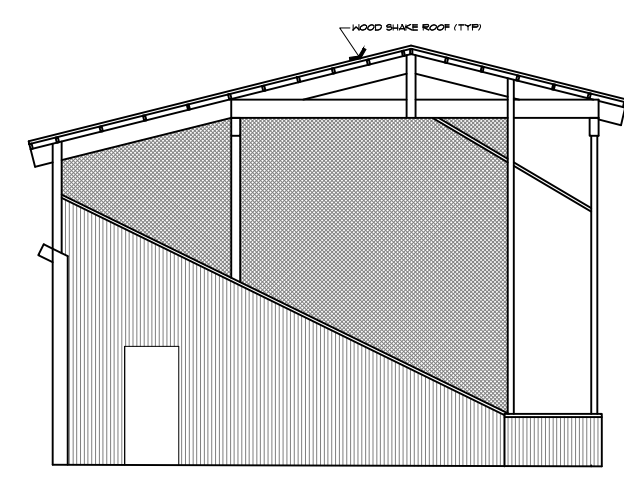
AB-3



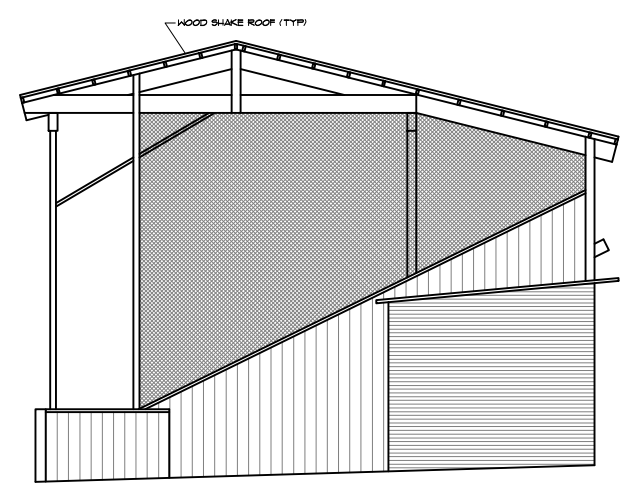
NORTHWEST ELEVATION



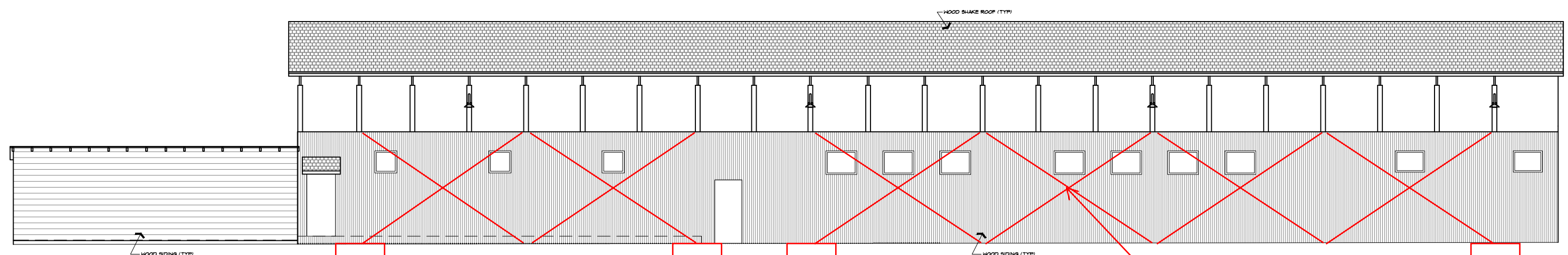
WEST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

ENLARGED FOOTINGS AT
END COLS OF BRACED
FRAME BAYS, TYP.

(6) NEW ROD BRACED
FRAMES, TYP.

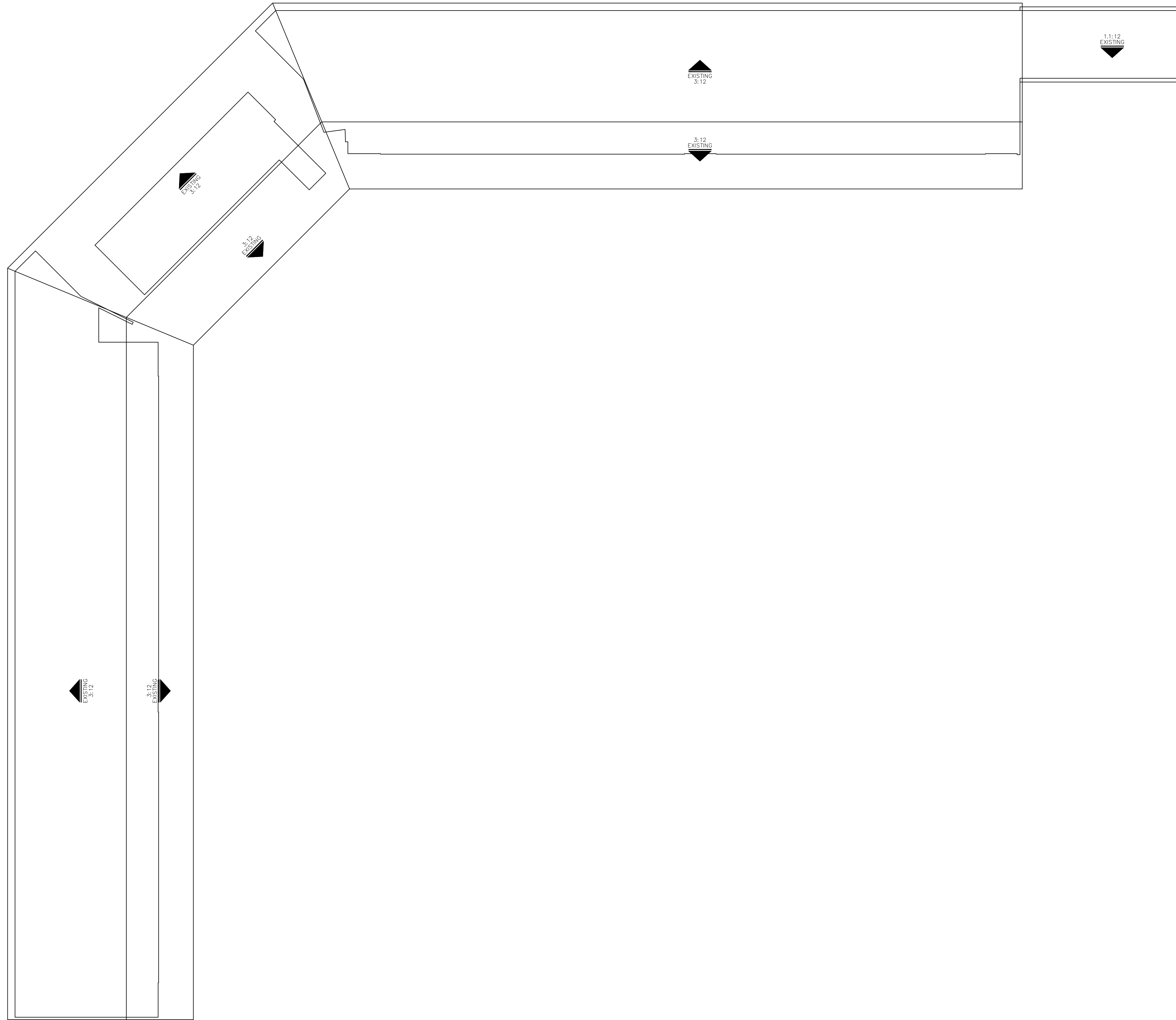
ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764

01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE

STRUCTURAL FOCUS
PROJECT #18299
EXTERIOR ELEVATIONS
RECOMMENDED STRUCTURAL
TREATMENTS

HL	PROJECT MANAGER
HL	PROJECT DIRECTOR
012317-1	PROJECT NUMBER
3/32"=1'-0"	SCALE
CL	DRAWN BY
	SHEET NUMBER

AB-4



ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764

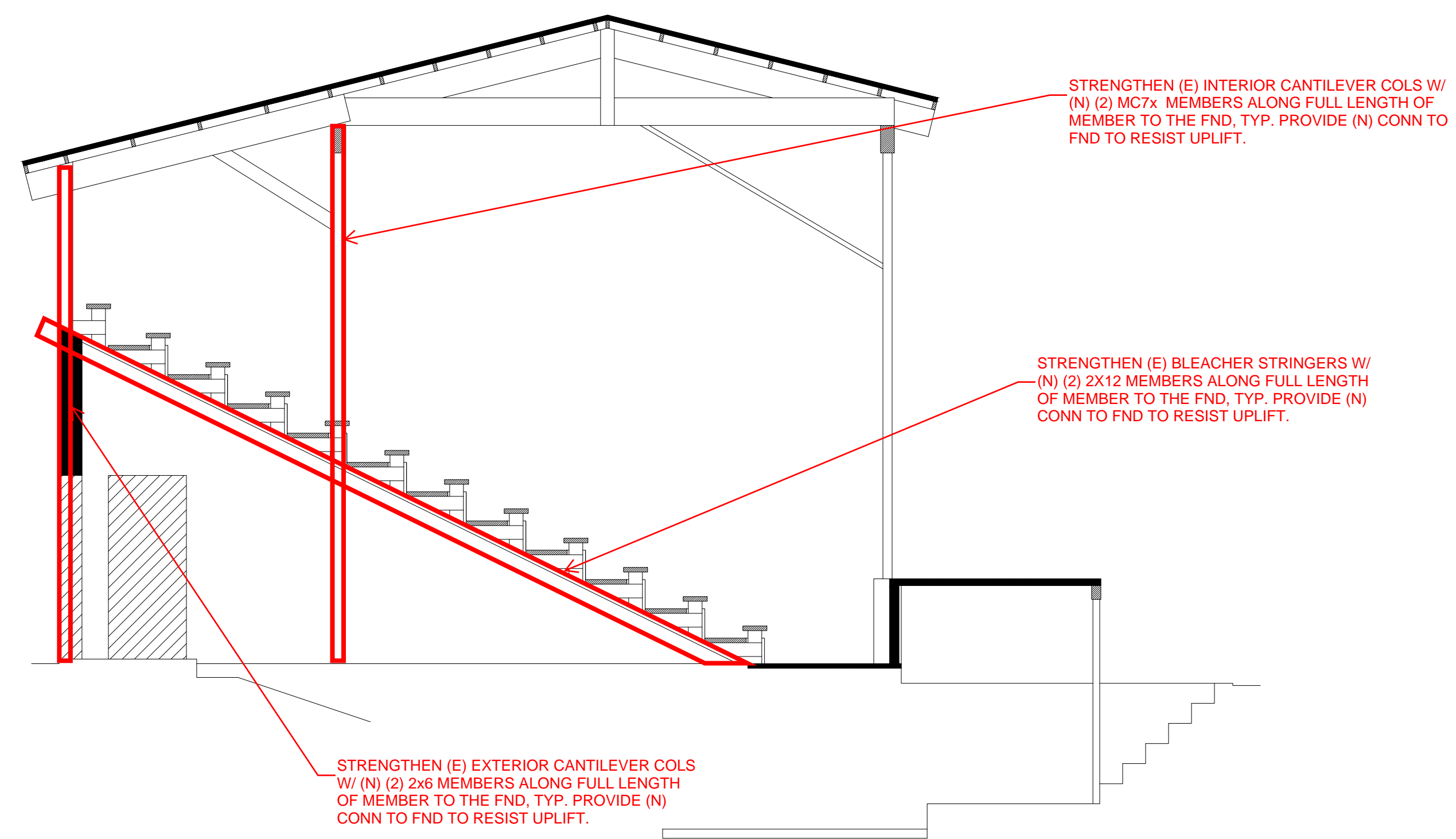
01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE

PROJECT TITLE
STRUCTURAL FOCUS
PROJECT #18299
ROOF PLAN
RECOMMENDED STRUCTURAL TREATMENTS

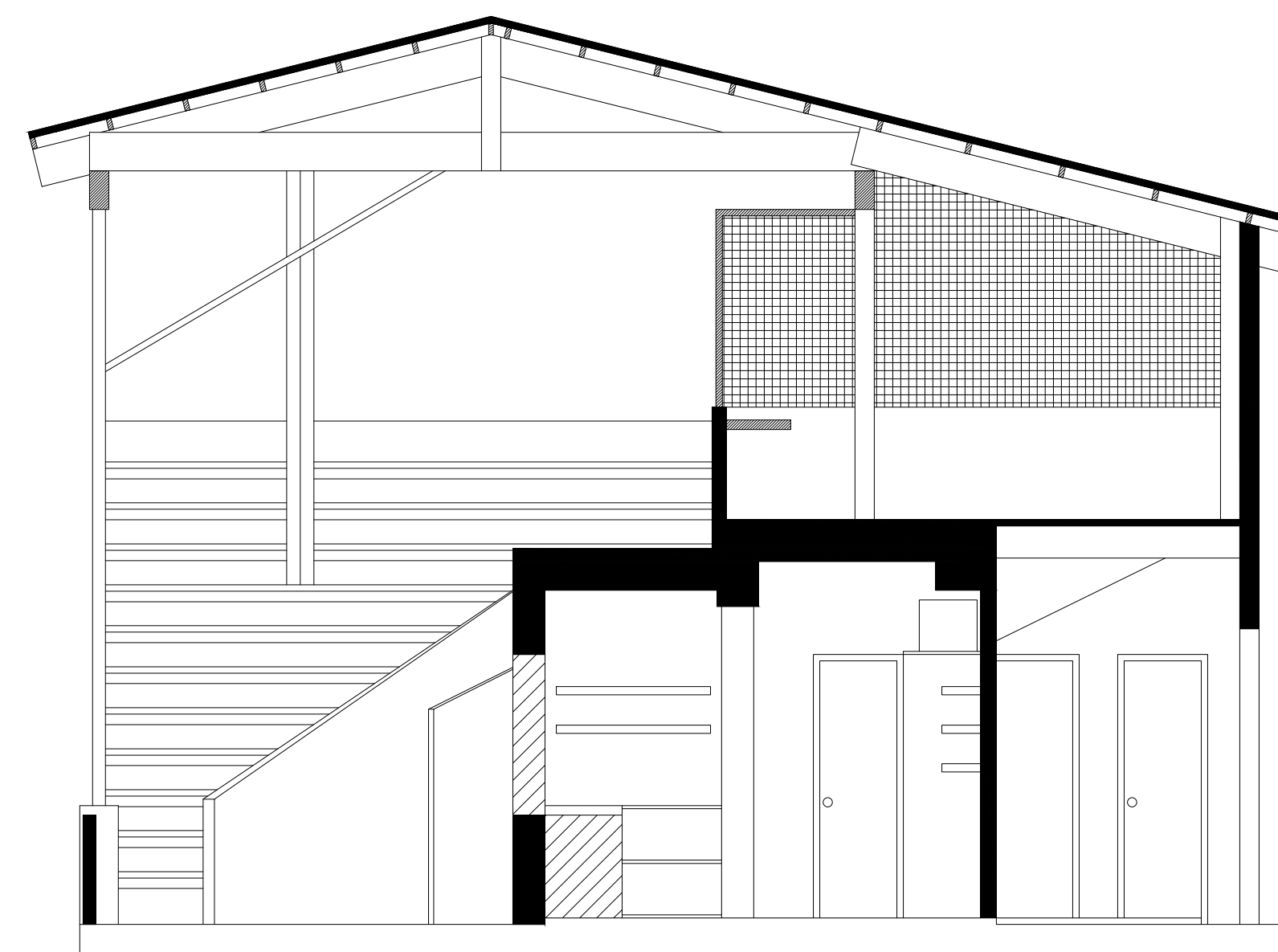
HL	PROJECT MANAGER
HL	PROJECT DIRECTOR
012317-1	PROJECT NUMBER
3/32"=1'-0"	SCALE
CL	DRAWN BY
	SHEET NUMBER

AB-5

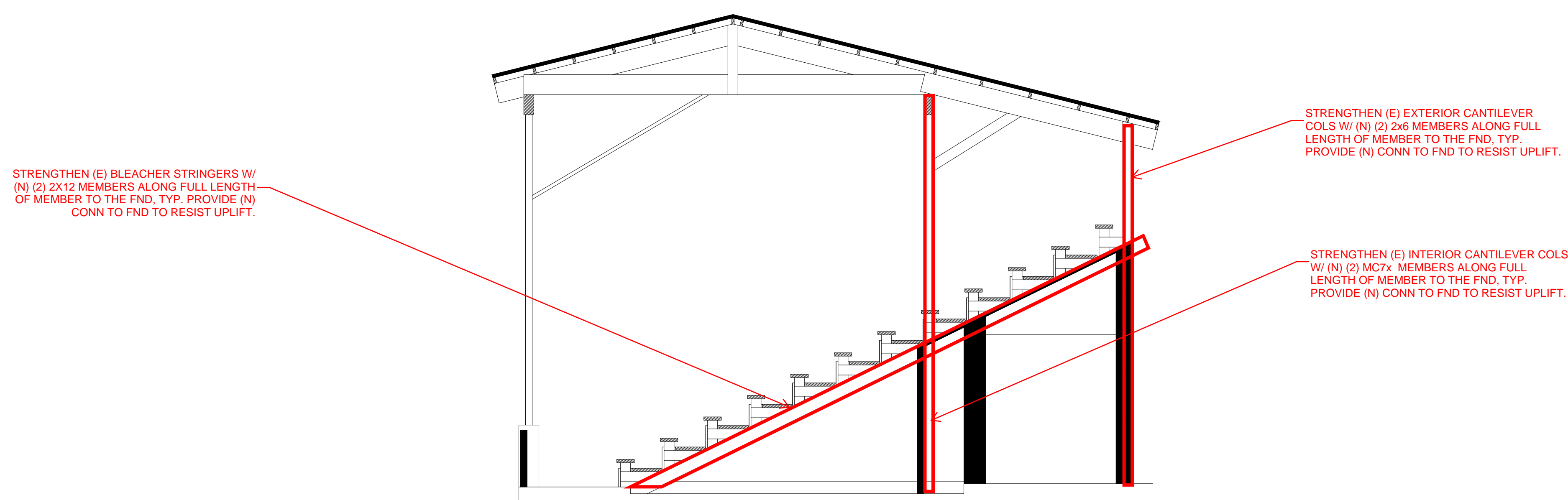
ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764



SECTION A



SECTION B



SECTION C

01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE

SHEET TITLE
STRUCTURAL FOCUS
PROJECT #18299
BUILDING SECTIONS
RECOMMENDED STRUCTURAL
TREATMENTS

HL	PROJECT MANAGER
HL	PROJECT DIRECTOR
012317-1	PROJECT NUMBER
1/4"=1'-0"	SCALE
CL	DRAWN BY
	SHEET NUMBER

AB-6

APPENDIX D

Page intentionally left blank

JAY LITTLETON BALL PARK ACCESSIBILITY UPGRADES

1076 N GROVE AVENUE ONTARIO, CA 91764

SCOPE OF WORK

MODIFICATIONS TO THE HISTORIC JAY LITTLETON BALL PARK EXISTING FACILITY TO MAKE ACCESSIBILITY UPGRADES INCLUDING PATH OF TRAVEL, RESTROOMS, LIFT, AND ADDITIONAL REQUIREMENTS.

SHEET INDEX

G 01	COVER SHEET	A101	FIRST FLOOR PLAN
D101	FIRST FLOOR DEMO	A102	SECOND FLOOR PLAN
D102	SECOND FLOOR DEMO	A201	ELEVATIONS
D201	ELEVATIONS DEMO	A202	ELEVATIONS DEMO
D202	ELEVATIONS DEMO	A301	SECTIONS
D301	SECTIONS DEMO	A401	SITE PLAN-ENLARGED
A100	SITE PLAN		



2510 Supply Street
Pomona, CA 91767
Phone: (800) 375-1771
SpectraCompany.com

ACCESSIBILITY NOTES

ALL WORK WILL COMPLY WITH THE CURRENT CALIFORNIA BUILDING CODES INCLUDING BUT NOT LIMITED TO:

1. THE TURNING SPACE SHALL BE A T-SPACE WITHIN 60 INCHES SQUARE MINIMUM. EACH ARM OF THE T SHALL BE CLEAR OF OBSTRUCTIONS 12 INCHES MINIMUM IN EACH DIRECTION AND THE BASE SHALL BE CLEAR OF OBSTRUCTIONS 24 INCHES MINIMUM. THE SPACE SHALL BE PERMITTED TO INCLUDE KNEE AND TOE CLEARANCE. SEE FIGURE 11B-304.3.2

2. DOOR SWING SHALL BE PERMITTED TO SWING INTO TURNING SPACES

3. THE CLEAR FLOOR OR GROUND SPACE SHALL BE 30 INCHES MINIMUM BY 48 INCHES MINIMUM. SEE FIGURE 11B-305.3.

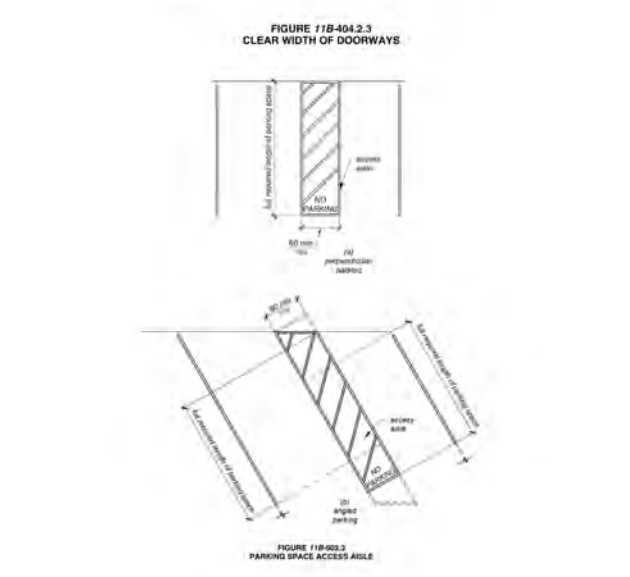
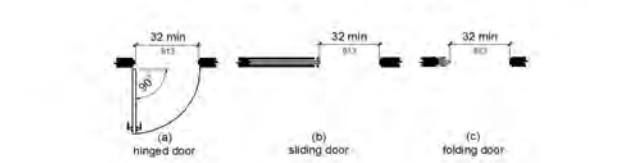
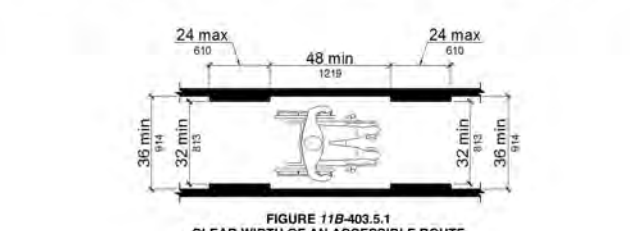
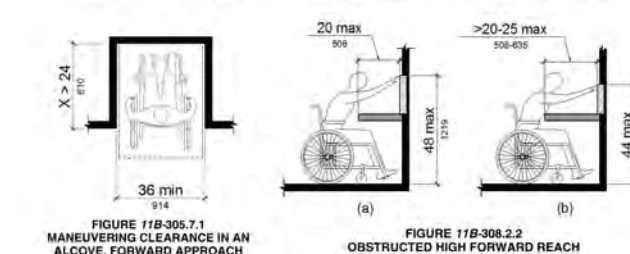
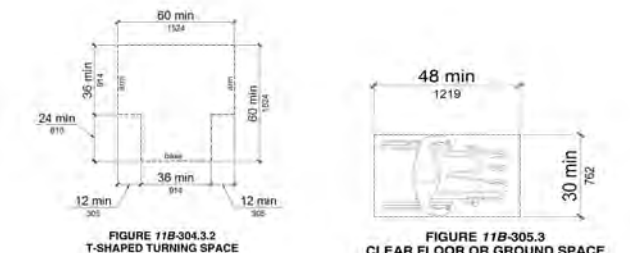
4. FORWARD APPROACH ALCOVE MANEUVERING CLEARANCE SHALL BE 36 INCHES WIDE MINIMUM WHERE THE DEPTH EXCEEDS 24 INCHES. SEE FIGURE 11B-305-7.1.

