



## **CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD**

### **AGENDA**

**May 16, 2022**

- ▶ **All documents for public review are on file in the Planning Department located in City Hall at 303 East “B” St., Ontario, CA 91764 and on the city’s website at [ontarioca.gov/Agendas/DAB](http://ontarioca.gov/Agendas/DAB)**

**MEETING WILL BE HELD AT 1:30 PM IN ONTARIO CITY COUNCIL CHAMBERS  
LOCATED AT 303 East “B” St.**

Scott Ochoa, City Manager  
Scott Murphy, Executive Director, Community Development Agency  
Jennifer McLain Hiramoto, Economic Development Director  
James Caro, Building Official  
Rudy Zeledon, Planning Director  
Khoi Do, City Engineer  
Chief Michael Lorenz, Police Department  
Fire Marshal Paul Ehrman, Fire Department  
Scott Burton, Utilities General Manager  
Angela Magana, Community Improvement Manager

### **PUBLIC COMMENTS**

*Citizens wishing to address the Development Advisory Board on any matter that is not on the agenda may do so at this time. Please state your name and address clearly for the record and limit your remarks to five minutes.*

*Please note that while the Development Advisory Board values your comments, the members cannot respond nor take action until such time as the matter may appear on the forthcoming agenda.*

## **AGENDA ITEMS**

*For each of the items listed below the public will be provided an opportunity to speak. After a staff report is provided, the chairperson will open the public hearing. At that time the applicant will be allowed five (5) minutes to make a presentation on the case. Members of the public will then be allowed five (5) minutes each to speak. The Development Advisory Board may ask the speakers questions relative to the case and the testimony provided. The question period will not count against your time limit. After all persons have spoken, the applicant will be allowed three minutes to summarize or rebut any public testimony. The chairperson will then close the public hearing portion of the hearing and deliberate the matter.*

## **CONSENT CALENDAR ITEMS**

### **A. MINUTES APPROVAL**

Development Advisory Board Minutes of April 18, 2022, approved as written.

## **PUBLIC HEARING ITEMS**

### **B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE**

**NO. PDEV21-024:** A hearing to consider a Development to construct three industrial buildings totaling 200,322 square feet on 10.2 acres of land located at the northeast corner of Remington Avenue and the Cucamonga Creek Flood Control Channel, within the Industrial (PA-3) land use district of the Colony Commerce Center East Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Colony Commerce Center East Specific Plan (File No. PSP16-003), for which an Environmental Impact Report (State Clearinghouse No. 2017031048) was certified by City Council on May 1, 2018. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan. The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APNs: 0218-311-07 and 0218-311-13); **submitted by Clark Neuhoff.**

#### **1. CEQA Determination**

No action necessary – use of previous EIR

#### **2. File No. PDEV21-024 (Development Plan)**

Motion to Approve / Deny

### **C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE**

**NO. PDEV21-040:** A hearing to consider a Development Plan to construct one industrial building totaling 1,255,320 square feet on 60.7 acres of land locate at 4902 South Baker Avenue, within the industrial land use district of the Merrill Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Merrill Commerce Center Specific Plan (File No. PSP 18-001), for which an Environmental Impact Report (State Clearinghouse No. 2019049079) was certified by the City Council on February 2, 2021. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan. The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land

Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APNs: 1054-151-03, 1054-201-03, 1054-351-03) **submitted by Prologis LP. Planning Commission action is required.**

**1. CEQA Determination**

No action necessary – use of previous EIR

**2. File No. PDEV21-040 (Development Plan)**

Motion to recommend Approval/Denial

**D. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT22-007 AND PDEV22-002:** A hearing to consider: (1) Tentative Parcel Map 20537 (File No. PMTT22-007), subdividing 119.94 acres of land into three parcels; and (2) a Development Plan (File No. PDEV22-002) to construct two industrial buildings totaling 2,237,458 square feet on 119.94 acres of land located at the northeast corner of Merrill Avenue and Grove Avenue, within PA-1 and PA-2 of the Industrial land use district of the Merrill Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Merrill Commerce Center Specific Plan (File No. PSP 18-001), for which an Environmental Impact Report (State Clearinghouse No. 2019049079) was certified by the City Council on February 2, 2021. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan. The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APNs: 1054-111-03, 1054-141-03, 1054-221-03, 1054-331-03, and 1054-331-04) **submitted by Prologis, LP. Planning Commission action is required.**

**1. CEQA Determination**

No action necessary – use of previous EIR

**2. File No. PMTT22-007 (TPM 20537) (Tentative Parcel Map)**

Motion to recommend Approval/Denial

**3. File No. PDEV22-002 (Development Plan)**

Motion to recommend Approval/Denial

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

If you challenge any action of the **Development Advisory Board** in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the **Development Advisory Board** at, or prior to, the public hearing.