5. WHERE A HIGH FORWARD REACH IS OVER AN OBSTRUCTION, THE CLEAR FLOOR SPACE SHALL EXTEND BENEATH THE ELEMENT FOR A DISTANCE NOT LESS THAN THE REQUIRED REACH DEPTH OVER THE OBSTRUCTION. THE HIGH FORWARD REACH SHALL BE 48 INCHES MAXIMUM WHERE THE REACH DEPTH IS 20 INCHES MAXIMUM. WHERE THE REACH DEPTH EXCEEDS 20 INCHES, THE HIGH FORWARD REACH SHALL BE 44 INCHES MAXIMUM AND THE REACH DEPTH SHALL BE 25 INCHES MAXIMUM. SEE FIGURE 11B-308.2.2.

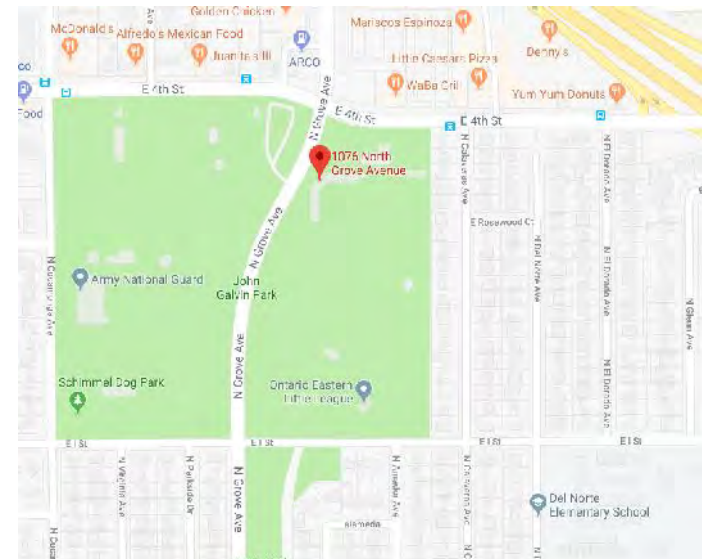
6. THE CLEAR WIDTH OF WALKING SURFACES SHALL BE 36 INCHES MINIMUM. SEE FIGURE 11B-403.5.1.

7. DOOR OPENINGS SHALL PROVIDE A CLEAR WIDTH OF 32 INCHES MINIMUM. CLEAR OPENINGS OF DOORWAYS WITH SWINGING DOORS SHALL BE MEASURED BETWEEN THE FACE OF THE DOOR AND THE STOP, WITH THE DOOR OPEN 90 DEGREES. OPENINGS MORE THAN 24 INCHES DEEP SHALL PROVIDE A CLEAR OPENING OF 36 INCHES MINIMUM. THERE SHALL BE NO PROJECTIONS INTO THE REQUIRED CLEAR OPENING WIDTH LOWER THAN 34 INCHES AND 80 INCHES ABOVE THE FINISH FLOOR OR GROUND SHALL NOT EXCEED 4 INCHES. SEE FIGURE 11B-404.2.3.

8. CAR AND VAN PARKING SHALL BE 216 INCHES LONG MINIMUM. CAR PARKING SPACES SHALL BE 108 INCHES WIDE MINIMUM AND VAN PARKING SPACES SHALL BE 144 INCHES WIDE MINIMUM, SHALL BE MARKED TO DEFINE WIDTH, AND SHALL HAVE AN ADJACENT ACCESS AISLE. SEE FIGURE 11B-502.2.



VICINITY MAP



PROJECT DIRECTORY

HISTORIC CONSULTANT:
GPA CONSULTING
231 CALIFORNIA STREET
EL SEGUNDO, CA 90245
(310)792-2690

ARCHITECT/COST ESTIMATOR:
SPECTRA COMPANY
2510 SUPPLY STREET
POMONA, CA 91767
(909)599-0760

STRUCTURAL ENGINEER:
STRUCTURAL FOCUS
19210 S. VERMONT AVE
BUILDING B, SUITE 210
GARDENA, CA 90248
(310)323-9924

VIEW OF EAST ELEVATION



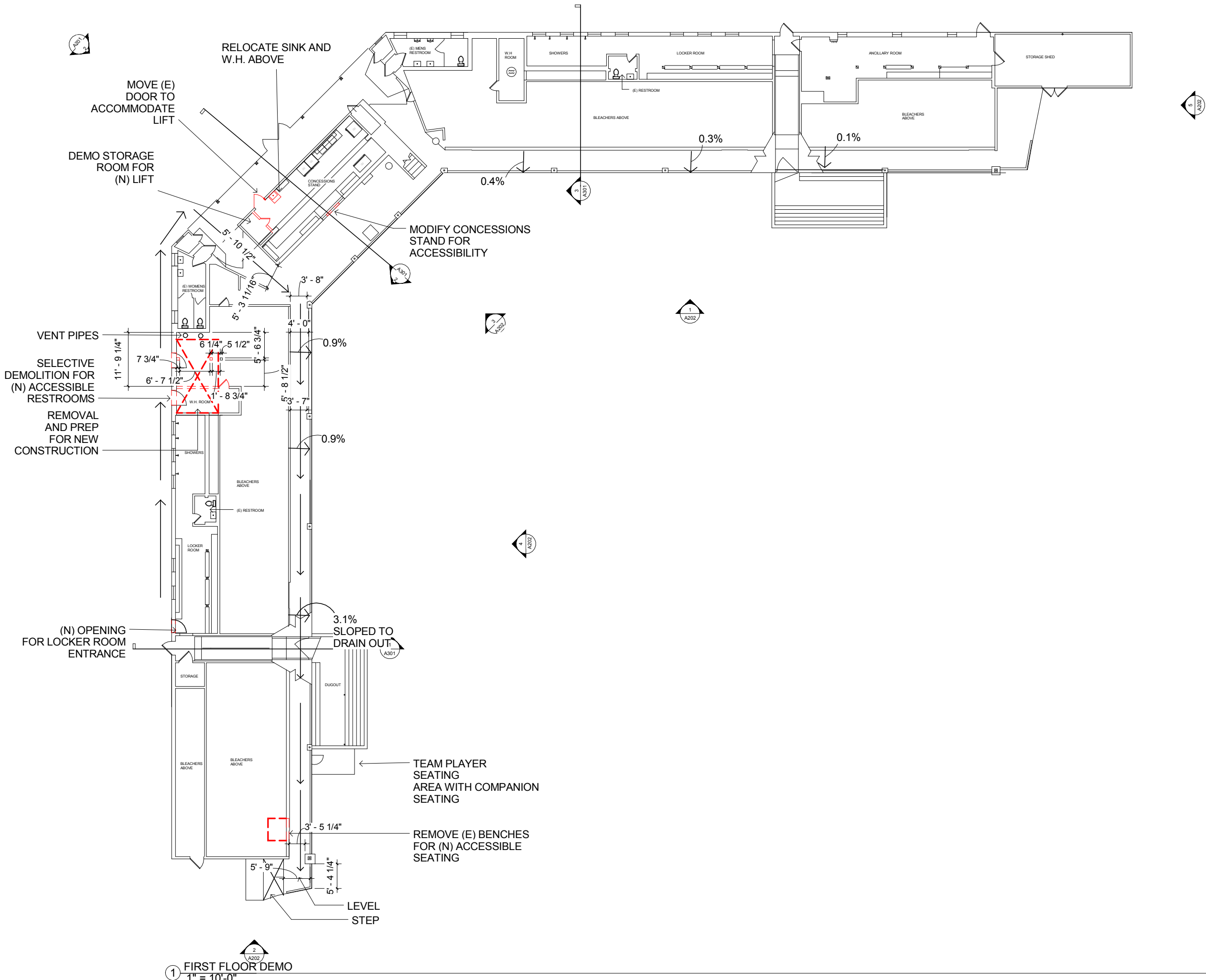
**JAY LITTLETON BALL PARK
ACCESSIBILITY**
**1076 N GROVE AVENUE
ONTARIO, CA 91764**

SPECTRA JOB NO. 107963

DRAWN BY: T. SMOLINSKI CHECKED BY: D. GEE

COVER SHEET

G-01



**JAY LITTLETON BALL PARK
ACCESSIBILITY**

**1076 N GROVE AVENUE
ONTARIO, CA 91764**

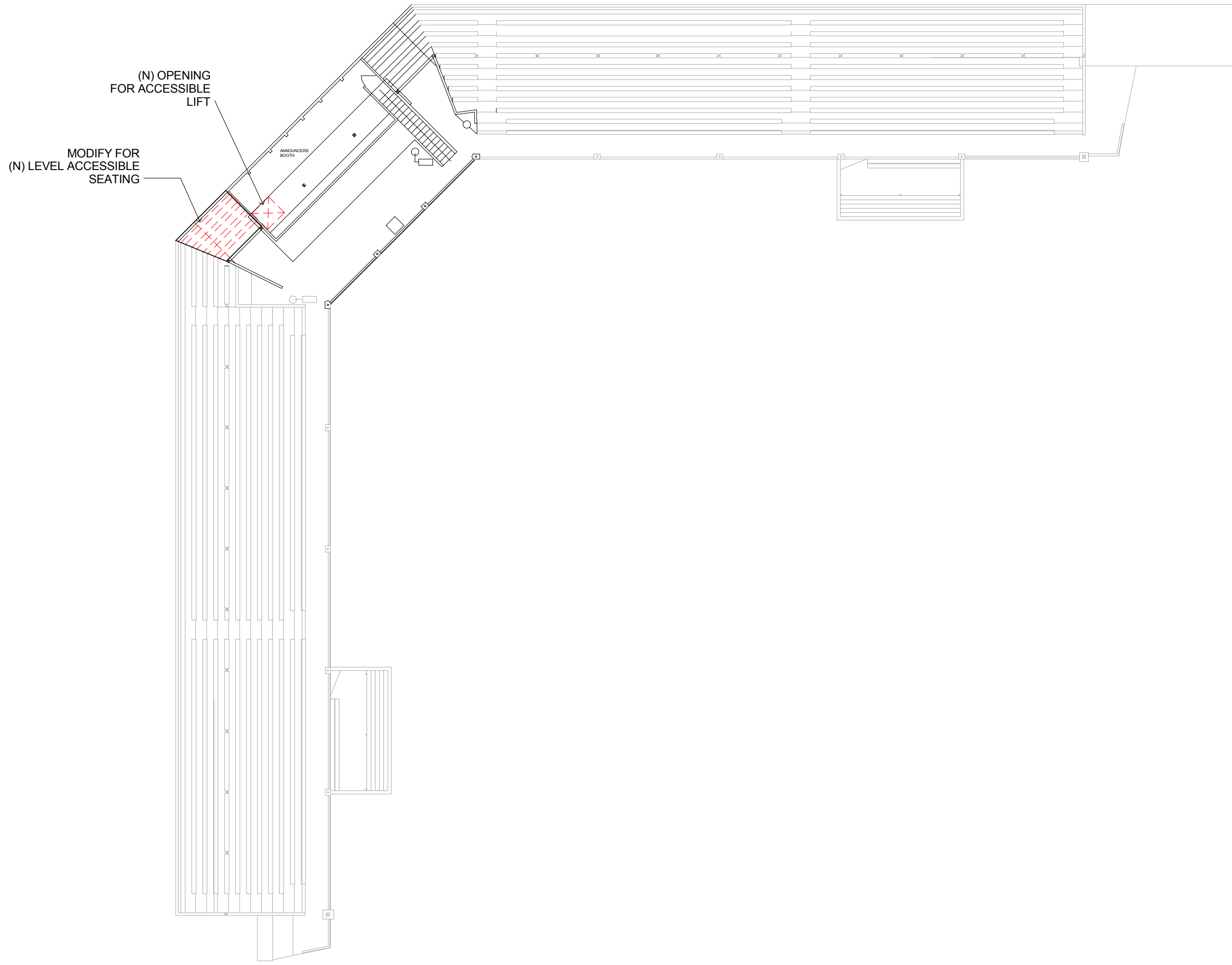
SPECTRA JOB NO. 107963

DRAWN BY: T. SMOLINSKI CHECKED BY: D. GEE

**FIRST FLOOR
DEMO**

D101

1 FIRST FLOOR DEMO
1" = 10'-0"



**JAY LITTLETON BALL PARK
ACCESSIBILITY**

**1076 N GROVE AVENUE
ONTARIO, CA 91764**

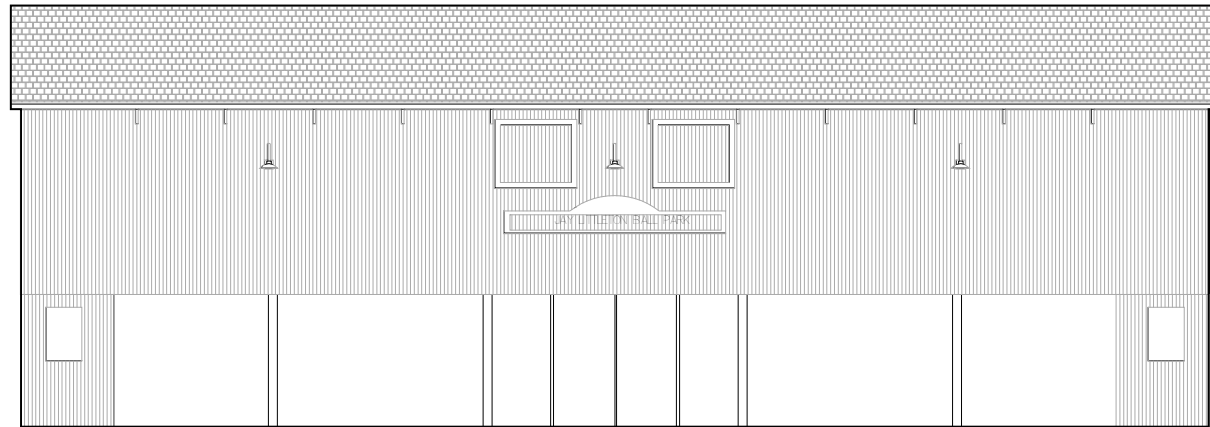
SPECTRA JOB NO. 107963

DRAWN BY: T. SMOLINSKI CHECKED BY: D. GEE

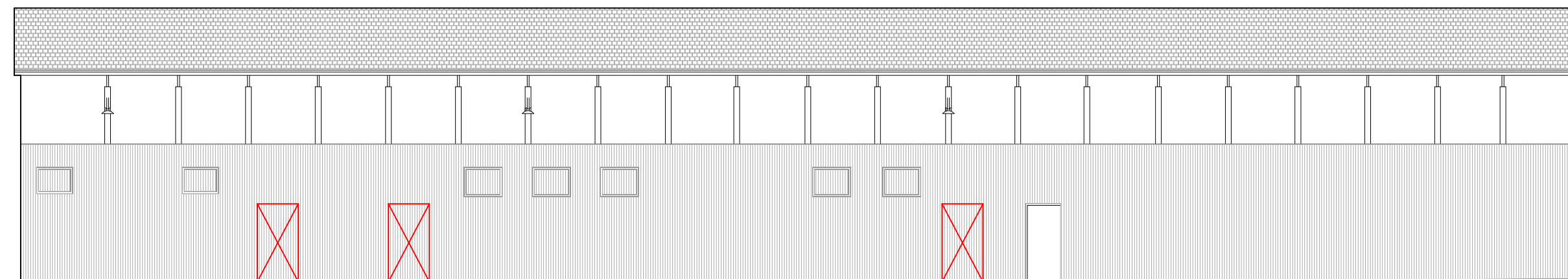
**SECOND
FLOOR DEMO**

D102

① SECOND FLOOR DEMO
1" = 10'-0"



NORTHWEST ELEVATION
DEMO
① 3/16" = 1'-0"



WEST ELEVATION DEMO
② 3/16" = 1'-0"

**JAY LITTLETON BALL PARK
ACCESSIBILITY**
1076 N GROVE AVENUE
ONTARIO, CA 91764

SPECTRA JOB NO. 107963

DRAWN BY: T. SMOLINSKI CHECKED BY: D. GEE

**ELEVATIONS
DEMO**

D201

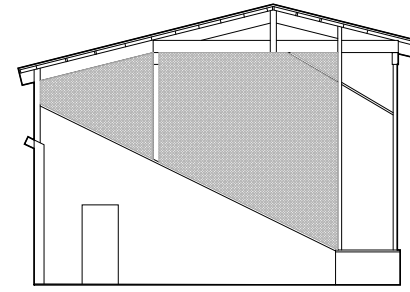
**JAY LITTLETON BALL PARK
ACCESSIBILITY**
**1076 N GROVE AVENUE
ONTARIO, CA 91764**

SPECTRA JOB NO. 107963

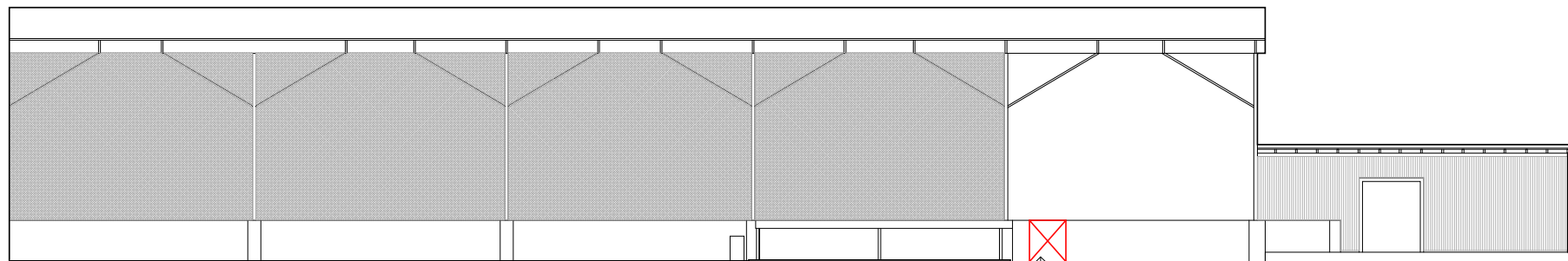
DRAWN BY: T. SMOLINSKI CHECKED BY: D. GEE

**ELEVATIONS
DEMO**

D202

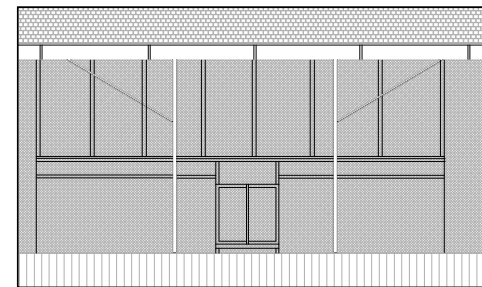


INTERIOR-SOUTH
ELEVATION 2 DEMO
⑤ 1/8" = 1'-0"

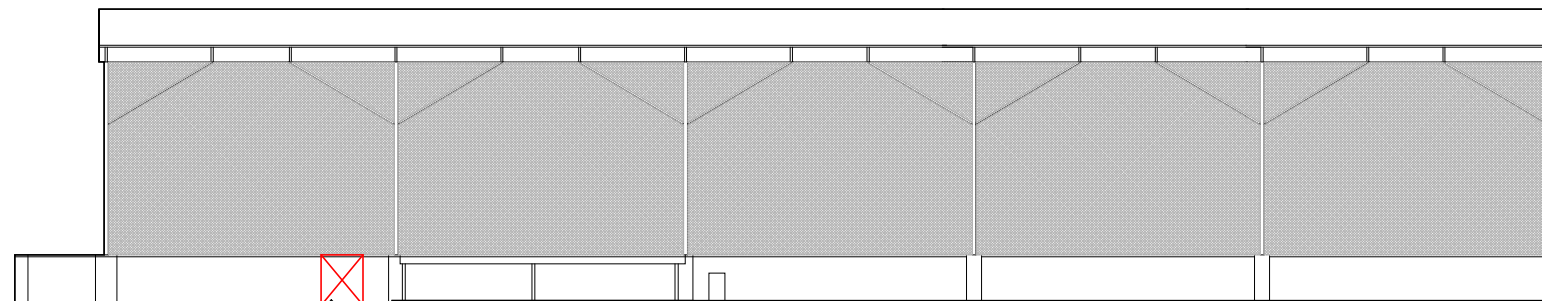


(N) OPENING FOR GATE
TO (N) TEAM PLAYER
SEATING AREA

INTERIOR-SOUTH
ELEVATION DEMO
② 1/8" = 1'-0"

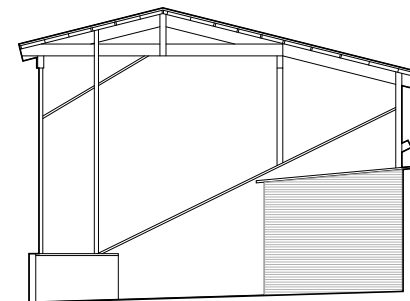


INTERIOR-SOUTHEAST
ELEVATION DEMO
③ 1/8" = 1'-0"



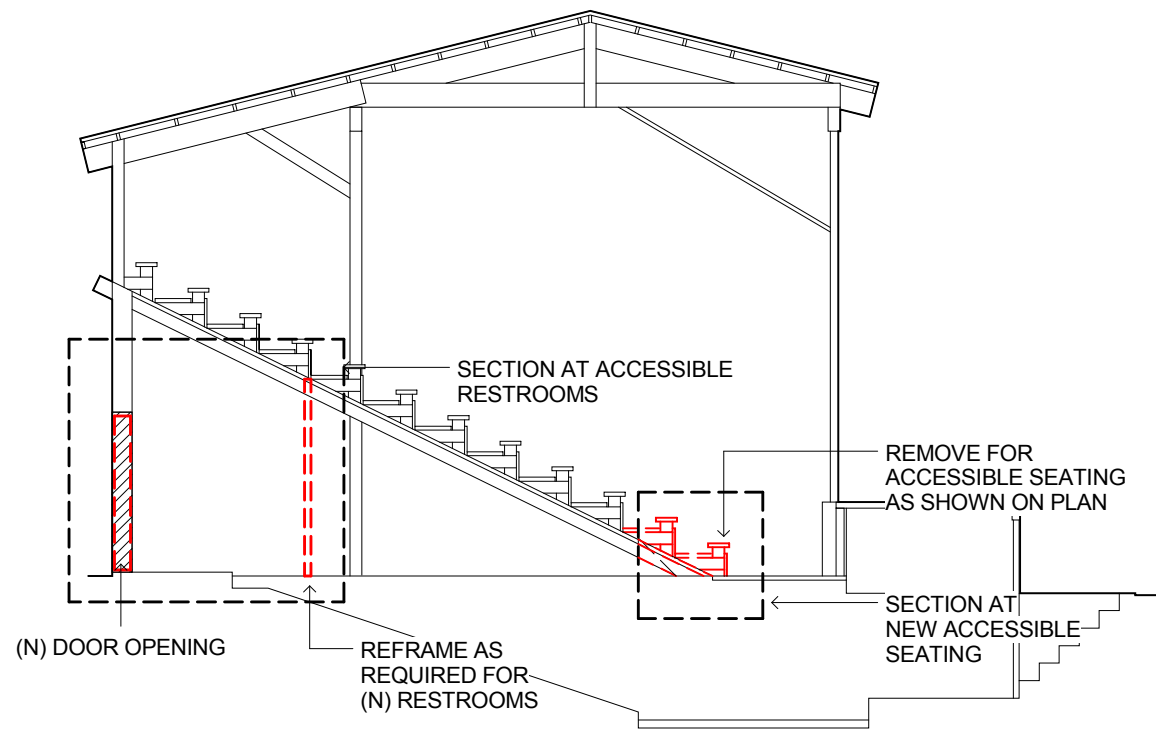
(N) OPENING FOR GATE
TO (N) TEAM PLAYER
SEATING AREA

INTERIOR-EAST ELEVATION
DEMO
① 1/8" = 1'-0"

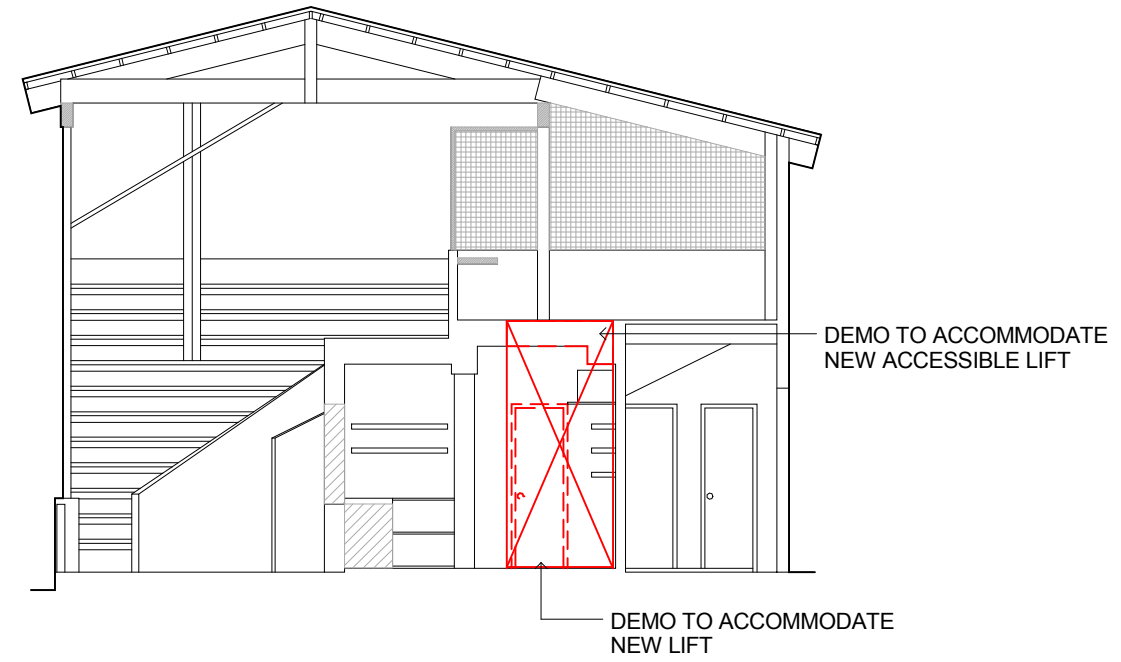


INTERIOR-EAST ELEVATION
2 DEMO
④ 1/8" = 1'-0"

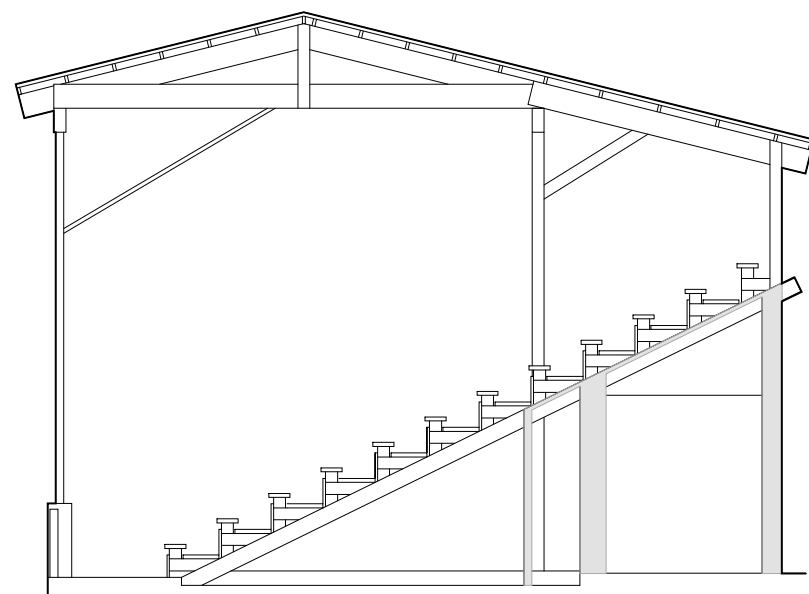
**JAY LITTLETON BALL PARK
ACCESSIBILITY
1076 N GROVE AVENUE
ONTARIO, CA 91764**



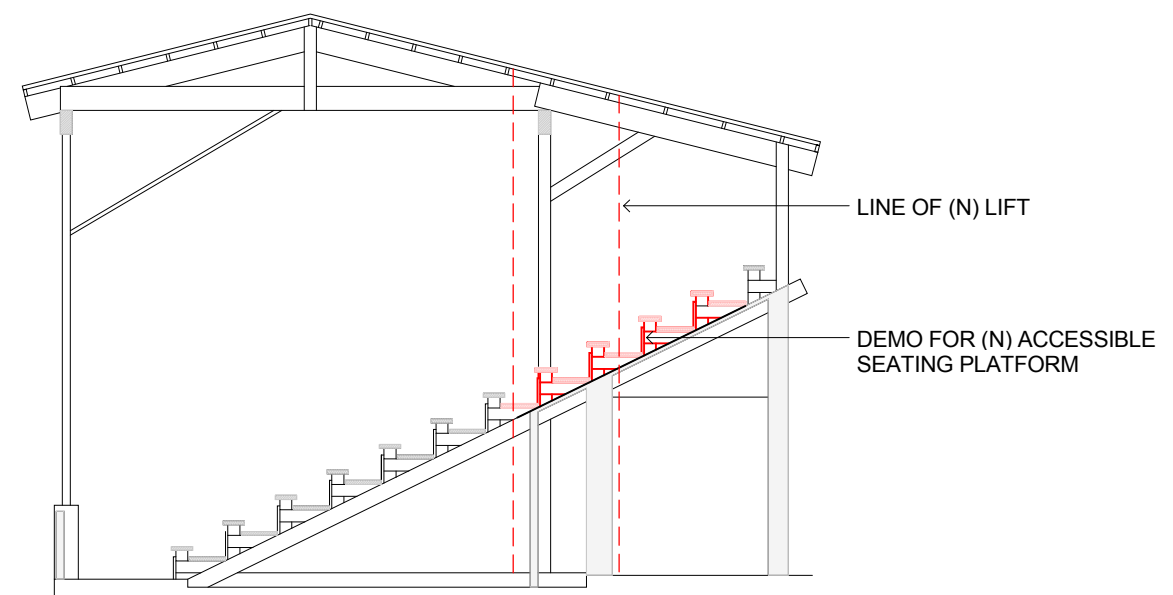
① SECTION A DEMO
1/4" = 1'-0"



② SECTION B DEMO
1/4" = 1'-0"



③ SECTION C DEMO
1/4" = 1'-0"



④ SECTION D DEMO
1/4" = 1'-0"

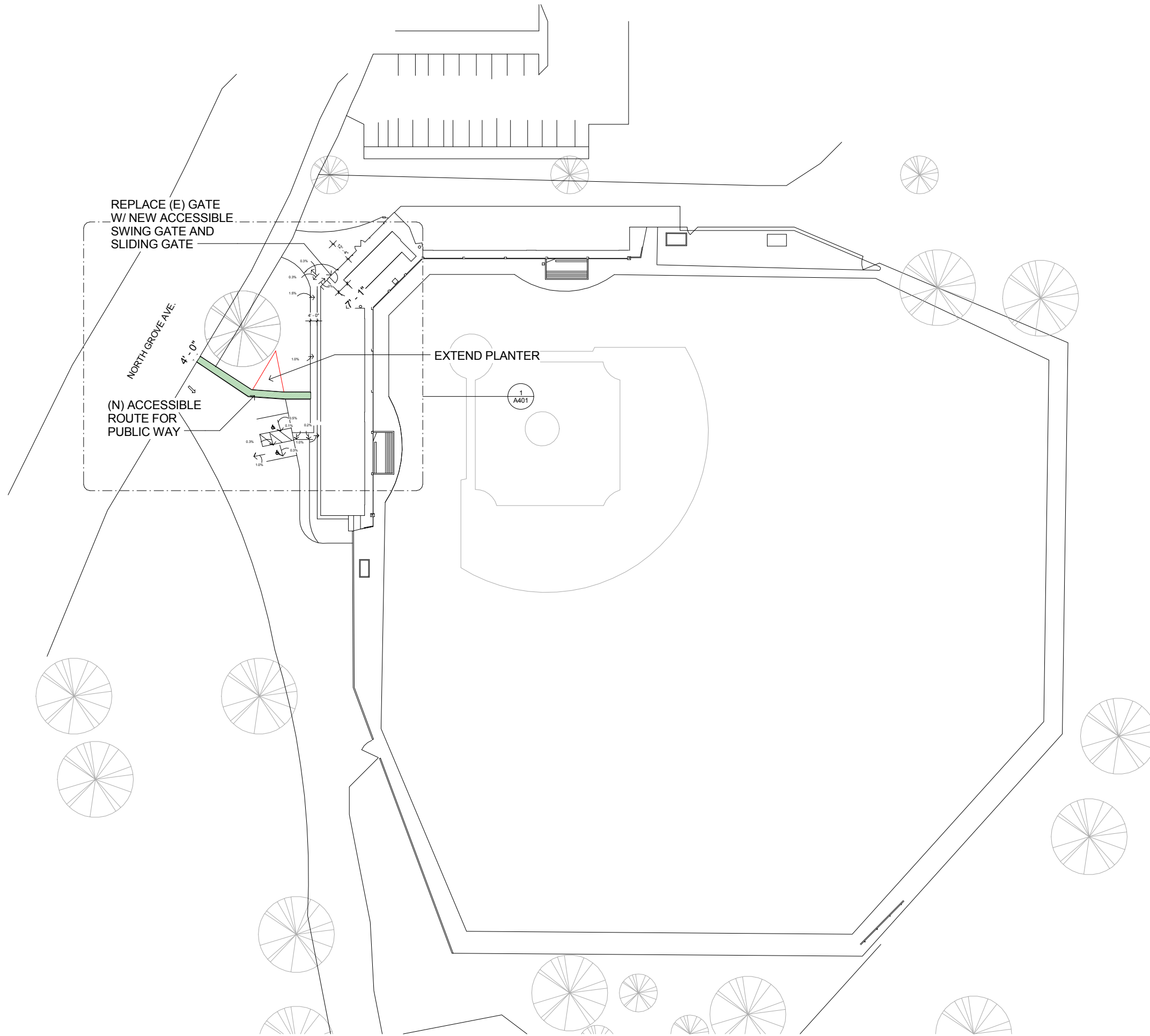
SPECTRA JOB NO. 107963

DRAWN BY: T. SMOLINSKI CHECKED BY: D. GEE

--	--	--	--	--	--

SECTIONS
DEMO

D301



**JAY LITTLETON BALL PARK
ACCESSIBILITY**

**1076 N GROVE AVENUE
ONTARIO, CA 91764**

SPECTRA JOB NO. 107963

DRAWN BY: T. SMOLINSKI CHECKED BY: D. GEE

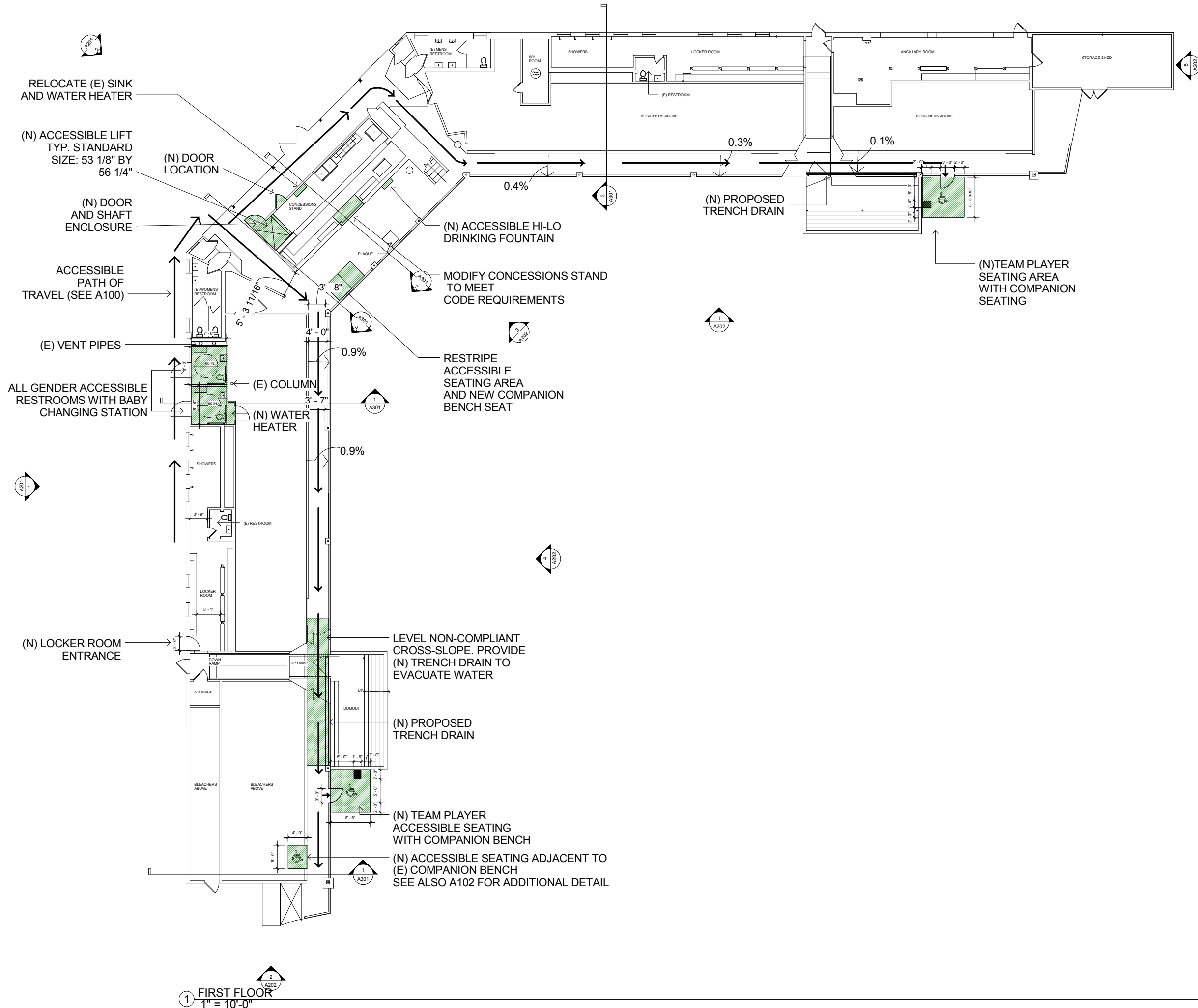
SITE PLAN

A100

① SITE PLAN
1" = 30'-0"

SHEET NOTES

1. ACCESSIBLE PATH OF TRAVEL (<5% SLOPE, ≤ 1/4" PER FOOT CROSS SLOPE)
2. ALL NEW DOORS TO BE 3'-0" x 7'-0" WITH LEVER HARDWARE
3. SEE SHEET A100 FOR ADDITIONAL EXTERIOR ACCESSIBILITY



**JAY LITTLETON BALL PARK
ACCESSIBILITY
1076 N GROVE AVENUE
ONTARIO, CA 91764**

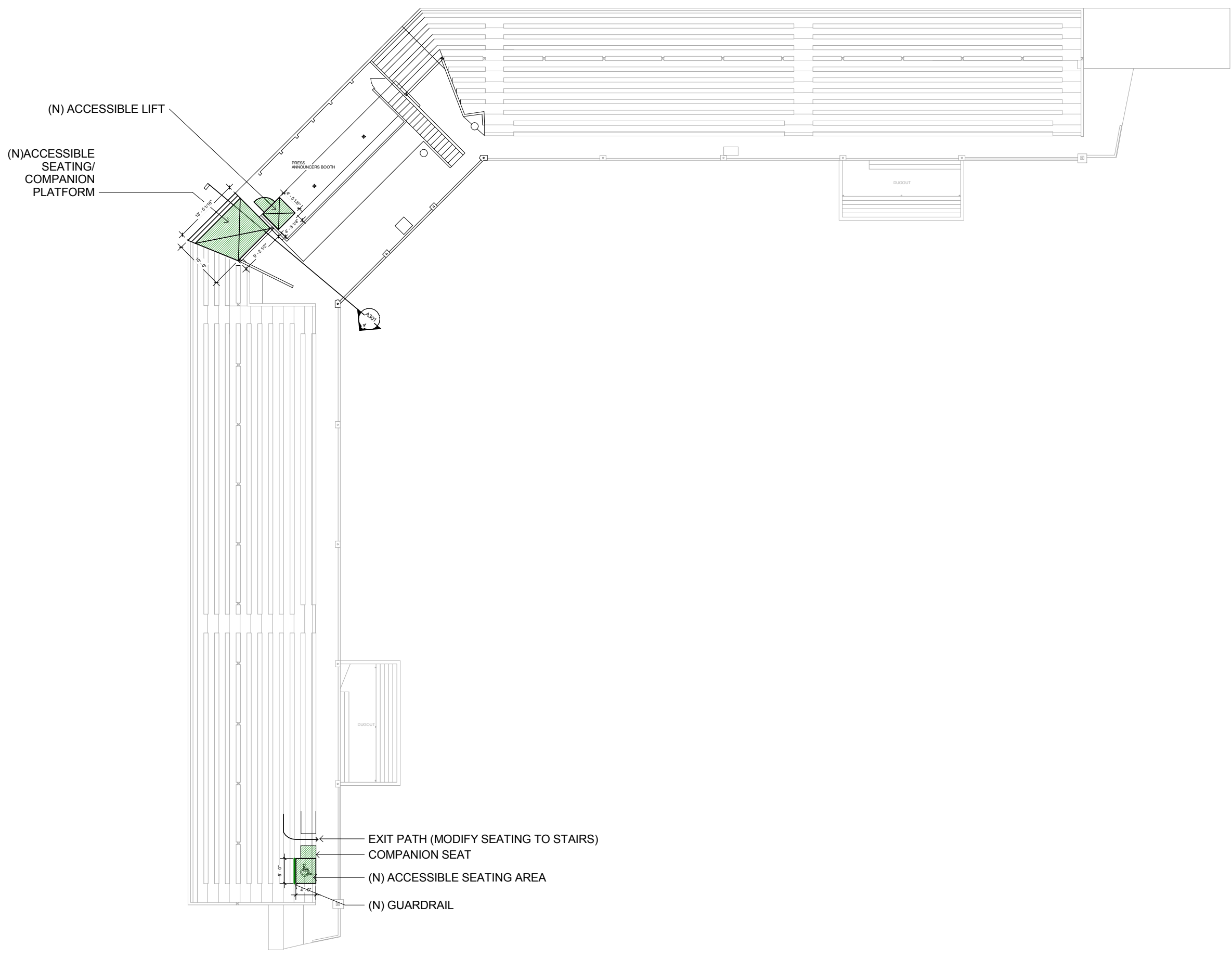
SPECTRA JOB NO. 107963

DRAWN BY: T. SMOLINSKI	CHECKED BY: D. GEE

**FIRST FLOOR
PLAN**

A101

1 FIRST FLOOR
1" = 10'-0"



**JAY LITTLETON BALL PARK
ACCESSIBILITY
1076 N GROVE AVENUE
ONTARIO, CA 91764**

SPECTRA JOB NO. 107963

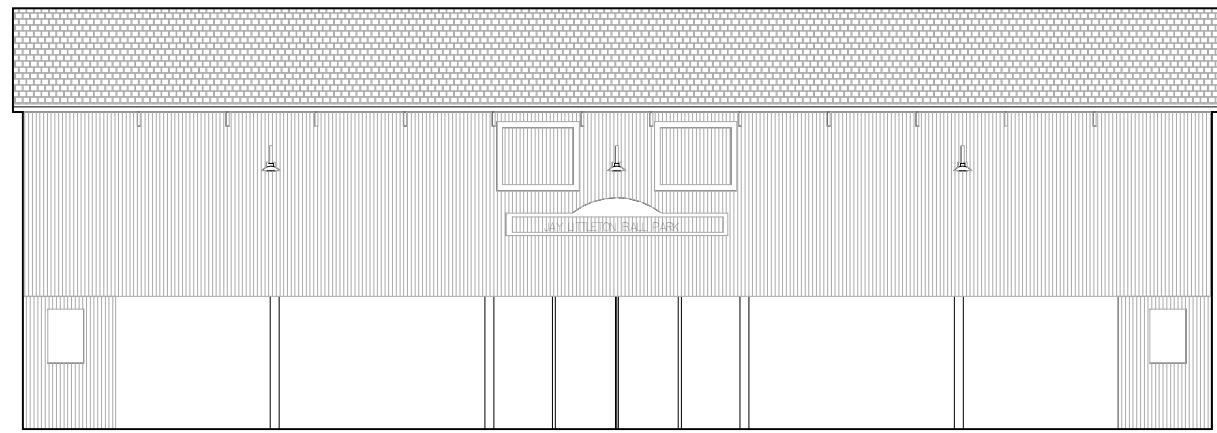
DRAWN BY: T. SMOLINSKI	CHECKED BY: D. GEE

**SECOND
FLOOR PLAN AND
GRANDSTAND
PLAN**

A102

① SECOND FLOOR
1" = 10'-0"

- SHEET NOTES**
- 1. DOORS TO BE CLAD TO MATCH SIDING
 - 2. PROVIDE REQUIRED ACCESSIBLE SIGNAGE



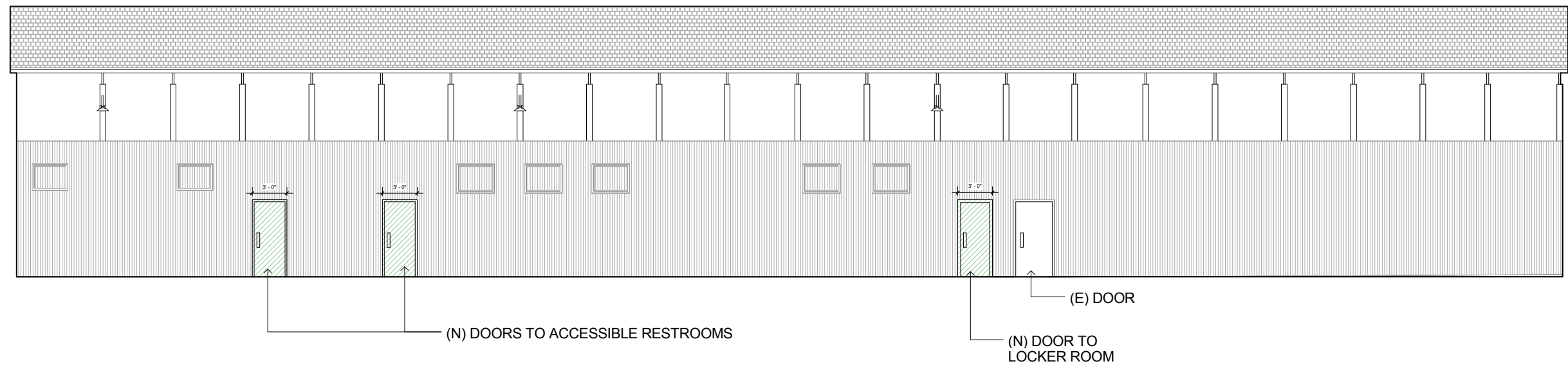
② NORTHWEST ELEVATION
3/16" = 1'-0"

**JAY LITTLETON BALL PARK
ACCESSIBILITY**

**1076 N GROVE AVENUE
ONTARIO, CA 91764**

SPECTRA JOB NO. 107963

DRAWN BY: T. SMOLINSKI CHECKED BY: D. GEE



① WEST ELEVATION
3/16" = 1'-0"

ELEVATIONS

A201

**JAY LITTLETON BALL PARK
ACCESSIBILITY**

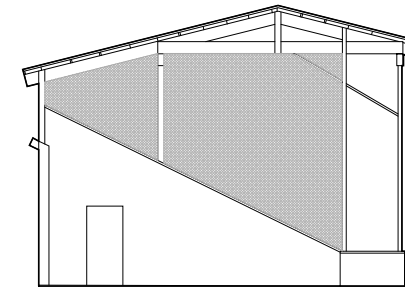
**1076 N GROVE AVENUE
ONTARIO, CA 91764**