The next **Development Advisory Board** meets on **June 6, 2022**.

I, Gwen Berendsen, Administrative Assistant of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **May 12, 2022**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

  
Administrative Assistant



**CITY OF ONTARIO**

**Development Advisory Board**

**Minutes**

**April 18, 2022**

**ROLL CALL**

**BOARD MEMBERS PRESENT**

Rudy Zeledon, Chairman, Planning Department  
James Caro, Building Department  
David Bucholtz, Community Improvement  
Charity Hernandez, Economic Development Agency  
Khoi Do, Engineering Department  
Paul Ehrman, Fire Department  
Christy Stevens, Municipal Utilities Company  
Tony Galban, Police Department

**BOARD MEMBERS ABSENT**

**STAFF MEMBERS PRESENT**

Chuck Mercier, Planning Department  
Gwen Berendsen, Planning Department  
Jamie Richardson, Planning Department  
Lorena Mejia, Planning Department  
Miguel Sotomayor, Engineering Department  
Mike Bhatanawin, Engineering Department  
Raymond Lee, Engineering Department

**PUBLIC COMMENTS**

No person from the public wished to speak.

**CONSENT CALENDAR ITEMS**

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the April 4, 2022 meeting of the Development Advisory Board was made by Mr. Ehrman; seconded by Ms. Stevens; and approved unanimously by those present (5 - 0). James Caro, Khoi Do and David Bucholtz, abstained as they were not at the meeting.

**PUBLIC HEARING ITEMS**

- B. **ENVIROMENTAL ASSESMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV22-005:** A hearing to consider a Development Plan to construct the Ontario 'Great' Park Phase 1 (Preliminary Park Design) on 130 acres of land, bounded by Grand Park Street to the north, Eucalyptus Avenue to the south, Haven Avenue on the east, and Archibald Avenue on the west,

within the Great Park land use district of the Grand Park Specific Plan. Staff has prepared an Addendum to the Grand Park Specific Plan Environmental Impact Report (State Clearinghouse No. 2012061057), certified by City Council on January 21, 2014. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-241-58, 0218-241-49, 0218-241-39, 0218-241-45, and 0218-241-47) **submitted by the City of Ontario.**

No person from the public wished to speak on this item.

Mr. Zeledon stated no correspondence had been received for this item and closed the public hearing.

Motion to approve the Addendum and **File No. PDEV22-005**, subject to conditions was made by Ms. Stevens; seconded by Mr. Do; and approved unanimously by those present (8 - 0).

- C. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT21-014:** A hearing to consider Tentative Tract Map No. 20449, subdividing 35.65 gross acres of land into 92 numbered lots and 55 lettered lots for residential and commercial uses, public/private streets, landscape neighborhood edges and common open space purposes for a property located on southeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed-Use District Planning Area 9A (Regional Commercial and Stand-Alone Residential Overlay) of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to the Rich Haven Specific Plan Environmental Impact Report (State Clearinghouse No. 2006051081) and an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140). This application is consistent with the previously adopted Environmental Impact Reports and introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 218-211-01) **submitted by BrookCal Ontario LLC. Planning Commission Action is required.**

The applicant, Meagan Knecht with Brookfield was present.

Mr. Zeledon asked if they had reviewed all the Conditions of Approval.

Ms. Knecht stated they had started to review them, and would work with staff this week if there were any issues.

Motion to recommend approval of **File No. PMTT21-014 (TTM 20449)**, subject to conditions, to the Planning Commission was made by Mr. Ehrman; seconded by Mr. Do; and approved unanimously by those present (8 - 0).

There being no further business, the meeting was adjourned to the next meeting on May 2, 2022.