SPECTRA JOB NO. 107963

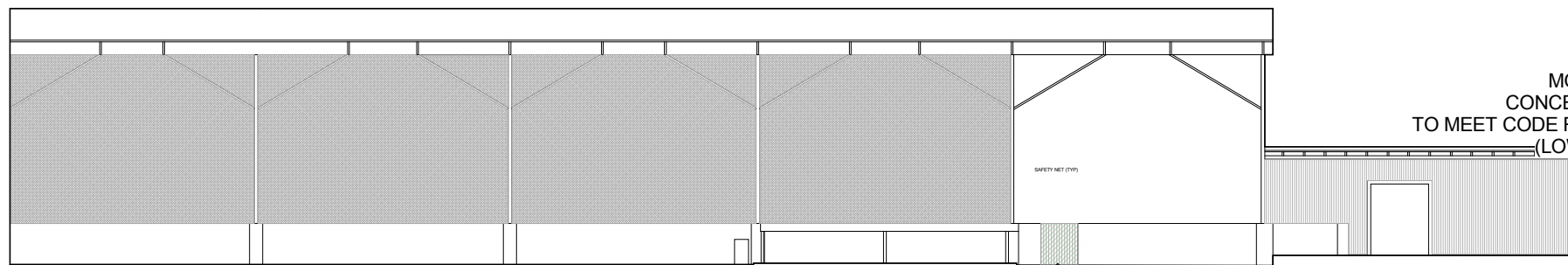
DRAWN BY: T. SMOLINSKI CHECKED BY: D. GEE

ELEVATIONS

A202



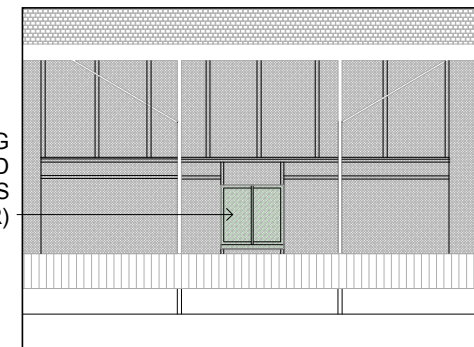
INTERIOR-SOUTH
ELEVATION 2
1/8" = 1'-0"



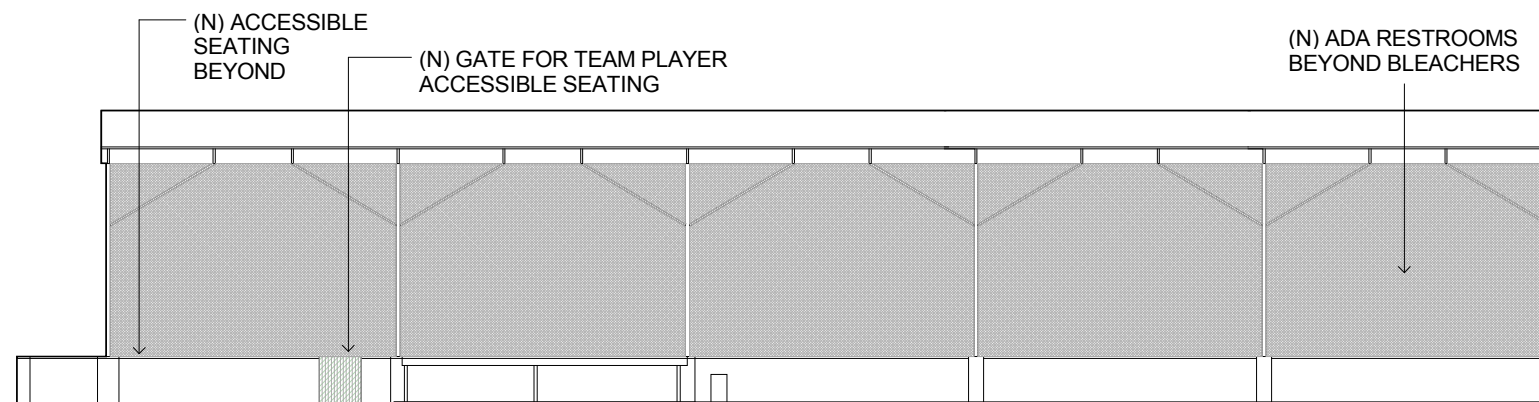
INTERIOR-SOUTH
ELEVATION
1/8" = 1'-0"

(N) GATE FOR
ACCESSIBLE TEAM
PLAYER SEATING AREA

MODIFY EXISTING
CONCESSIONS STAND
TO MEET CODE REQUIREMENTS
(LOWER COUNTER)



INTERIOR-SOUTHEAST
ELEVATION
1/8" = 1'-0"

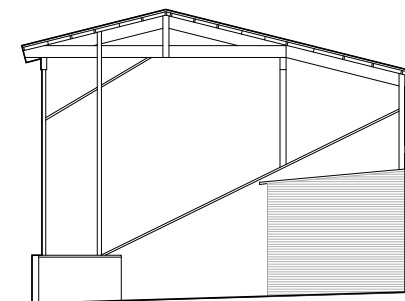


INTERIOR-EAST ELEVATION
1/8" = 1'-0"

(N) ACCESSIBLE
SEATING
BEYOND

(N) GATE FOR TEAM PLAYER
ACCESSIBLE SEATING

(N) ADA RESTROOMS
BEYOND BLEACHERS



INTERIOR-EAST ELEVATION
1/8" = 1'-0"

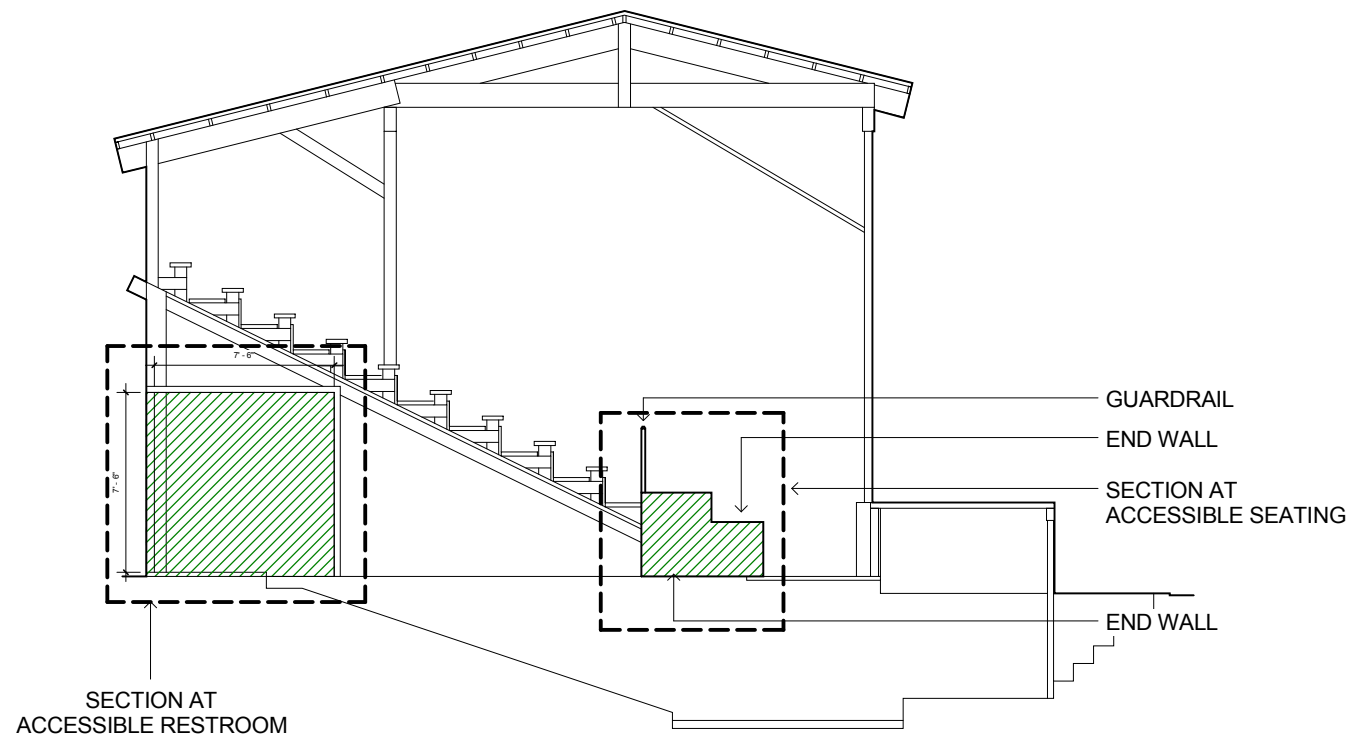
**JAY LITTLETON BALL PARK
ACCESSIBILITY
1076 N GROVE AVENUE
ONTARIO, CA 91764**

SPECTRA JOB NO. 107963

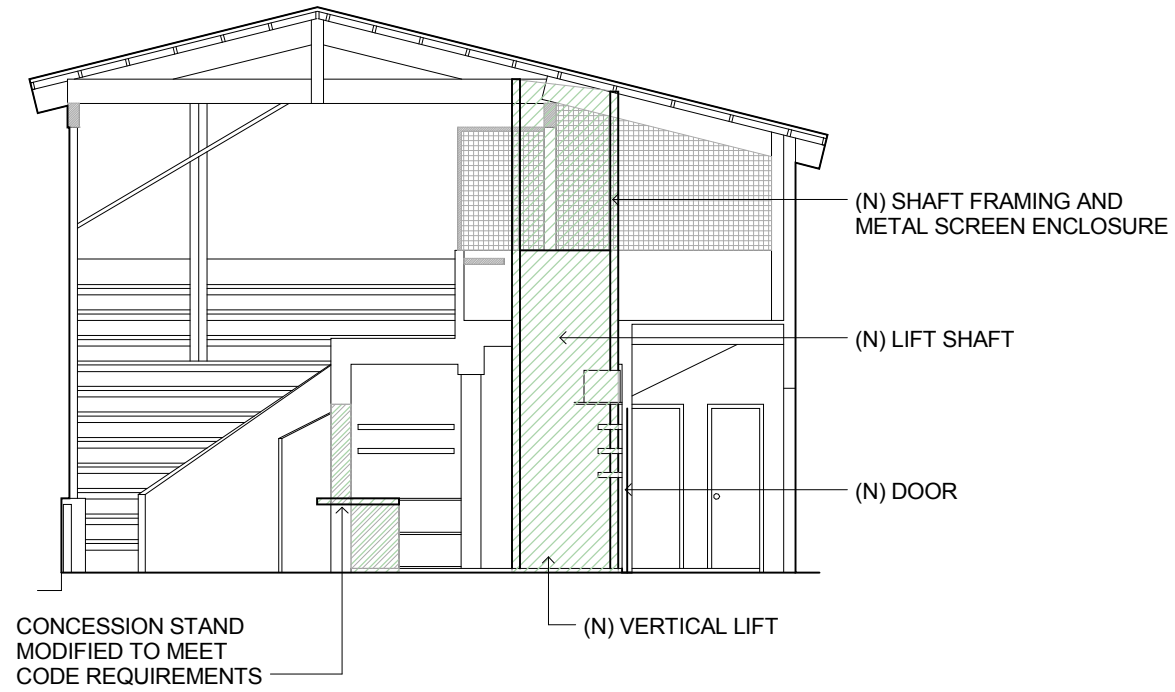
DRAWN BY: T. SMOLINSKI CHECKED BY: D. GEE

SECTIONS

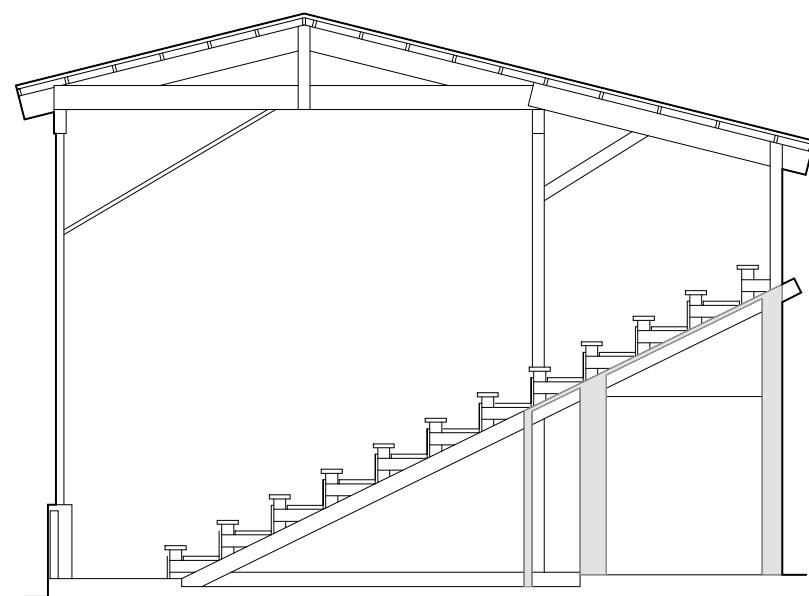
A301



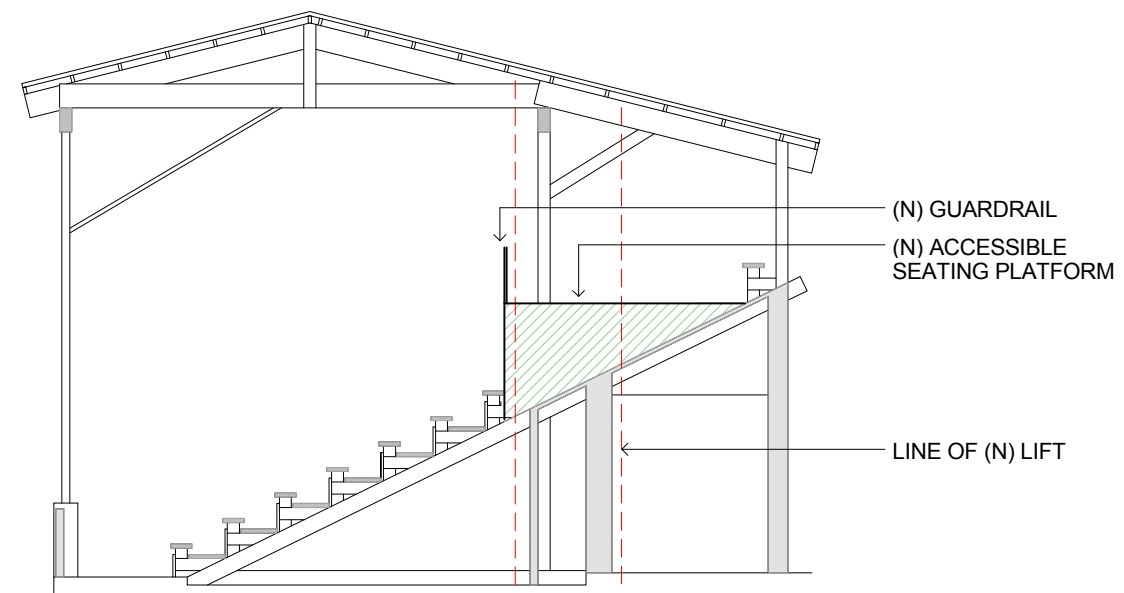
① SECTION A
1/4" = 1'-0"



② SECTION B
1/4" = 1'-0"



③ SECTION C
1/4" = 1'-0"



④ SECTION D
1/4" = 1'-0"

**JAY LITTLETON BALL PARK
ACCESSIBILITY**

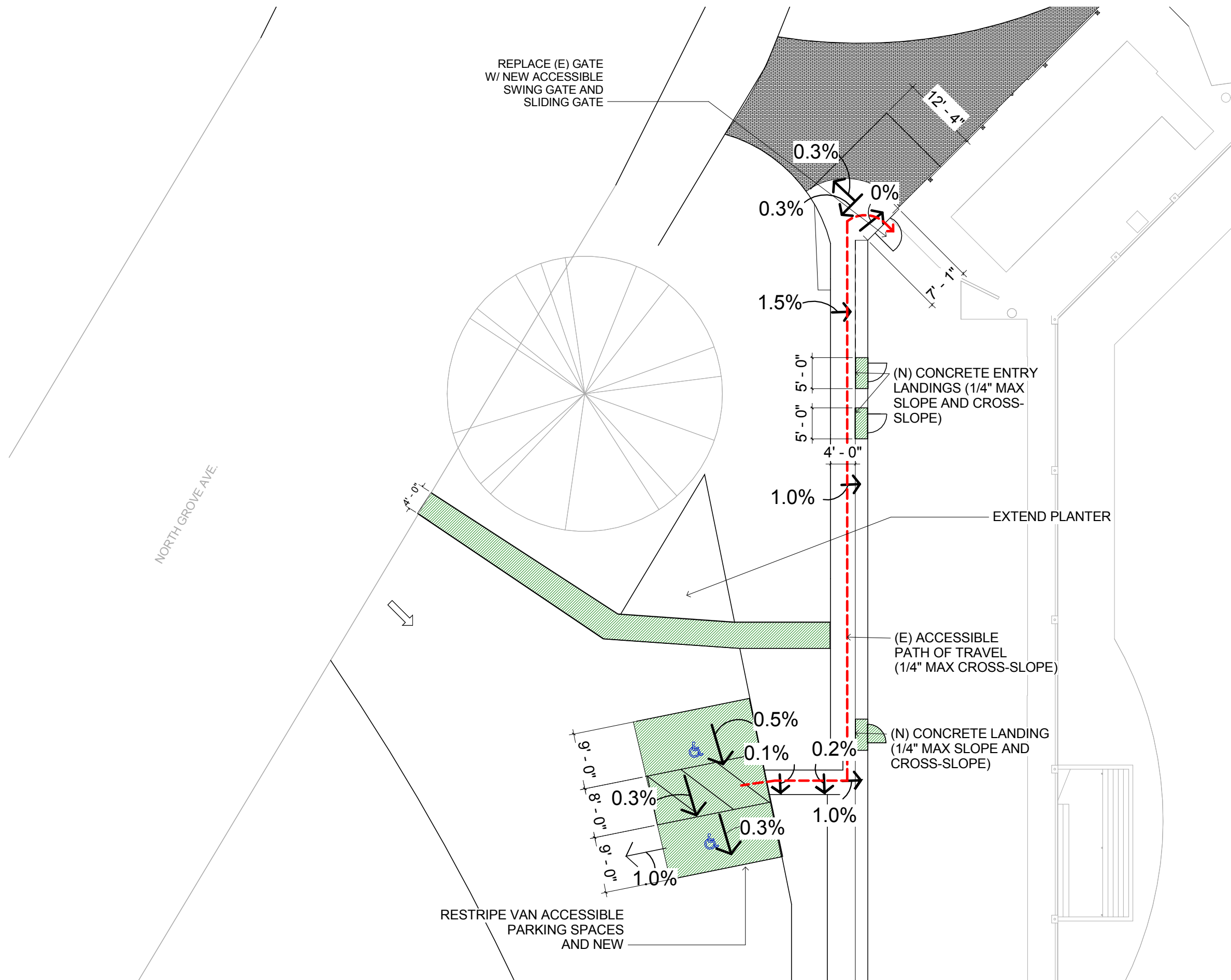
**1076 N GROVE AVENUE
ONTARIO, CA 91764**

SPECTRA JOB NO. 107963

DRAWN BY: T. SMOLINSKI CHECKED BY: D. GEE

**SITE PLAN-
ENLARGED
DETAIL**

A401



① SITE PLAN -ENLARGED
DETAIL
1/8" = 1'-0"

APPENDIX E

Page intentionally left blank

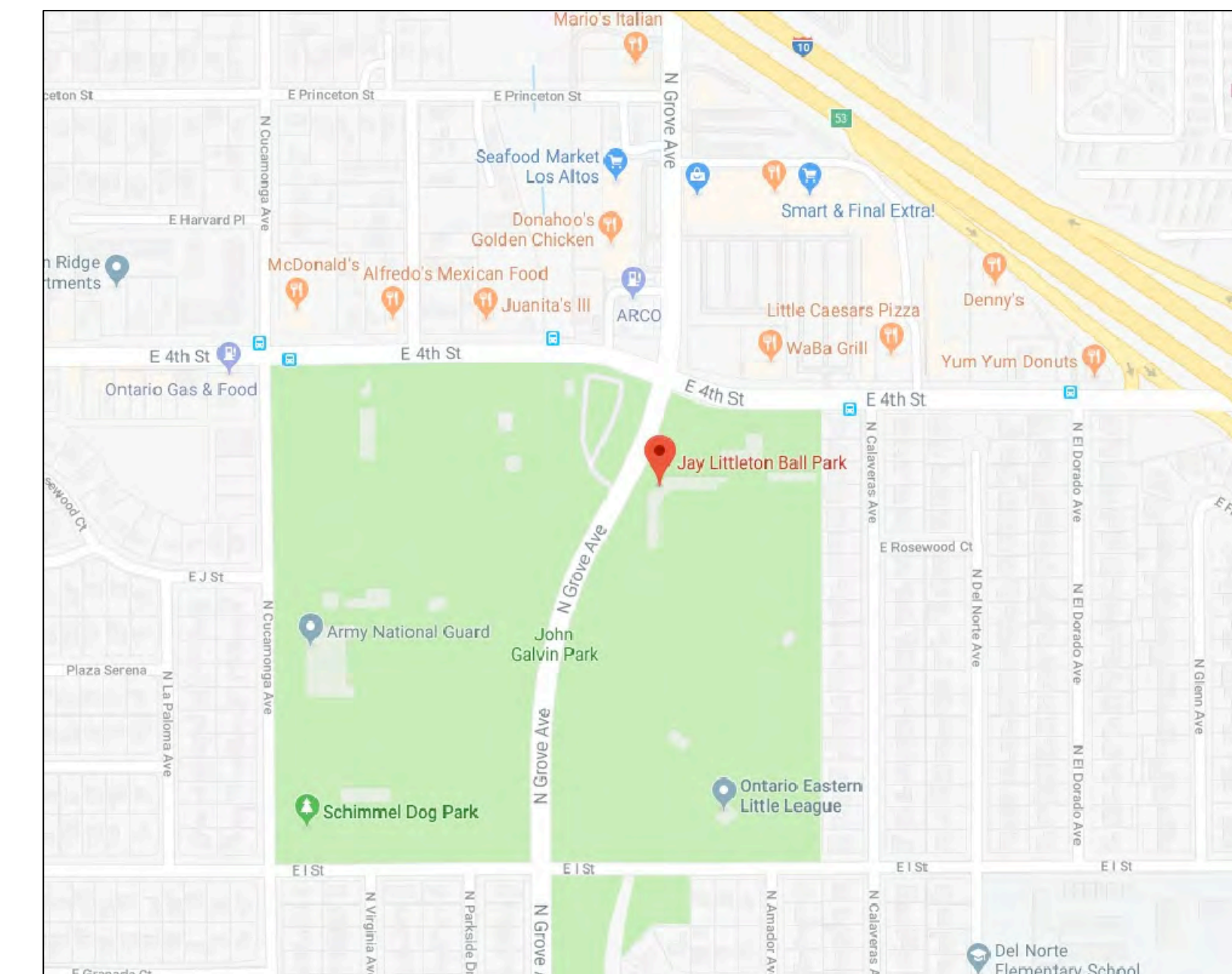
AS-BUILT DOCUMENTATION

Jay Littleton Ball Park 1076 N GROVE AVENUE ONTARIO, CA 91764



DRAWING INDEX

- C-1 COVER SHEET | DRAWING INDEX
- SL SYMBOLS LEGEND
- AB-1 FLOOR PLAN LEVEL 1
- AB-2 FLOOR PLAN LEVEL 2
- AB-3 EXTERIOR ELEVATIONS
- AB-4 EXTERIOR ELEVATIONS
- AB-5 ROOF PLAN
- AB-6 SECTIONS
- AB-7 SITE PLAN



VICINITY MAP
NTS



ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764

100% SUBMITTAL

JANUARY 04, 2019

01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE
		SHEET TITLE
		COVER SHEET
HL		PROJECT MANAGER
HL		PROJECT DIRECTOR
012317-1		PROJECT NUMBER
		SCALE
CL		DRAWN BY
		SHEET NUMBER
		C-1

SYMBOLS LEGEND

RCP

	EXHAUST VENT		TRACK LIGHT OR VANITY LIGHT
	CEILING MOUNTED LIGHT FIXTURE		WALL-MOUNTED LIGHT FIXTURE
	CEILING MOUNTED DIRECTIONAL LIGHT		EMERGENCY EXIT SIGN
	RECESSED CAN LIGHT		EMERGENCY EXIT LIGHT
	EYEBALL OR SMALL CAN LIGHT		EMERGENCY EXIT LIGHT W/ SIGN
	PENDANT LIGHT		LIGHTED STAIR SIGN
	INDIVIDUAL FLUOR. LAY-IN FIXTURE 4 BULB		FLOOD LIGHT
	INDIVIDUAL FLUOR. HANGING FIXTURE 2 BULB		PHOTO CELL
	INDIVIDUAL FLUOR. FLUSH MOUNT FIXTURE 4 BULB		CEILING FAN
	CAMERA		CEILING FAN W/ LIGHT KIT
	MOTION DET.		
	SUPPLY VENT		
	SUPPLY VENT		
	RETURN VENT		
	RETURN VENT		
	SPEAKER		

7-2-6
 CEILING HEIGHT AND TRIM 1'-2" ABOVE FLOOR BELOW WITH 6" CROWN MOULDING. NOTE: ALL CEILINGS NOT LABELED ARE PLASTER. CEILINGS SHOWN WITH A GRID ARE LAY IN ACOUSTICAL TILE..

ELECTRIC

	DATA OUTLET
	TELEPHONE JACK
	ELECTRIC SWITCH
	CABLE TELEVISION OUTLET
	DUPLEX RECEPTACLE OUTLET
	SPECIAL PURPOSE CONNECTION OR OUTLET
	QUADRUPLEX RECEPTACLE OUTLET
	FLOOR DUPLEX RECEPTACLE OUTLET
	ELECTRIC PANEL
	ELECTRIC METER
	BUTTON SWITCH
	DISCONNECT SWITCH
	GROUND/FLOOR LIGHT
	KEY PAD

FIRE PROTECTION

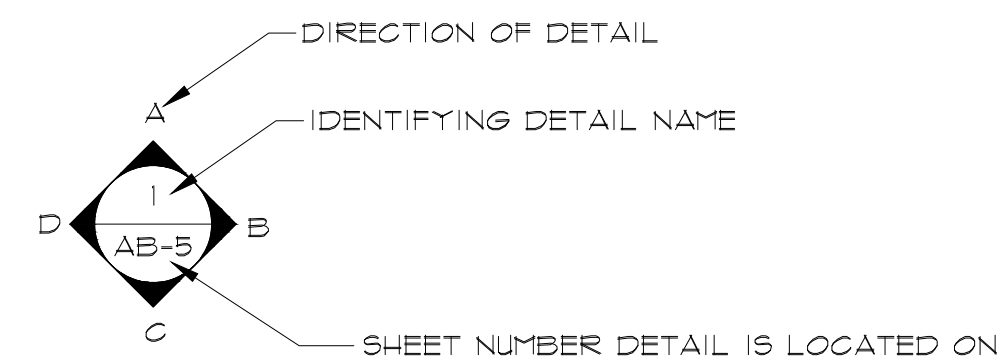
	FIRE EXTINGUISHER
	FIRE PULL
	FIRE ALARM (HORN/SRTOBE)
	SMOKE DETECTOR
	SMOKE ALARM SPEAKER
	SPRINKLER HEAD CEILING MOUNT
	SPRINKLER HEAD WALL MOUNT

MEP

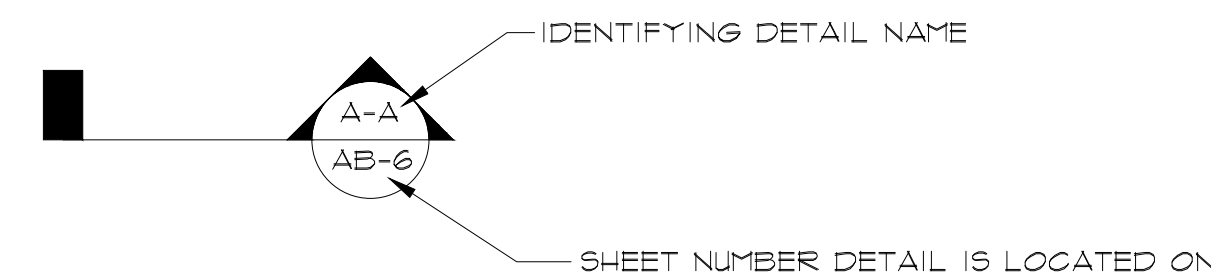
	THERMOSTAT
	FLOOR DRAIN
	VALVE
	HOSE BIB
	WATER SUPPLY
	SUSPENDED GAS HEATER

MISC

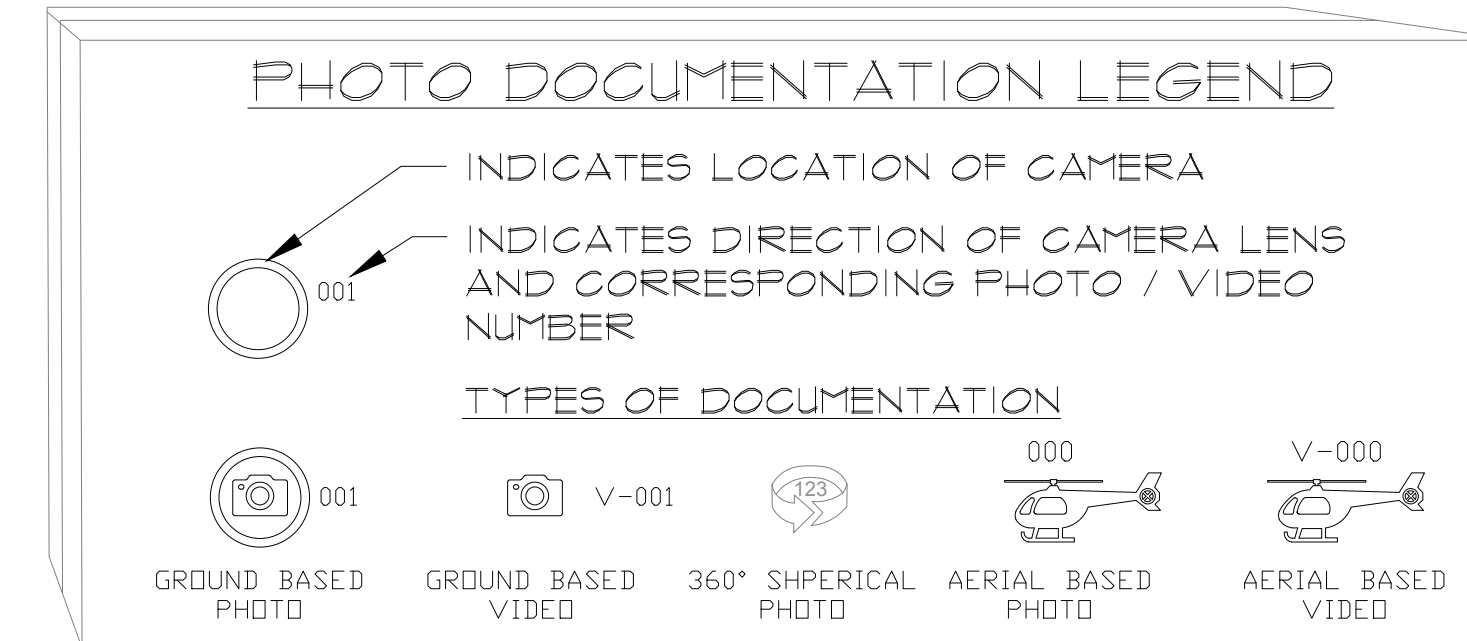
	BOLLARD
	SPOT ELEVATION



INTERIOR ELEVATIONS



BUILDING SECTION

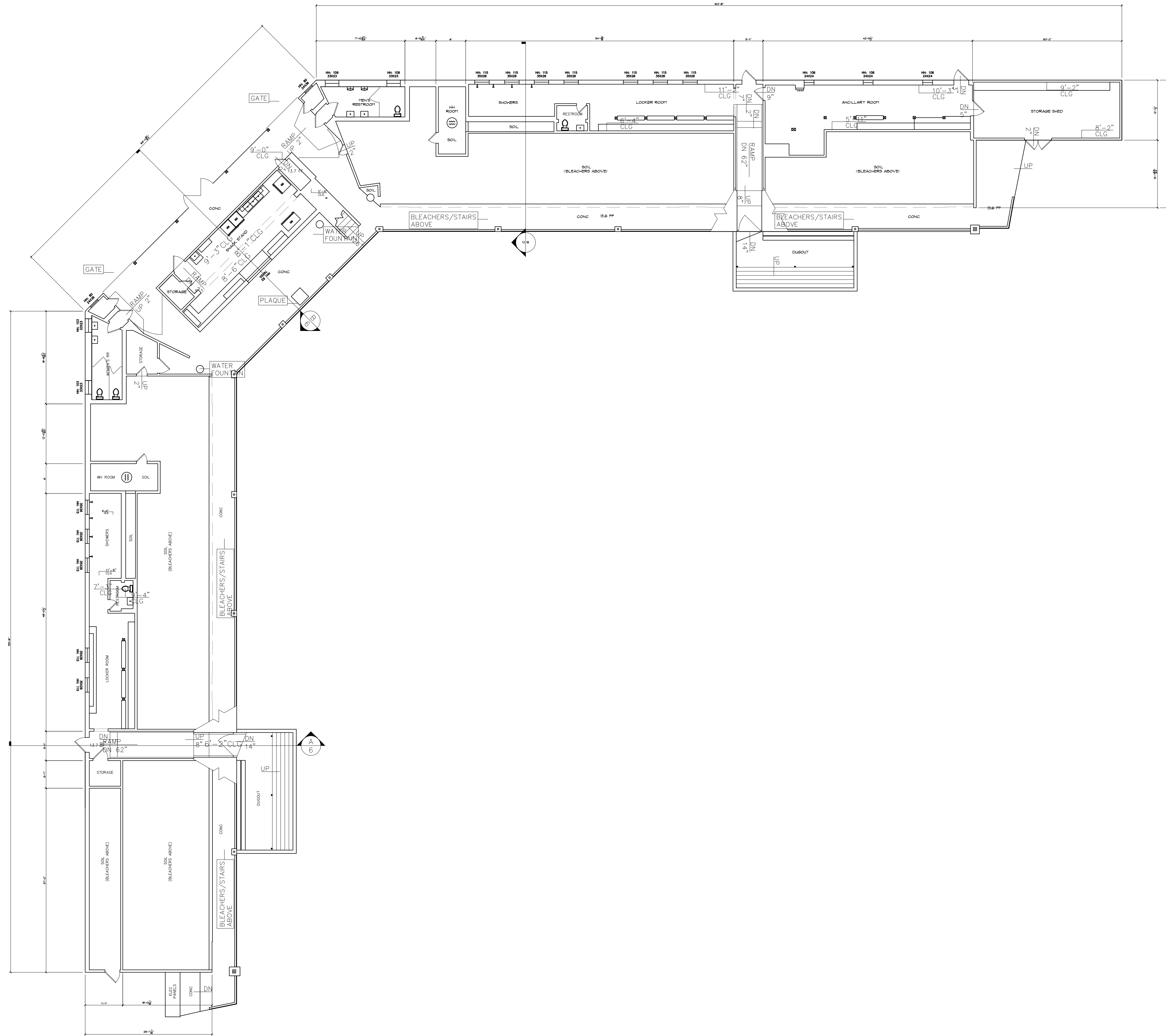


ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764

01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE
SHEET TITLE		

HL	PROJECT MANAGER
HL	PROJECT DIRECTOR
012317-1	PROJECT NUMBER
NOT TO SCALE	SCALE
CL	DRAWN BY
	SHEET NUMBER

SL



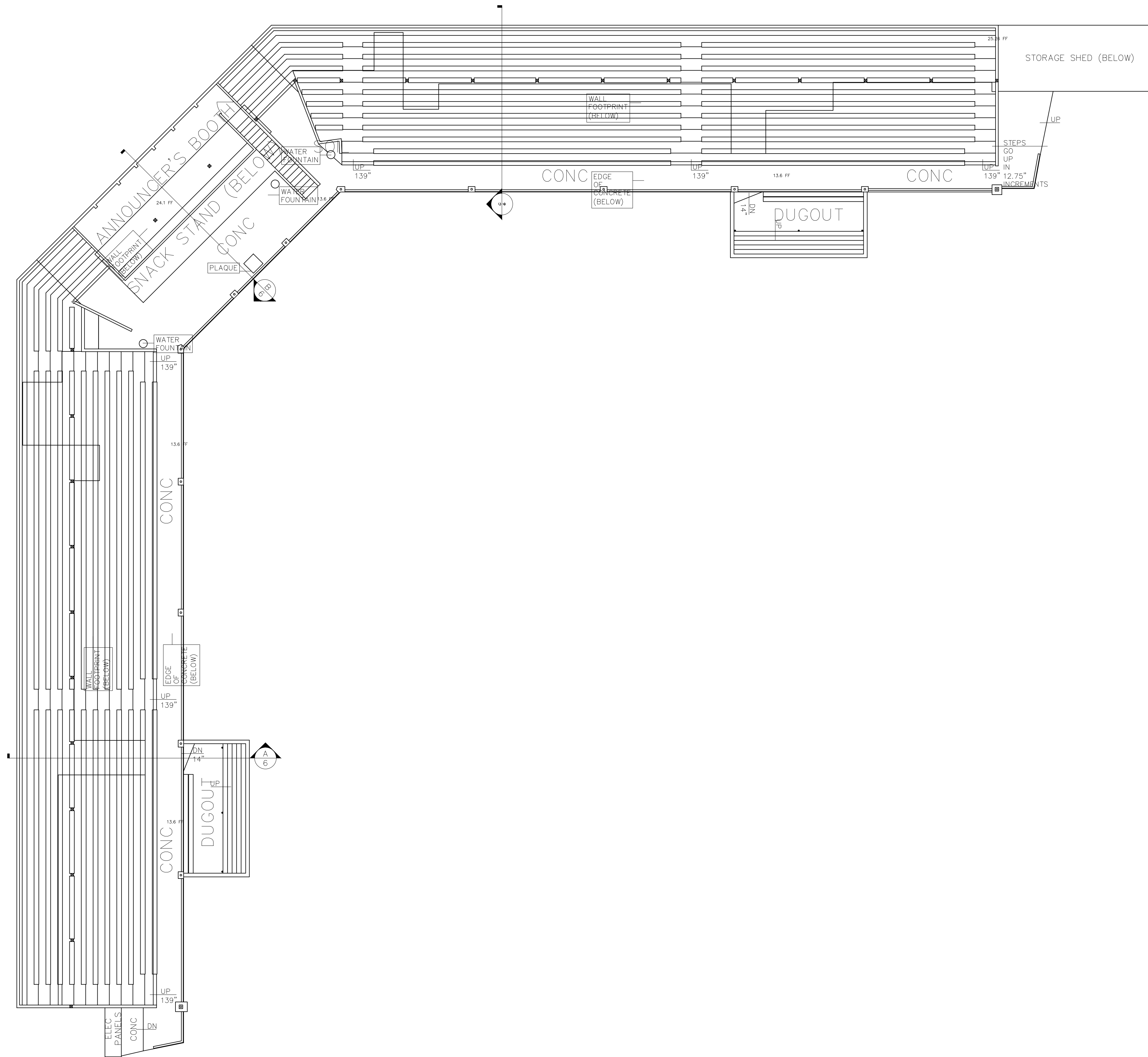
ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764

01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE
SHEET TITLE		

FLOOR PLAN LEVEL 1

HL	PROJECT MANAGER
HL	PROJECT DIRECTOR
012317-1	PROJECT NUMBER
3/32"=1'-0"	SCALE
CL	DRAWN BY
	SHEET NUMBER

AB-1



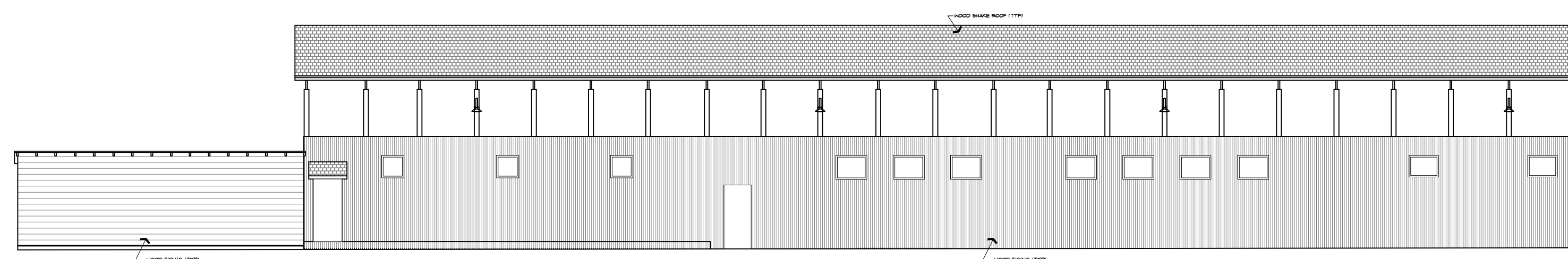
ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764

01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE
SHEET TITLE		

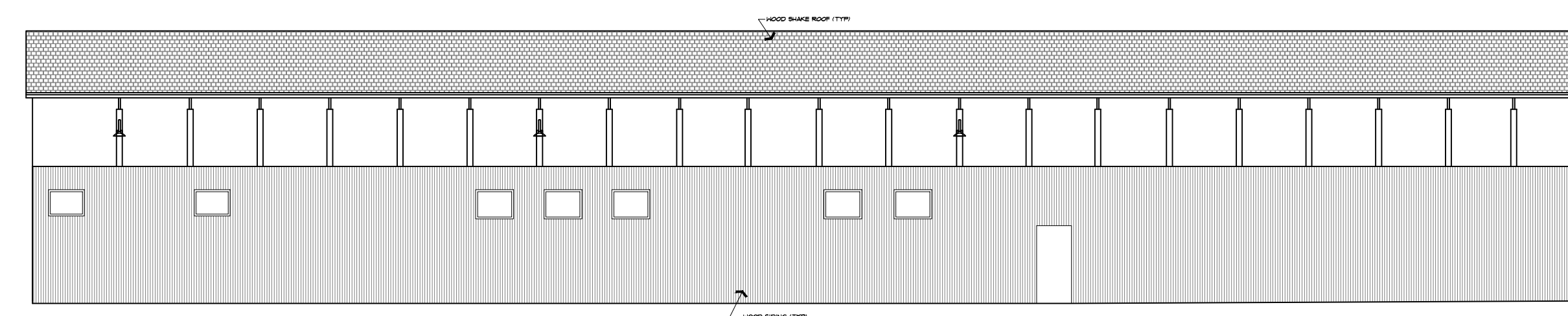
FLOOR PLAN LEVEL 2

HL	PROJECT MANAGER
HL	PROJECT DIRECTOR
012317-1	PROJECT NUMBER
3/32"=1'-0"	SCALE
CL	DRAWN BY
	SHEET NUMBER

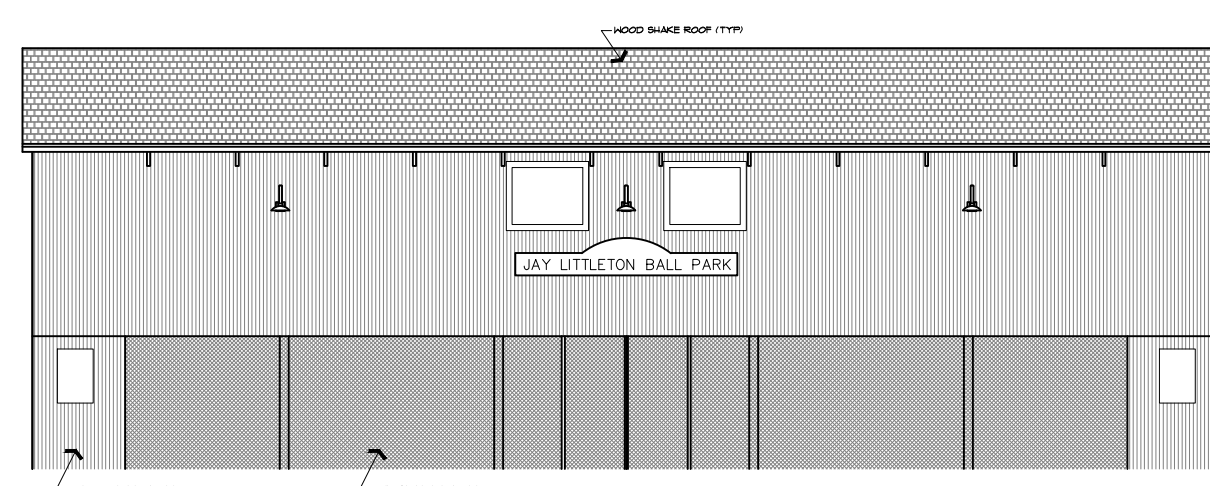
AB-2



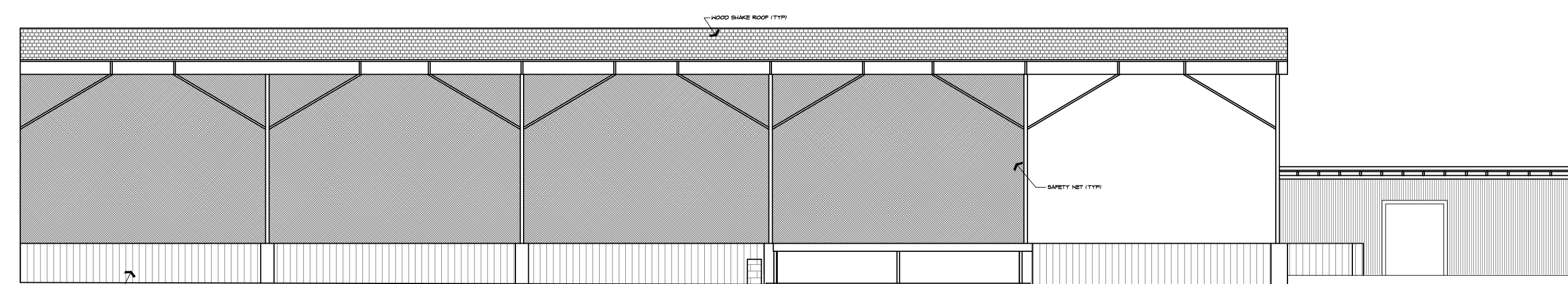
SOUTH ELEVATION



EAST ELEVATION



SOUTHEAST ELEVATION



NORTH ELEVATION

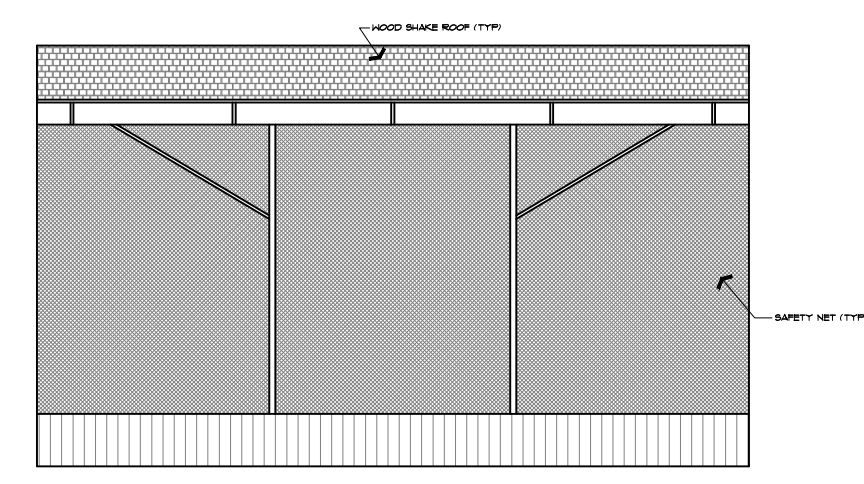
ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764

01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE

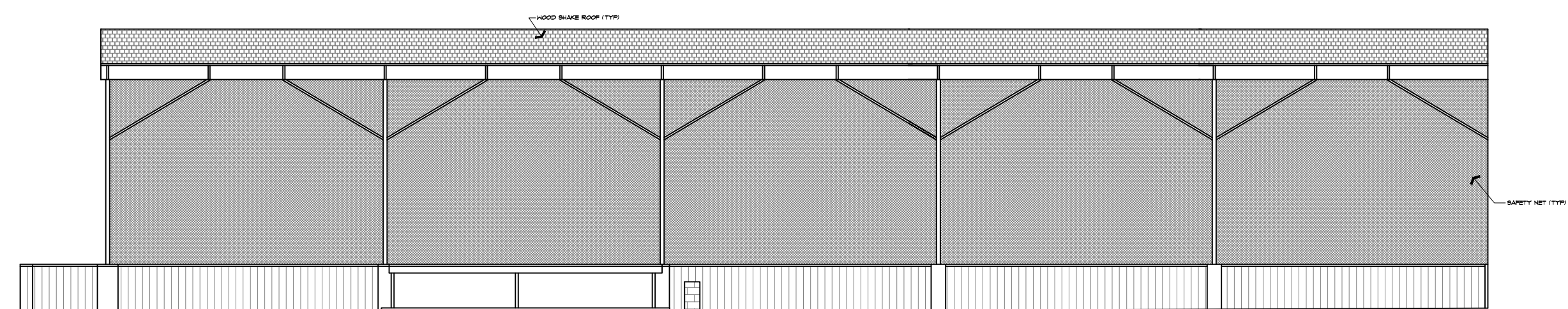
EXTERIOR ELEVATIONS

HL	PROJECT MANAGER
HL	PROJECT DIRECTOR
012317-1	PROJECT NUMBER
3/32"=1'-0"	SCALE
CL	DRAWN BY
	SHEET NUMBER

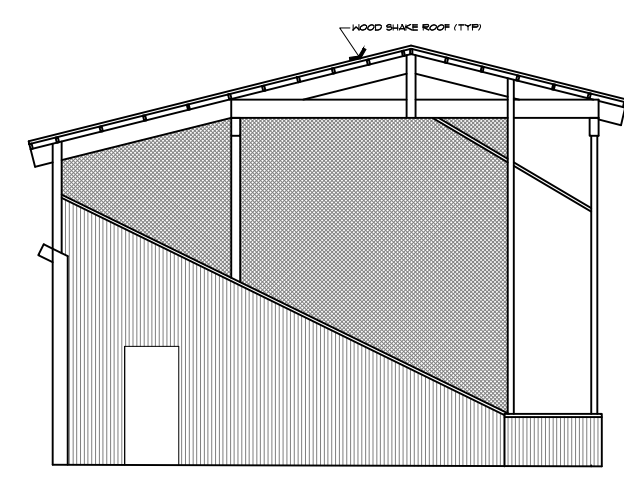
AB-3



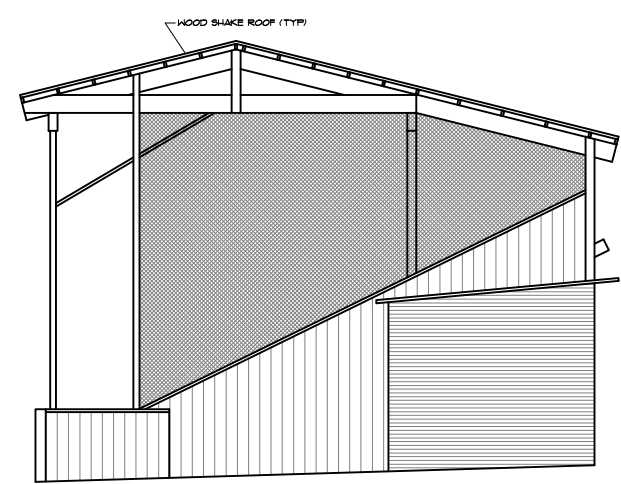
NORTHWEST ELEVATION



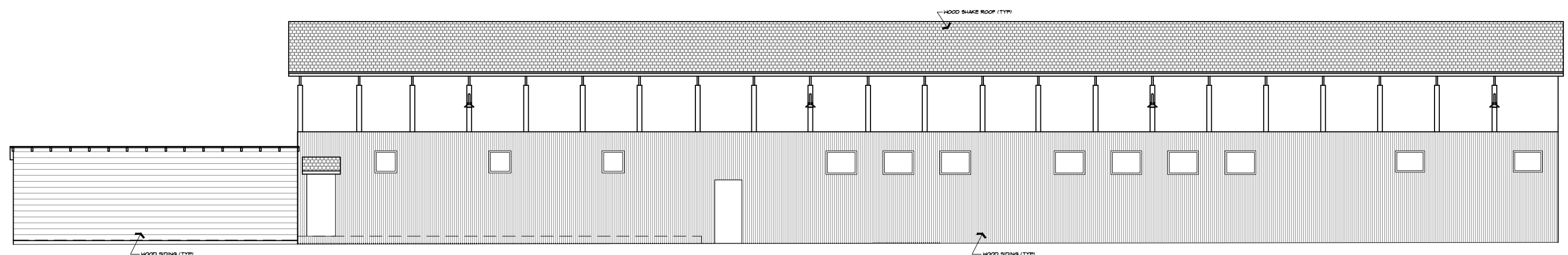
WEST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

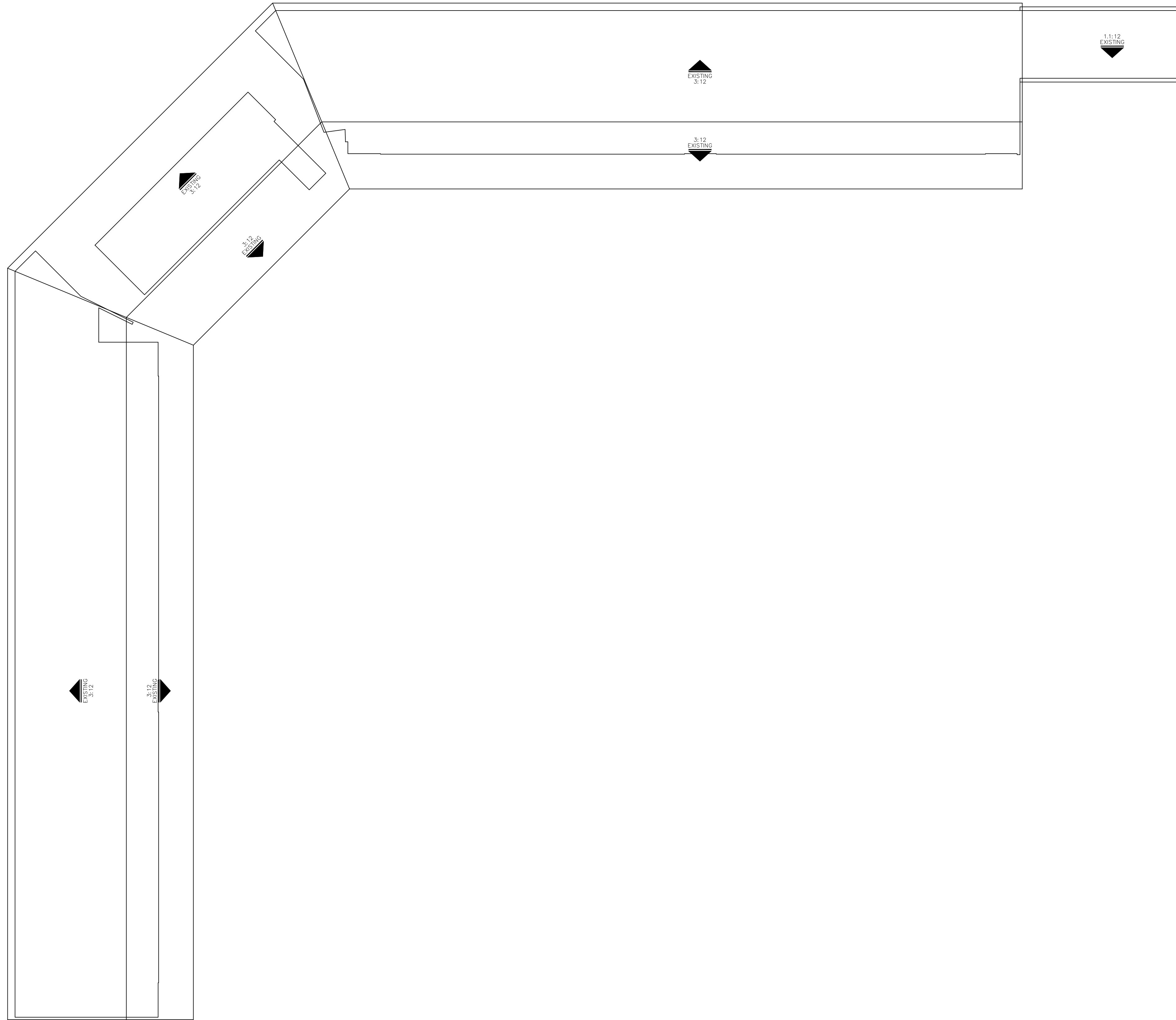
ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764

01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE

SHEET TITLE
EXTERIOR ELEVATIONS

HL	PROJECT MANAGER
HL	PROJECT DIRECTOR
012317-1	PROJECT NUMBER
3/32"=1'-0"	SCALE
CL	DRAWN BY
	SHEET NUMBER

AB-4



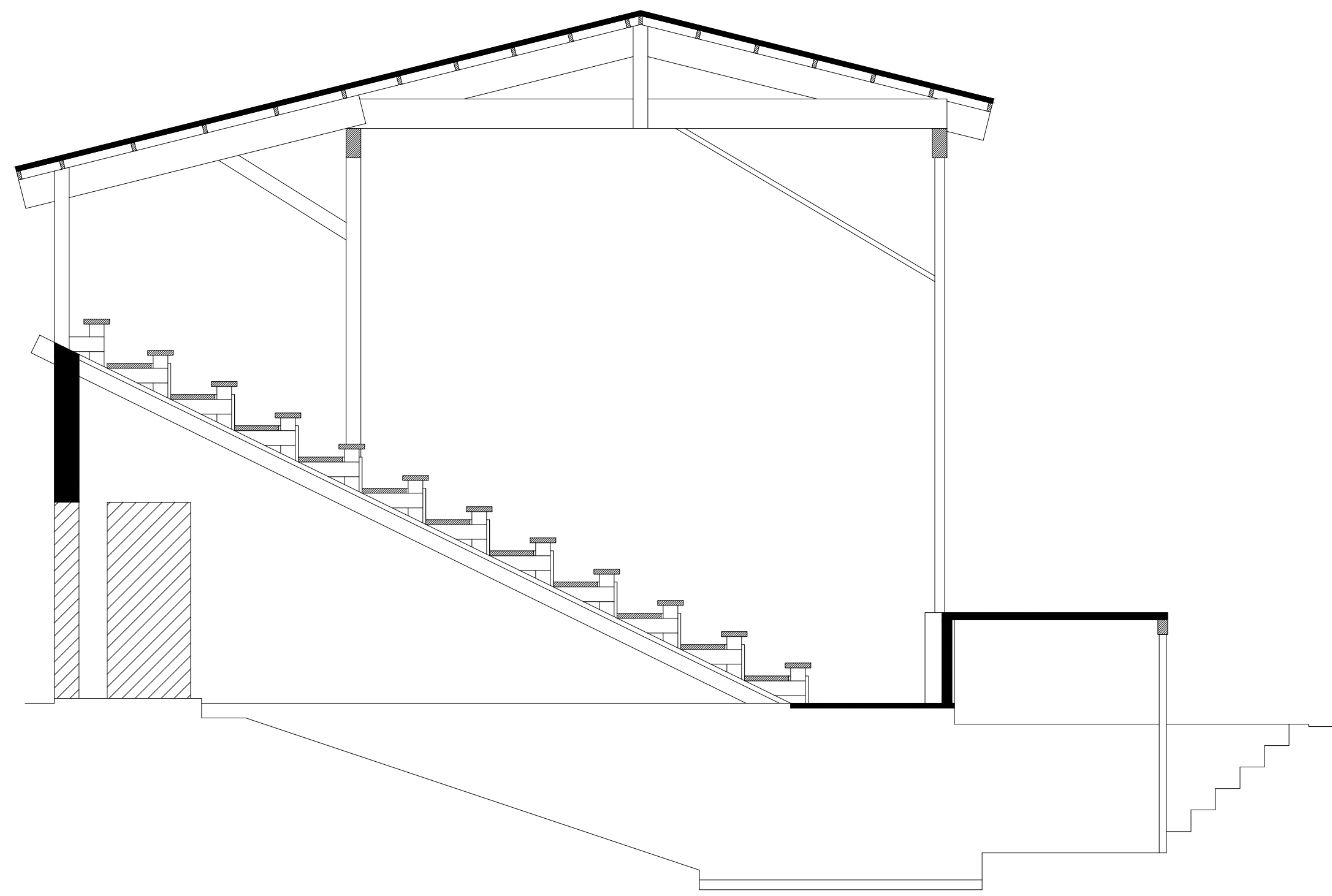
ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764

01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE
SHEET TITLE		

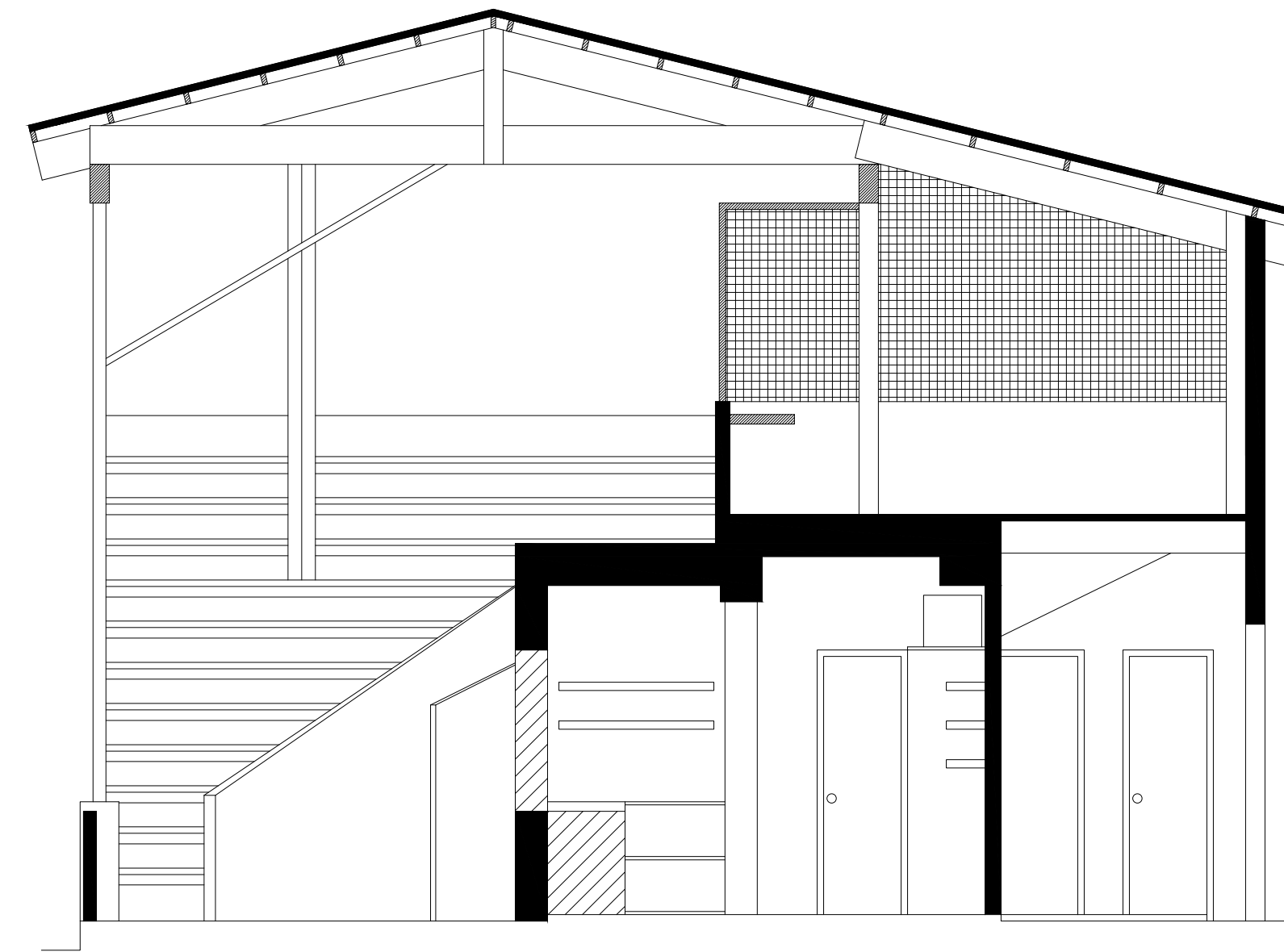
ROOF PLAN

HL	PROJECT MANAGER
HL	PROJECT DIRECTOR
012317-1	PROJECT NUMBER
3/32"=1'-0"	SCALE
CL	DRAWN BY
	SHEET NUMBER

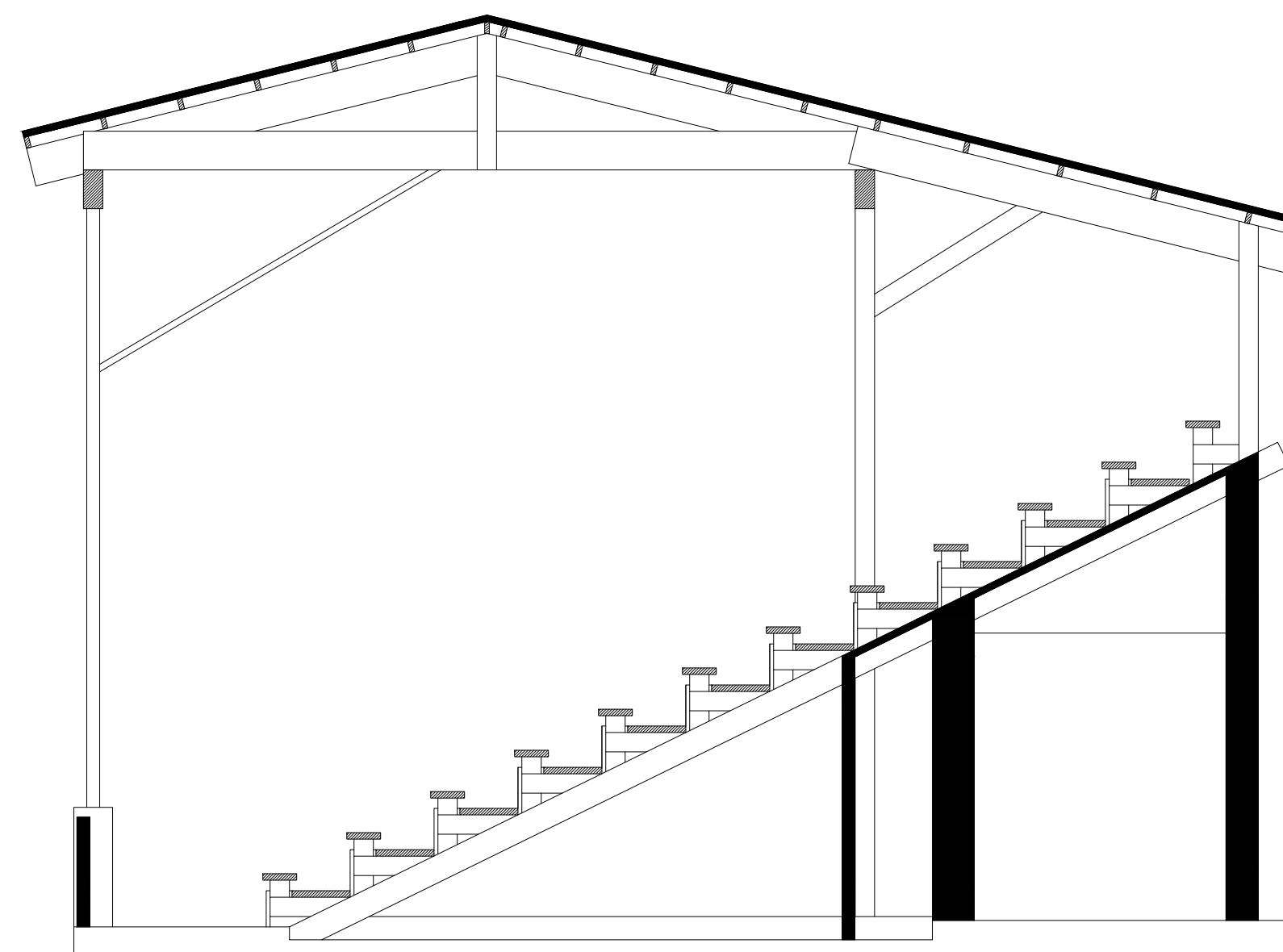
AB-5



SECTION A



SECTION B



SECTION C

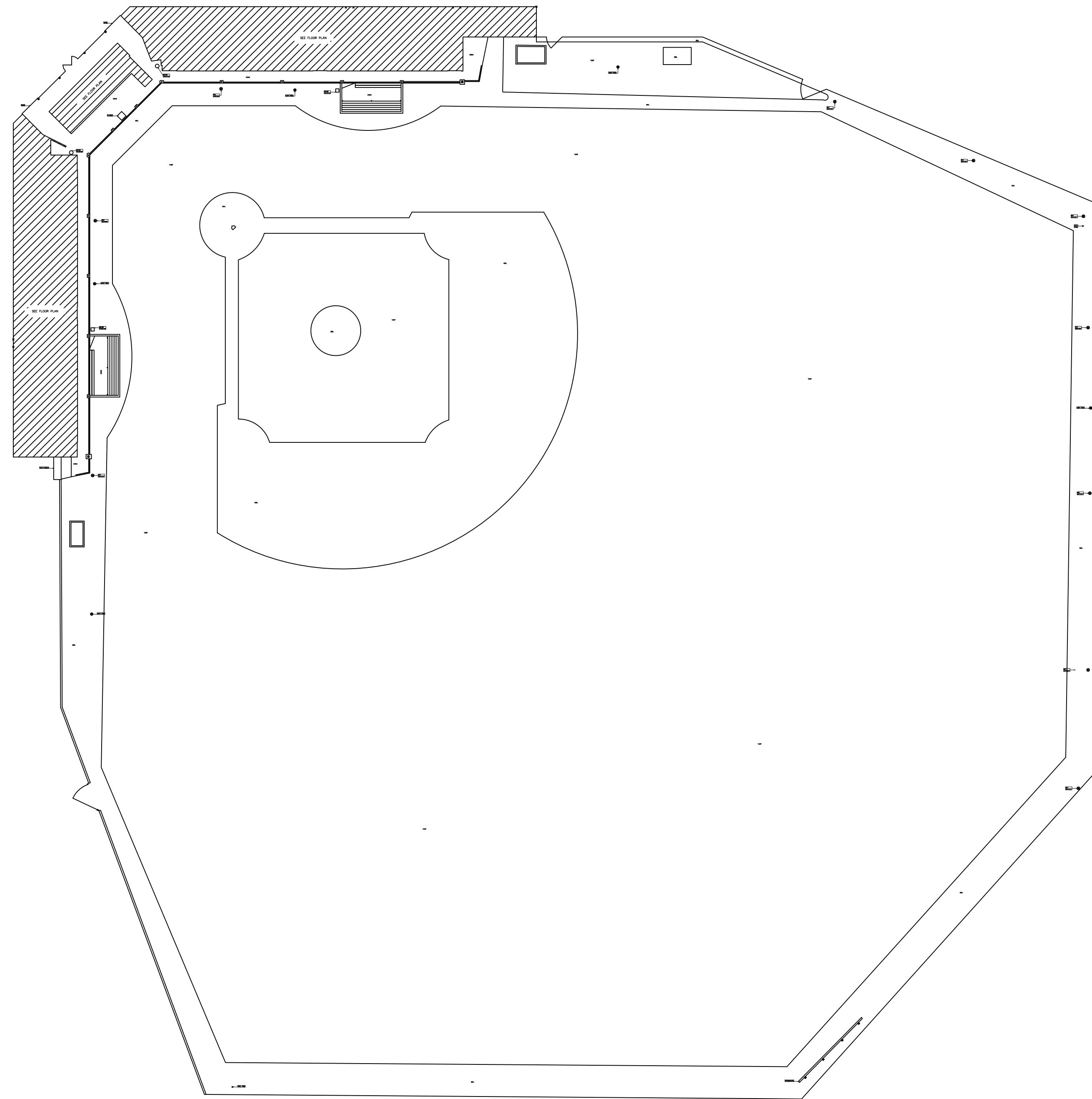
ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764

01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE
SHEET TITLE		

BUILDING SECTIONS

HL	PROJECT MANAGER
HL	PROJECT DIRECTOR
012317-1	PROJECT NUMBER
1/4"=1'-0"	SCALE
CL	DRAWN BY
	SHEET NUMBER

AB-6



ARCHITECTURAL AS BUILT
Jay Littleton Ball Park
1076 N GROVE AVENUE
ONTARIO, CA 91764

01	100% SUBMISSION	SEE COVER SHEET
NO.	ISSUES REVISIONS	DATE

SHEET TITLE

SITE PLAN

HL PROJECT MANAGER

HL PROJECT DIRECTOR

012317-1 PROJECT NUMBER

1/32"=1'-0" SCALE

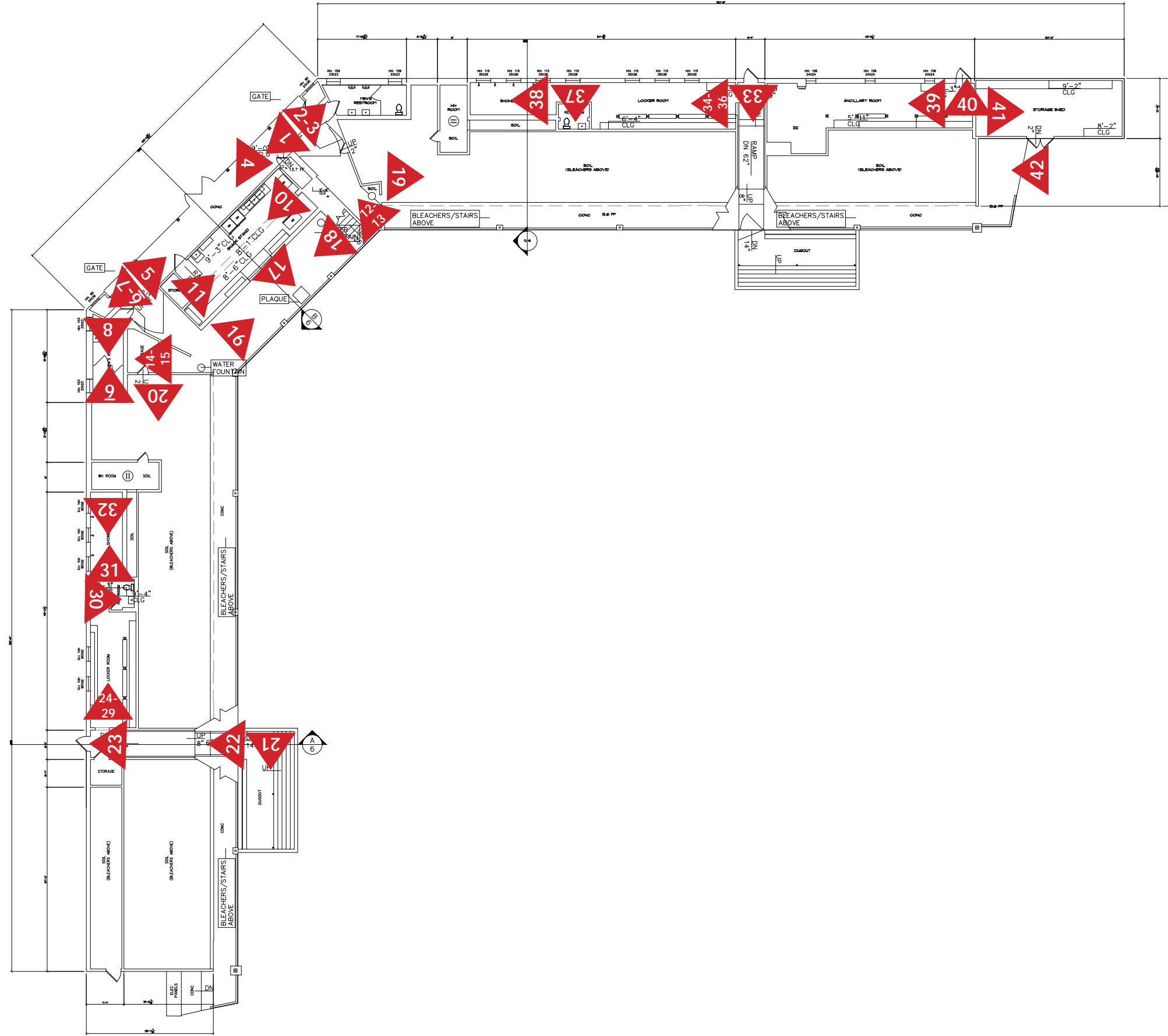
CL DRAWN BY

SHEET NUMBER

AB-7

APPENDIX E

Page intentionally left blank



JAY LITTLETON BALL PARK
 1076 N. Grove Avenue
 Ontario, CA 91764

PHOTO KEY

Historic Structure Report
 Project Team: GPA Consulting, Spectra, & Structural Focus
 January 2019



JLB_HSR_001



JLB_HSR_002



JLB_HSR_003



JLB_HSR_004



JLB_HSR_005



JLB_HSR_006



JLB_HSR_007



JLB_HSR_008



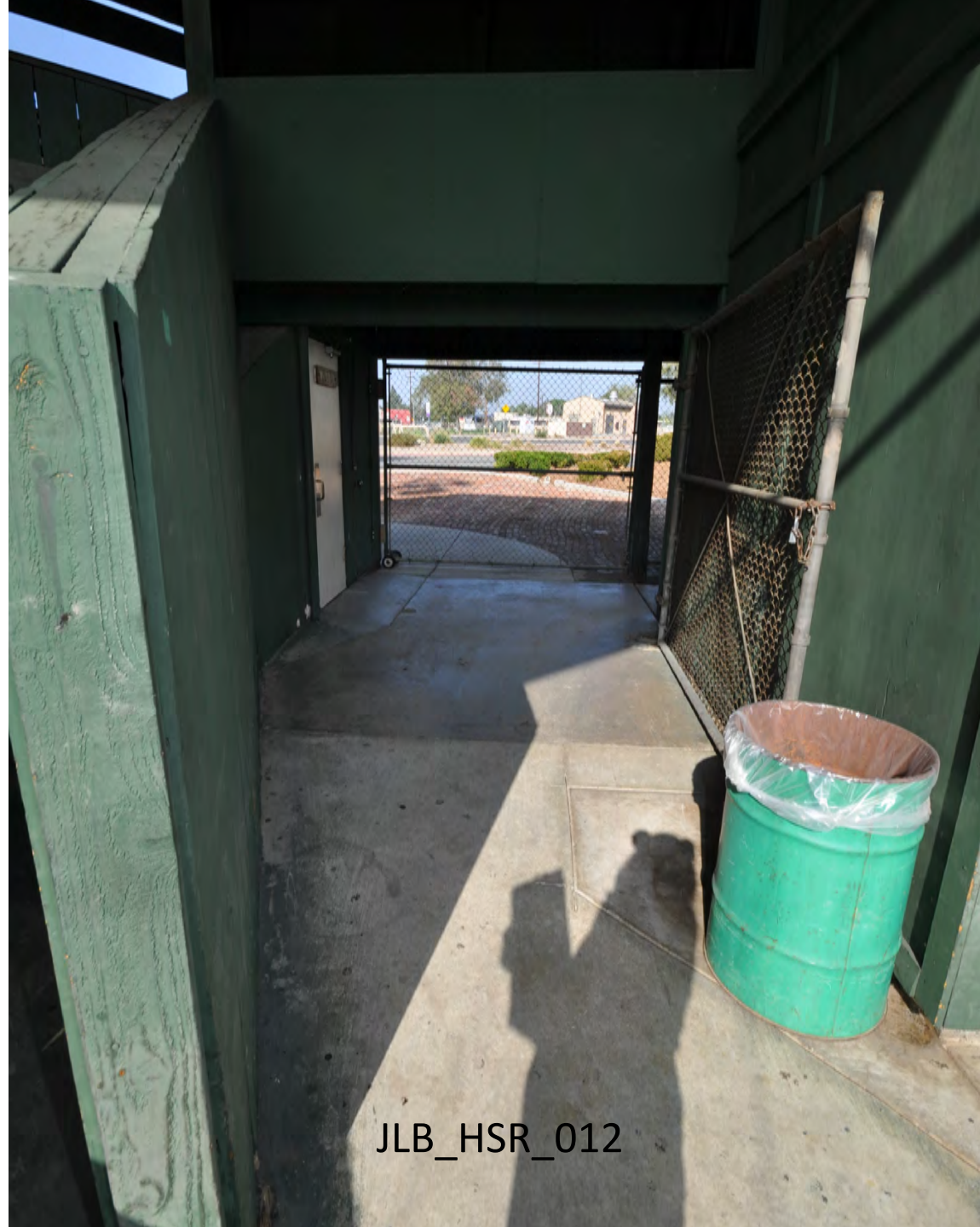
JLB_HSR_009



JLB_HSR_010



JLB_HSR_011



JLB_HSR_012



JLB_HSR_013



JLB_HSR_014



JLB_HSR_15



JLB_HSR_16



JLB_HSR_017



JLB_HSR_018



JLB_HSR_019



JLB_HSR_020



JLB_HSR_021



JLB_HSR_022



JLB_HSR_023



JLB_HSR_024



JLB_HSR_025



JLB_HSR_026



JLB_HSR_027



JLB_HSR_028



JLB_HSR_029



JLB_HSR_030



JLB_HSR_031



JLB_HSR_032



JLB_HSR_033



JLB_HSR_034



JLB_HSR_035



JLB_HSR_036



JLB_HSR_037



JLB_HSR_038



JLB_HSR_039



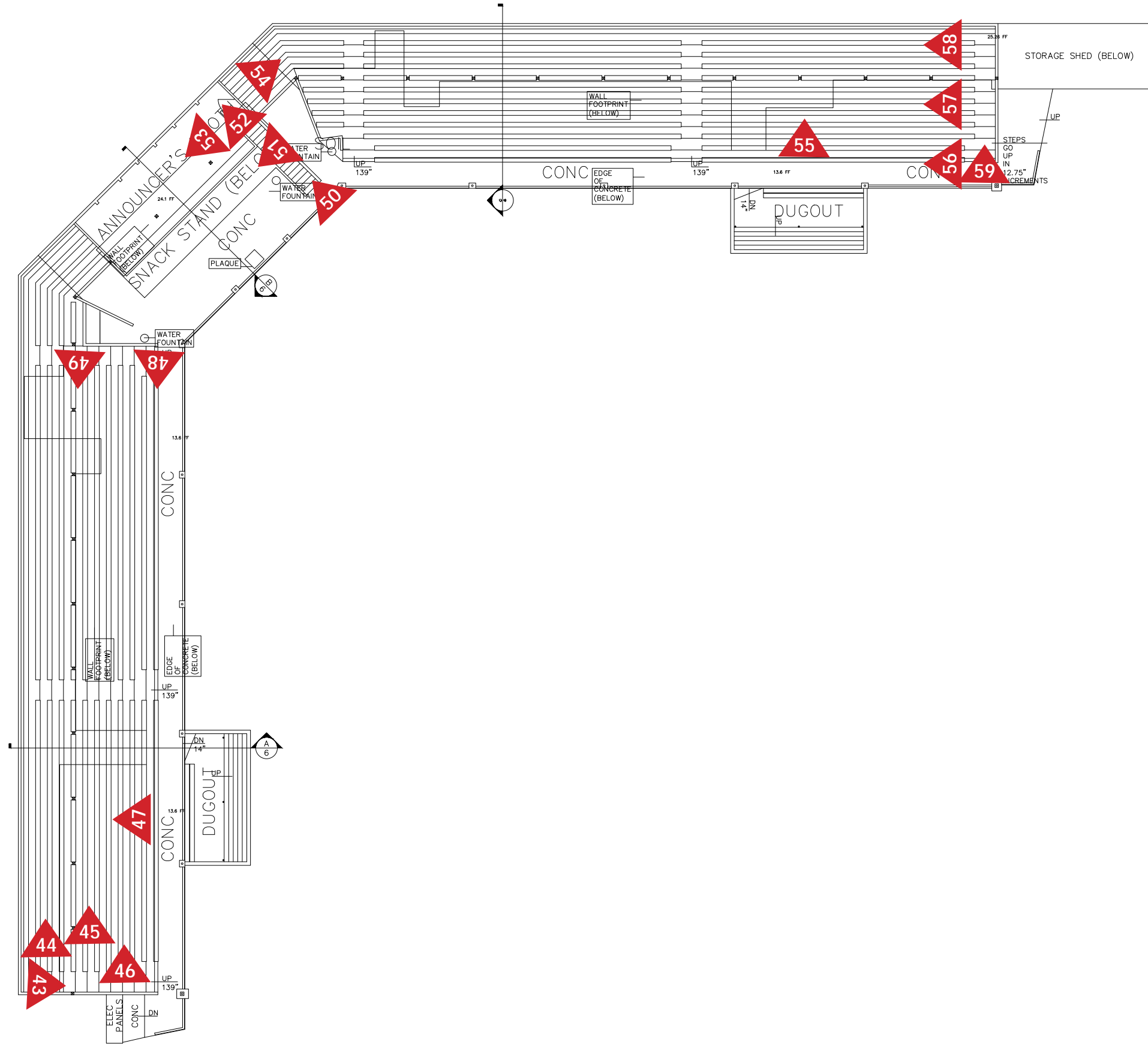
JLB_HSR_040



JLB_HSR_041



JLB_HSR_042



JAY LITTLETON BALL PARK
 1076 N. Grove Avenue
 Ontario, CA 91764

PHOTO KEY

Historic Structure Report
 Project Team: GPA Consulting, Spectra, & Structural Focus
 January 2019



JLB_HSR_043



ILB_HSR_044



JLB_HSR_045



JLB_HSR_046



JLB_HSR_047



JLB_HSR_048



JLB_HSR_049



JLB_HSR_050



JLB_HSR_051



JLB_HSR_052



JLB_HSR_053



JLB_HSR_054



JLB_HSR_055



JLB_HSR_056



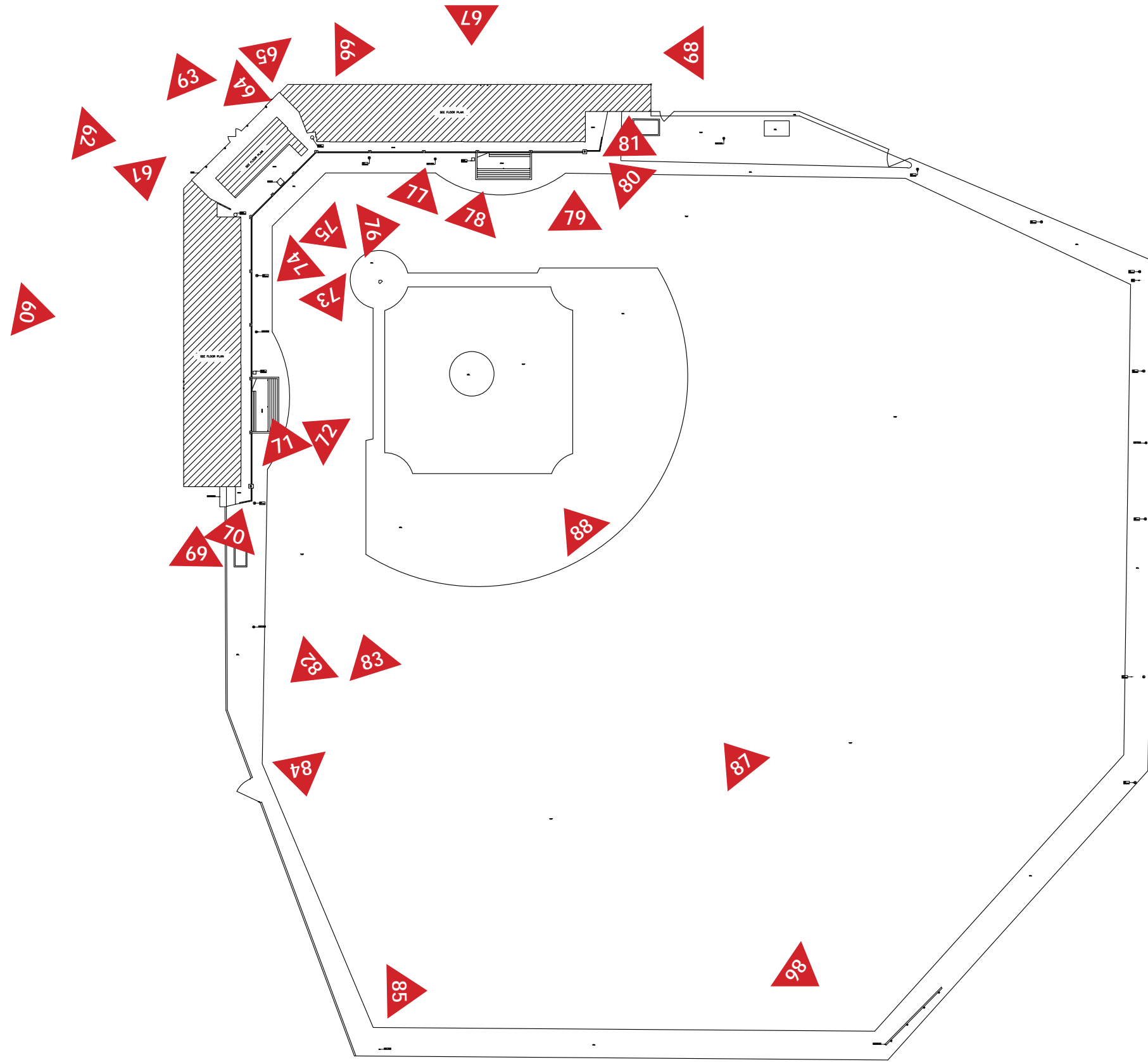
JLB_HSR_057



JLB_HSR_058



JLB_HSR_059



JAY LITTLETON BALL PARK
1076 N. Grove Avenue
Ontario, CA 91764

PHOTO KEY

Historic Structure Report

Project Team: GPA Consulting, Spectra, & Structural Focus

January 2019



JLB_HSR_060



JLB_HSR_061



JLB_HSR_062



JLB_HSR_063



JLB_HSR_064



JLB_HSR_065



JLB_HSR_066



JLB_HSR_067



JLB_HSR_068



JLB_HSR_069



JLB_HSR_070



JLB_HSR_071



JLB_HSR_072



JLB_HSR_073



JLB_HSR_074



JLB_HSR_075



JLB_HSR_076



JLB_HSR_077



JLB_HSR_078



JLB_HSR_079



JLB_HSR_080



JLB_HSR_081



JLB_HSR_082



JLB_HSR_083



JLB_HSR_084



JLB_HSR_085



JLB_HSR_086



JLB_HSR_087



JLB_HSR_088



CITY OF ONTARIO MEMORANDUM

TO: Planning/Historic Preservation Commission

FROM: Cathy Wahlstrom, Planning Director *CW*

DATE: August 27, 2019

SUBJECT: Demolition of 109 East Main Street- The General Electric (GE) Clubhouse

In July 2004 the Planning/ Historic Preservation Commission determined that the former GE Clubhouse located at 109 East Main Street was a Tier I Historic Resource. The GE Clubhouse was constructed in 1917 to serve as a social gathering hall, company store and cafeteria for workers at the GE Hotpoint factory located directly across the street. The Hotpoint steam iron was manufactured at the local factory from 1917 to 1982 and in 1949 produced over a million irons per year. In 1913, the plant employed 25% of the entire work force in Ontario. The GE Clubhouse building has been vacant for many years.

On August 14, 2019, the GE Clubhouse suffered from fire damage which rendered the building a complete loss. A site investigation was conducted by the Ontario Building Department and, on August 15, 2019, the Building Official determined that the building was significantly damaged and could not be repaired to remove the unsafe and dangerous condition. The Building Official recommended immediate demolition of the building.


Section 7.01.055, Unsafe or Dangerous Conditions, of the Ontario Development Code allows for demolition of a historic resource without a Certificate of Appropriateness to protect public safety upon an assessment and recommendation by the Building Official and certification of the condition to the Planning/Historic Preservation Commission by the Planning Director.

Based on the photographs (Exhibit A), site inspection, building assessment and the Building Official's determination, I concur with the finding that the building poses a threat to public safety and is not in a repairable condition.

C: Scott Murphy, AICP, Executive Director Development

CITY OF ONTARIO

MEMORANDUM

TO: Robin Lucero, Community Improvement Director
FROM: Kevin Shear, Building Official 
DATE: August 21, 2019
SUBJECT: Fire at 109 East Main Street/ Demolition Order

Conditions of Approval

After reviewing the photos and after a Building Inspector's site investigation, the building is deemed a total loss and cannot be repaired to make the building safe. The building will need to be demolished to make this site safe for use. The City is requiring the demolition of the building due to the unsafe structure and the hazard it is to the public.

cc. Cathy Wahlstrom, Scott Murphy

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Cathy Wahlstrom, Planning Director *CW*

DATE: August 27, 2019

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

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

DEVELOPMENT ADVISORY BOARD MEETING

July 1, 2019

Meeting Cancelled

ZONING ADMINISTRATOR MEETING

July 1, 2019

Meeting Cancelled

CITY COUNCIL/HOUSING AUTHORITY MEETING

July 2, 2019

2019 ONTARIO CEQA GUIDELINES AMENDMENT: An Amendment to the City’s local guidelines for implementing the California Environmental Quality Act (CEQA) in order to make them consistent with current provisions and interpretations of CEQA. **City Initiated**

Action: The City Council approved a resolution approving the Amendment to the City’s local guidelines for implementing the California Environmental Quality Act.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE

NO. PDCA19-001: A Development Code Amendment revising portions of Development Code Chapters 2 (Administration and Procedures), 4 (Permits, Actions and Decisions), 5 (Zoning and Land Use), and 9 (Definitions and Glossary), as they apply to Wireless Telecommunications Facilities in the public right-of-way and facilities qualifying as Eligible Facilities Requests. 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.** The Planning Commission recommended approval of this item on May 28, 2019, with a vote of 6 to 0.

Action: The City Council approved and waived further reading of an ordinance approving the Development Code Amendment.

ENVIRONMENTAL ASSESSMENT AND MUNICIPAL CODE AMENDMENT:

An amendment to the City of Ontario Municipal Code, revising Section 4-6.1009 to add provisions prohibiting the overnight parking of commercial vehicles in residential zoning districts. The proposed Municipal Code Amendment 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, in that the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where

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

it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. 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.**

Action: Continued to the 7/16/2019 meeting.

DEVELOPMENT ADVISORY BOARD MEETING

July 15, 2019

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-038:

A Development Plan to construct a 956 square foot addition to an existing 3,892 square foot fast food restaurant (McDonald's) on 0.9 acre of land, located at 2455 South Archibald Avenue within the CC (Community Commercial) zoning district. 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); (APNs: 1011-401-07) **submitted by Design UA, Inc.**

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

ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP, DEVELOPMENT PLAN AND VARIANCE REVIEW FOR FILE NOS. PMTT17-004, PDEV17-015 AND PVAR17-004:

A request for certain entitlements that include: 1) A Tentative Tract Map (File No. PMTT17-004/TT18373) to subdivide 1.42 acres of land into a single parcel for condominium purposes; 2) a Development Plan (File No. PDEV17-015) to construct 17 multi-family residential units; and 3) a Variance (File No. PVAR17-004) to reduce the required building side yard setback from 10 feet to 5 feet, reduce the building separation requirements for garage to garage from 30 feet to 26 feet, and dwelling front to front from 30 feet to 23 feet. The property is located at 920 South Cypress Avenue within the MDR18 zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use) and Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1011-401-07) **submitted by SKG Pacific Enterprises, Inc. Planning Commission action is required.**

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

ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT18-010: A Tentative Parcel Map (PM 20087) to subdivide 17.92 acres of land into two parcels located at 4900 East Fourth Street, 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 15315 (Class 15: Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0238-014-05) submitted by Retail Properties of America Inc. **Planning Commission action is required.**

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

ENVIRONMENTAL ASSESSMENT & DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-039: A Development Plan to construct a 136,342-square foot single-story retail building (Costco Business Center) on 10.9 acres of land located on the south side of Guasti Road, approximately 500 feet east of Haven Avenue, within the Mixed Use land use district of the Ontario Gateway Specific Plan. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval. 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's: 210-212-56 & 210-212-57) **submitted by Prime A Investments, LLC. Planning Commission action is required.**

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

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV18-040 & PCUP18-041: A Development Plan (File No. PDEV18-040) to construct three retail buildings totaling 19,000 square feet, in conjunction with a Conditional Use Permit (File No. PCUP18-041) to establish drive-thru facilities on two buildings (Building A & Building C), on 4.3 acres of land located at the southeast corner of Haven Avenue and Guasti Road, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with (Specific Plan Amendment: File No. PSPA17-001), for which an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) was prepared, and was adopted by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was

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

evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 210-212-57) **submitted by Prime A Investments, LLC. Planning Commission action is required.**

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

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-041:

A Development Plan to construct one industrial building totaling 178,462 square feet on 7.85 acres of land, located on the southeast corner of Wall Street and Wanamaker Avenue at 1155 South Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0238-221-36) **submitted by Bridge Acquisition, LLC. Planning Commission action is required.**

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

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-042:

A Development Plan to construct one industrial building totaling 90,291 square feet on 4.05 acres of land, located on the northeast corner of Wall Street and Wanamaker Avenue, within the Light Industrial land use district of the Pacific Gate-East Gate Specific Plan. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 0238-221-23) **submitted by Bridge Acquisition LLC. Planning Commission action is required.**

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

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

ZONING ADMINISTRATOR MEETING

July 15, 2019

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP19-004: A Conditional Use Permit request to exceed the 14 foot height and the 650 square foot area for an accessory structure proposed above an existing 3-car garage that includes the second story addition of a 672-square foot pool house and a 1,344-square foot storage area. The 0.41 acre property is located at 2036 South Helen Avenue, within the AR-2 (Residential Agricultural) zoning district. Staff has determined that 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 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: 1014-571-22) **submitted by Mario E. Caballero.**

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

CITY COUNCIL/HOUSING AUTHORITY MEETING

July 16, 2019

ENVIRONMENTAL ASSESSMENT AND MUNICIPAL CODE AMENDMENT:

An amendment to the City of Ontario Municipal Code, revising Section 4-6.1009 to add provisions prohibiting the overnight parking of commercial vehicles in residential zoning districts. The proposed Municipal Code Amendment 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, in that the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. 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.**

Action: **Continued to the 8/20/2019 meeting.**

ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT REVIEW FOR FILE NO.

PGPA18-009: A General Plan Amendment to: [1] modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designation on 1.02 acres of land from General Commercial to Low-Medium Density Residential (5.1-11 DUs/Acre) and changing the land use designation on 0.46 acres of land from General Commercial to Hospitality, located at the southwest corner of G Street and Corona Avenue; and [2] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation change. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. The proposed project is located within the Airport Influence Area of Ontario

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

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). (Related File PZC18-003) (APNs: 0110-241-18, 0110-241-56 & 0110-241-57) **submitted by LHL Investment Group, LLC**. The Planning Commission recommended approval of this item on June 25, 2019, with a vote of 7 to 0.

Action: The City Council approved a resolution approving File No. PGPA18-009.

ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE REVIEW FOR FILE NO. PZC18-003: A Zone Change altering the zoning designation on 1.02 acres of land from CC (Community Commercial) to MDR-11 (Low-Medium Density Residential) and to change the zoning designation on 0.46 acres of land from CC (Community Commercial) to CCS (Convention Center Support), located at the south west corner of G Street and Corona Avenue. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. 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). (Related File PGPA18-009) (APNs: 0110-241-18, 0110-241-56 & 0110-241-57) **submitted by LHL Investment Group, LLC**. The Planning Commission recommended approval of this item on June 25, 2019, with a vote of 7 to 0.

Action: The City Council introduced and waived further reading of an ordinance approving File No. PZC18-003.

PLANNING/HISTORIC PRESERVATION COMMISSION MEETING

July 23, 2019

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-037:

A Development Plan to construct 3.5 acres of park land for the previously approved Tentative Tract Map 20081 (File No. PMTT17-003) located at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District Planning Area 6A 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 and an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by the City Council on January 27, 2010. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 218-211-02 and 218-211-05) **submitted by Brookfield Residential**.

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

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

CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NO. PHP19:006 A request to install up to 3 monument entry signs on the Euclid Avenue median near the I-10, and the SR-60 on/off ramps. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation) and Section 153311 (Accessory 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); **City initiated.**

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

ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-001 (PM 19993) AND PDEV19-004: A Tentative Parcel Map (File No. PMTT19-001/TM 19993) to subdivide 10.68 acres of land into two parcels, in conjunction with a Development Plan (File No. PDEV19-004) to construct one multitenant commercial building totaling 5,000 square feet, located at the southwest corner of Via Turin and Fourth Street, at 4170 East Fourth Street, within the Retail land use district of the Piemonte Overlay District of the Ontario Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. This application introduces no new significant environmental impacts and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0210-204-27) **submitted by Ontario Covenant Group, LLC.** This item was continued from the June 25, 2019 Planning Commission meeting.

Action: Continued from the 8/27/2019 meeting.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT18-010: A Tentative Parcel Map (File No. PMTT18-010, TPM 20087) to subdivide 17.92 acres of land into two parcels, for property located at 4900 East Fourth Street, 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 15315 (Class 15: Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0238-014-05) **submitted by Retail Properties of America Inc.**

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

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

ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP, DEVELOPMENT PLAN AND VARIANCE REVIEW FOR FILE NOS. PMTT17-004, PDEV17-015 AND PVAR17-004: A request for certain entitlements that include: 1) A Tentative Tract Map (File No. PMTT17-004/TT18373) to subdivide 1.42 acres of land into a single parcel for condominium purposes; 2) a Development Plan (File No. PDEV17-015) to construct 17 multi-family residential units; and 3) a Variance (File No. PVAR17-004) to reduce the required building side yard setback from 10 feet to 5 feet, reduce the building separation requirements for garage to garage from 30 feet to 26 feet, and dwelling front to front from 30 feet to 23 feet. The project is located at 920 South Cypress Avenue within the MDR18 zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use) and Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1011-401-07) **submitted by SKG Pacific Enterprises, Inc.**

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

ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT FOR FILE NO. PGPA19-002: An Amendment to the Policy Plan (General Plan) component of The Ontario Plan to: [1] modify the Land Use Plan (Exhibit LU-01), changing the land use designation for 7.85 acres of land, from General Commercial to Industrial, located at the 1155 South Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan; [2] modify the Land Use Plan (Exhibit LU-01), changing the land use designation for 2.8 acres of land, from General Commercial to Industrial, generally located at the northeast corner of Wall Street and Wanamaker Avenue, within the Light Industrial land use district of the Pacific Gate-East Gate Specific Plan; and [3] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes with the Policy Plan. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0238-221-36 and 0238-221-23) **City Initiated. 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. PDEV18-041:

A Development Plan to construct one industrial building totaling 178,462 square feet on 7.85 acres of land, located on the southeast corner of Wall Street and Wanamaker Avenue at 1155 South Wanamaker Avenue, within the Light Industrial land use district of the California Commerce Center Specific Plan. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0238-221-36) **submitted by Bridge Acquisition, LLC.**

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

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-042:

A Development Plan to construct one industrial building totaling 90,291 square feet on 4.05 acres of land, located on the northeast corner of Wall Street and Wanamaker Avenue, within the Light Industrial land use district of the Pacific Gate-East Gate Specific Plan. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0238-221-23) **submitted by Bridge Acquisition, LLC.**

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

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA18-010:

An Amendment to the Ontario Gateway Specific Plan (File No. PSPA18-010) to: 1) change the land use designation for 3.9 acres of land from Office to Mixed-Use and; 2) reduce the rear parking/landscape setback adjacent to the railroad tracks from 20-feet to 10-feet. The project is located on the south side of Guasti Road, approximately 1,000 feet east of Haven Avenue. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval. 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: 210-212-57); **submitted by Prime A Investments, LLC. City Council action is required.**

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

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

ENVIRONMENTAL ASSESSMENT & DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-039: A Development Plan (File No. PDEV18-039) to construct a 136,342 square foot single story retail building (Costco Business Center) on 10.9 acres of land, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan, located on the south side of Guasti Road, approximately 500 east of Haven Avenue. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval. 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: 210-212-56 & 210-212-57) **submitted by Prime A Investments, LLC.**

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

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV18-040 AND PCUP18-041: A Development Plan (File No. PDEV18-040) to construct three retail buildings totaling 19,000 square feet, in conjunction with a Conditional Use Permit (File No. PCUP18-041) to establish drive-thru facilities on two buildings (Building A & C), on 4.3 acres of land located at the southeast corner of Haven Avenue and Guasti Road, within the Mixed-Use land use designation of the Ontario Gateway Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with an Addendum to The Ontario Plan (File No. PSPA17-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 210-212-57) **submitted by Prime A Investments, LLC.**

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

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT AMENDMENT REVIEW FOR FILE NO. PDA17-001: A Development Agreement Amendment (First Amendment – File No. PDA17-001) between the City of Ontario and Ronald and Kristine Pietersma Family Trust and Loyola Properties I L.P., to modify certain provisions related to the second installment of the Phase 2 Water Participation Fee, for Tentative Parcel Map 19787 (File No. PMTT16-021), within the High Density Residential (Planning Areas 7 and 8) land use designation of the Grand Park Specific Plan, located at the southeast corner of Ontario Ranch Road and Archibald Avenue. The environmental impacts of this project were previously reviewed in conjunction with the Grand Park Specific Plan, for which an Environmental Impact Report (SCH#2012061057) certified by the

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

City Council on February 4, 2014. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-241-32) **submitted by RCCD, Inc. City Council action is required.**

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

Monthly Activity Report—New Applications

Month of July 2019

PCUP19-015: Submitted by **Gracepoint Brethren in Christ Church**

A Conditional Use Permit to establish a 6,800-square foot church on 1.871 acres of land generally located on the west side of Magnolia Avenue, approximately 85 feet north of Jacaranda Street, within the AR-2 (Residential – Agriculture - 0 to 2.0 DU/Acre) zoning district (APN: 1014-111-08). Related File: PDEV19-036. **Planning Commission action required.**

PCUP19-016: Submitted by **San Joaquin Valley College**

A Conditional Use Permit to establish a 12,700-square foot private school (San Joaquin Valley College) on 1.75 acres of land located at 4550 East Ontario Mills Parkway, within the Commercial/Office land use district of the Ontario Mills Specific Plan (APN: 0238-041-37). **Planning Commission action required.**

PDEV19-036: Submitted by **Gracepoint Brethren in Christ Church**

A Development Plan to construct a 6,800-square foot church on 1.871 acres of land generally located on the west side of Magnolia Avenue, approximately 85 feet north of Jacaranda Street, within the AR-2 (Residential – Agriculture - 0 to 2.0 DU/Acre) zoning district (APN: 1014-111-08). Related File: PCUP19-015. **Planning Commission action required.**

PDEV19-037: Submitted by **Brookcal Ontario, LLC**

A Development Plan to construct 3.5 acres of parkland to satisfy File No. PMTT17-003 (TT20081) on-site park requirements for a property generally located at the at the northeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed Use District, Planning Area 6A, of the Rich Haven Specific Plan. **Planning Commission action required.**

PDEV19-038: Submitted by **Kimvan Thi Living Trust 11/05 Phung**

A Development Plan to construct a 2,430-square foot specialty restaurant (Starbucks Coffee) on 0.36 acres of land located at the northwest corner of E Street and Euclid Avenue, within the MU-1 (Downtown Mixed Use) zoning District (APNs: 1048-355-09 and 1048-355-10). Related File: PUD-19-001. **Planning Commission action required.**

PDEV19-039: Submitted by **Taylor Morrison of California, LLC**

A Development plan to construct 67 single-family homes (Lewis Homes) on 11.23 acres of land located at the southeast corner of Eucalyptus and Park Place Avenues, within Planning Area 20 of the Subarea 29 Specific Plan. Related File: TT 18065. **Planning Commission action required.**

PDEV19-040: Submitted by **Alere Property Group, LLC**

A Development Plan to construct an industrial building totaling 212,753 square feet on 9.34 acres of land located at 1610 South Cucamonga Avenue, within the IG (General Industrial) zoning district (APNs: 1050-201-02). **Planning Commission action required.**

Monthly Activity Report—New Applications

Month of July 2019

PDEV19-041: **Submitted by Sprint (Crown Castle)**

A Development Plan to modify an existing 65-foot tall monopalm wireless telecommunications facility on property located at 2330 South Vineyard Avenue within the IG (General Industrial) zoning district (APN: 0113-286-10). Related Files: 98-036-S & PDEV08-019. **Planning Commission action required.**

PDEV19-042: **Submitted by MIG**

A Development Plan to construct two industrial buildings totaling 169,573 square feet on 13.07 acres of land located at the southeast corner of Milliken Avenue and Jurupa Street, within the Office/Research and Development land use designation of the Toyota Business Park Specific Plan (APN: 0238-121-75). Related File: PSPA19-004. **Development Advisory Board action required.**

PDEV19-043: **Submitted by T & S Allied Investments, LLC**

A Development Plan to construct 18 multiple-family dwellings on 0.76 acres of land located at 1005 and 1023 East Sixth Street, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district. (APNs: 1047-172-17 and 1047-172-22). **Planning Commission action required.**

PDEV19-044: **Submitted by Oakmont Industrial Group**

A Development Plan to construct a 127,100-square foot industrial building on 5.79 acres of land located at 1236 East Airport Drive, within the IG (General Industrial) zoning district (APN: 0113-221-31). **Planning Commission action required.**

PDEV19-045: **Submitted by Brixton Enterprises, Inc.**

A Development Plan to construct a fueling station with convenience store and 3,546-square foot automated carwash on 1.06 acres of land located at 2380 South Archibald Avenue, within the Support Commercial land use district of the Archibald Center Specific Plan (APN: 1083-011-01). **Development Advisory Board action required.**

PDEV19-046: **Submitted by Huerta del Valle**

A Development Plan to construct a classroom, amphitheater, shade structure, and kitchen within an existing Community Garden and Urban Farm located at 1105 South Campus Avenue, within the LDR-5 (Low Density Residential - 2.1 to 5.0 DU/Acre) zoning district (APNs: 1049-451-19, 1049-451-15, 1049-451-08, and 1049-451-05). Related File: PADV18-003. **Development Advisory Board action required.**

PDIF19-002: **Submitted by CapRock Partners**

A Development Impact Fee Credit Agreement with Colony Commerce Ontario East LP, associated with the development of PM 19904 (File No. PMTT18-006) located at the southwest corner of Archibald Avenue and Merrill Avenue, within the Business Park and Industrial land use districts

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

of the Colony Commerce Center East Specific Plan (APNs: 0218-311-02, 0218-311-03, 0218-311-07, 0218-311-10, 0218-311-13, and 0218-311-08). Related Files: PDA18-002 and PMTT18-006.
City Council action required.

PDIF19-003: Submitted by Serrano Development Group

A Development Impact Fee Credit and Reimbursement Agreement with DH Airport Drive, LLC., associated with a Development Plan (File No. PDEV18-023) to construct a 60,000 square foot industrial building on 2.65 acres of land located at 1261 East Airport Drive, within the IG (General Industrial) zoning district (APNs: 0113-211-05, 0113-211-06, 0113-211-07). **City Council action required.**

PHP-19-009: Submitted by Kimvan Thi Living Trust 11/05 Phung

A Certificate of Appropriateness for the construction of a 2,430-square foot specialty restaurant (Starbucks Coffee) on 0.36 acres of land located at the northwest corner of E Street and Euclid Avenue, within the MU-1 (Downtown Mixed Use) zoning District (APNs: 1048-355-09 and 1048-355-10). **Historic Preservation Commission action required.**

PHP-19-010: Submitted by John Aylyng

A Mills Act contract for a Local Landmark and Contributor to the designated Euclid Avenue Historic District, the Colonel J.P. Robertson House, a 3,044 square foot single family residence located at 907 North Euclid Avenue (APN: 1048-043-13). **City Council action required.**

PHP-19-011: Submitted by City of Ontario

A request to remove a commercial building (Eligible Historic Resource) from the Ontario Register of Historic Resources located at 511 North Euclid Avenue, within the MU1 (Downtown Mixed Use) zoning district. **Historic Preservation Subcommittee action required.**

PHP-19-012: Submitted by Salvador Eligio

A Certificate of Appropriateness to construct a 1,350-square foot addition (consisting of two bathrooms, bonus room, master bedroom, and family room) to an existing historic single-family residence on 0.579 acre of land located at 2027 South Cypress Ave, within the LDR-5 (Low Density Residential - 2.1 to 5.0 DUs/Acre) zoning district (APN: 1050-632-31). **Historic Preservation Commission action required.**

PMTT19-011: Submitted by T & S Allied Investments, LLC

A Tentative Tract Map (TT 20291) to subdivide 0.76 acre of land into one common lot for condominium purposes, located at 1005 and 1023 East Sixth Street, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district (APNs: 1047-172-17 and 1047-172-22). **Planning Commission action required.**

Monthly Activity Report—New Applications

Month of July 2019

PSGN19-083: **Submitted by Signs Express MFG Co**

A Sign Plan for the installation of one new illuminated wall sign for YANG'S BRAISED CHICKEN RICE, located at 4210 East Inland Empire Boulevard, Unit B, within the Ontario Center Specific Plan (APN: 210-211-43). **Staff action required.**

PSGN19-084: **Submitted by Signs Express MFG Co**

A Sign Plan for the installation of two new illuminated wall signs for KASUKE RAMEN, located at 4210 East Inland Empire Blvd, Unit D, within the Ontario Center Specific Plan (APN: 0210-211-43). **Staff action required.**

PSGN19-085: **Submitted by Swain Sign**

A Sign Plan for the installation of a new monument sign and to remove an existing monument sign for LA QUINTA HOTEL, located at 3555 East Inland Empire Boulevard, within the Ontario Center Specific Plan (APN: 0210-201-01). **Staff action required.**

PSGN19-086: **Submitted by RNF Signs**

A Sign Plan to reface an existing monument sign, and replace three existing illuminated wall signs and five existing directional signs for CARMAX on an existing commercial building located at 4100 East Inland Empire Boulevard, within the Ontario Center Specific Plan (APN: 0210-211-46) **Staff action required.**

PSGN19-087: **Submitted by Coastal Signage, Inc**

A Sign Plan for the installation of a wall sign for SEE'S CANDY, located at 990 North Ontario Mills Drive, within the Ontario Mills Specific Plan (APN: 0238-014-03). **Staff action required.**

PSGN19-088: **Submitted by Image Systems, Inc**

A Sign Plan for the installation of a wall sign for SEPHORA, located at 1 Mills Circle, Space 833A, within the Ontario Mills Specific Plan (APN: 0238-014-36). **Staff action required.**

PSGN19-089: **Submitted by True Jesus Church in Ontario**

A Sign Plan for the installation of a temporary banner for a charitable event hosted by TRUE JESUS CHURCH, located at 1429 North Euclid Avenue, within the RE4 (Residential Estate – 2.1 to 4.0 DU/Acre) zoning district. Sign to be displayed from 8/14 - 8/18/19 (APN: 1047-345-01). **Staff action required.**

PSGN19-090: **Submitted by Evangel Shipping, Inc.**

A Sign Plan for the installation of a wall sign for EVANGEL SHIPPING (40 SF on west elevation), located at 2817 East Cedar Street, within the California Commerce Center South Specific Plan (APN: 0211-275-14). **Staff action required.**

Monthly Activity Report—New Applications

Month of July 2019

PSPA19-004:

Submitted by MIG

An Amendment to the Toyota Ontario Business Park Specific Plan, establishing a change of land use designation for Planning Area 1, from Office/Research & Development to General Industrial, to facilitate the construction of two industrial buildings totaling 169,573 square feet on 13.07 acres of land located at the southeast corner of Milliken Avenue and Jurupa Street (APN 0238-121-75) Related files: PDEV19-004. **City Council action required.**

PTUP19-045:

Submitted by Scott Schaller

A Temporary Use Permit for an annual derby party hosted by The Office Bar, located at 2425 South Grove Avenue. Event will be held on 7/12/2019 and 7/13/2019, from 6:00PM to 2:00AM, each day. **Staff action required.**

PTUP19-046:

Submitted by Panana, LLC

A Temporary Use Permit for an outdoor food festival with local food vendors, general vendors, and live entertainment, located at Ontario Mills Mall, 1 East Mills Circle, in parking lot adjacent to Marshalls. Event to be held from 8/16/2019 to 8/18/2019. **Staff action required.**

PTUP19-047:

Submitted by Panana, LLC

A Temporary Use Permit for an outdoor food festival with local food vendors, general vendors, and live entertainment, located at Ontario Mills Mall, 1 East Mills Circle, in parking lot adjacent to Marshalls. Event to be held from 7/19/2019 to 7/21/2019. **Staff action required.**

PTUP19-048:

Submitted by Westlake Produce Co

A Temporary Use Permit for outdoor roasting and sales of hatch chilies, within the Stater Brothers shopping center located at 1939 East Fourth Street. Event to be held on 8/17/2019, from 8:00AM to 12:00PM. **Staff action required.**

PTUP19-049:

Submitted by KABC7 channel

A Temporary Use Permit for Annual Spark of Love/Stuff a Bus Toy Drive for ABC7, located at (Mathis Brothers Furniture Store) 4105 East Inland Empire Boulevard. Event to be held on 12/6/2019, from 4:00AM to 6:30PM. **Staff action required.**

PTUP19-050:

Submitted by Quang Thien Buddhist Temple

A Temporary Use Permit for an annual "Vulan Ceremony" hosted by the Quang Thien Buddhist Temple, located at 704 East E Street. Event to be held on 8/18/2019, from 10:00AM to 2:00PM. **Staff action required.**

Monthly Activity Report—New Applications

Month of July 2019

PTUP19-051: **Submitted by Huck Finn Jubilee Experience**

A Temporary Use Permit for a music and camping festival (Huck Finn Jubilee Experience) at Guasti Regional Park, 800 North Archibald Avenue. Event to be held on 9/27/2019 and 9/28/2019. **Staff action required.**

PTUP19-052: **Submitted by Michael Krouse**

A Temporary Use Permit for the Route 66 Cruisin' Reunion, located on Euclid Avenue, between Holt Boulevard and Fourth Street, and east and west on Lemon Avenue to Laurel Avenue. Event to be held on 9/20/2019 and 9/21/2019. **Staff action required.**

PUD-19-001: **Submitted by Kimvan Thi Living Trust 11/05 Phung**

A Planned Unit Development to establish development standards and design guidelines for 0.36 acre of land located at the northwest corner of E Street and Euclid Avenue, within the MU-1 (Downtown Mixed Use) zoning district (APNs: 1048-355-09 and 1048-355-10). PDEV19-038. **City Council action required.**

PVER19-037: **Submitted by Shana Hines**

A Zoning Verification for property located at 5125 East Ontario Mills Parkway, within the IG (General Industrial) zoning district (APN: 0238-021-02). **Staff action required.**

PVER19-038: **Submitted by Shana Hines**

A Zoning Verification for property located at 5505 East Concoors Street, within the Crossroads Business Park Specific Plan (APN: 0238-021-56). **Staff action required.**

PVER19-039: **Submitted by Shana Hines**

A Zoning Verification for property located at 2800 East Jurupa Street, within the Hofer Ranch Specific Plan (APN: 0211-261-16). **Staff action required.**

PVER19-040: **Submitted by Shana Hines**

A Zoning Verification for property located at 2894 Hoffer Ranch Road, within the Hofer Ranch Specific Plan (APN: 0211-261-15). **Staff action required.**

PVER19-041: **Submitted by Shana Hines**

A Zoning Verification for property located at 2825 East Jurupa Street, within the Hofer Ranch Specific Plan (APN: 0211-211-17). **Staff action required.**

PVER19-042: **Submitted by Shana Hines**

A Zoning Verification for property located at 1670 Champagne Avenue, within the IH (Heavy Industrial) zoning district (APN: 0238-133-42). **Staff action required.**

Monthly Activity Report—New Applications

Month of July 2019

PVER19-043:

Submitted by Shana Hines

A Zoning Verification for property located at 1950 South Sterling Avenue, within the California Commerce Center South Specific Plan (APN: 0211-275-34). **Staff action required.**

PVER19-044:

Submitted by Carmen Figueroa

A Zoning Verification for property located at 738 East Ontario Boulevard, within the IG (General Industrial) zoning district (APN: 1049-202-10). **Staff action required.**

PVER19-045:

Submitted by PZR

A Zoning Verification for property located at 1100 South Etiwanda Avenue, within the IH (Heavy Industrial) zoning district (APN: 238-101-65). **Staff action required.**

PVER19-046:

Submitted by Cody Cannon

A Zoning Verification for properties located at 4100, 4120, 4200, and 4240 East Jurupa Street, and 1420 and 1460 South Milliken Avenue, within the Commercial/Food/Hotel and Light Industrial land use district of the California Commerce Center Specific Plan (APNs: 0211-281-53, 0211-281-54, and 0211-281-55). **Staff action required.**