Respectfully submitted,



Gwen Berendsen  
Recording Secretary



# Development Advisory Board Decision

May 16, 2022

**DECISION NO.:** [insert #]

**FILE NO.:** PDEV21-024

**DESCRIPTION:** A hearing to consider a Development Plan to construct three industrial buildings totaling 200,322 square feet on 10.2 acres of land located at the northeast corner of Remington Avenue and the Cucamonga Creek Flood Control Channel, within the Industrial (PA-3) land use district of The Colony Commerce Center East Specific Plan (APNs: 0218-311-07 and 0218-311-13); **submitted by Clark Neuhoff.**

## ***Part I—BACKGROUND & ANALYSIS***

CLARK NEUHOFF, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV21-024, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is situated within the Industrial (Planning Area 3) land use district of The Colony Commerce Center East Specific Plan and is comprised of 10.2 acres of land located at the northeast corner of Remington Avenue and the Cucamonga Creek Flood Control Channel, as depicted in Exhibit B—Project Location Map, attached. The Project site is bounded to the north by Merrill Avenue, to the west by the Cucamonga Creek Flood Control Channel, to the south by Remington Avenue, and to the east by Archibald Avenue. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<b><i>Existing Land Use</i></b>	<b><i>General Plan Designation</i></b>	<b><i>Zoning Designation</i></b>	<b><i>Specific Plan Land Use</i></b>
<i>Site</i>	Vacant	Industrial	Industrial (PA-3)	Colony Commerce Center East Specific Plan
<i>North</i>	Industrial Business Park	Industrial	Business Park (PA-1) & Industrial (PA-2)	Colony Commerce Center East Specific Plan
<i>South</i>	Remington Avenue & San Bernardino /Riverside County line & County Flood Control Channel	San Bernardino/ Riverside County Lines & County Flood Control Channel	N/A	N/A
<i>East</i>	Nine building industrial business park	Industrial	Business Park (PA-1) & Industrial (PA-2)	Colony Commerce Center East Specific Plan
<i>West</i>	Cucamonga Creek Flood Control Channel	Open Space-Non-Recreational	AG-Agricultural	N/A

(2) **Project Description:**

(a) **Background** — In 2018, the City approved The Colony Commerce Center East Specific Plan, a 95-acre master plan for the Project area. The Colony Commerce Center East Specific Plan is composed of two land use districts, including the Industrial land use district, which comprises the western 59.3 acres of the Specific Plan, and the Business Park land use district, which comprises the eastern 35.19

acres of the Specific Plan (see Exhibit I: The Colony Commerce Center East Specific Plan Land Use Plan and Exhibit J: Land Use Summary Table, attached).

On November 27, 2018, the Planning Commission approved Tentative Parcel Map No. 19904 (File No. PMTT18-006), subdividing 85 acres of land into nine parcels and six letter lots, and a Development Plan (File No. PDEV18-014) to construct nine industrial buildings totaling 1,685,420 square feet, for property located at the southwest corner of Merrill Avenue and Archibald Avenue, within the Business Park (Planning Area 1) and Industrial (Planning Area 2) land use districts of the Colony Commerce Center East Specific Plan. All nine buildings were completed in 2021. The buildings range in size from 41,210 square feet to 1,000,930 square feet (see Exhibit C—Completed Development Plan, attached).

On July 1, 2021, the Applicant submitted the subject Development Plan application (File No. PDEV21-024), requesting approval to construct three industrial buildings totaling 200,322 square feet and having an overall floor area ratio (“FAR”) of 0.45, within Planning Area 3 (PA-3) of The Colony Commerce Center East Specific Plan.

(b) Site Design/Building Layout — Buildings 1, 2 and 3 are 65,672 square feet, 61,203 square feet, and 73,447 square feet in area, respectively and have been oriented towards the western side of the Project site (see Exhibit D—Site Plan, attached). Each building has been designed with the office areas fronting the primary vehicular access road along the east of the site and each has been designed with a truck court. The truck courts are situated along the southwest side of Building 1 and 2, and along the north side of Building 3. The truck courts will be screened from public view by 12-foot-tall decorative concrete tilt-up screen walls for Building 2 and 3, and a 14-foot-tall screen wall for Building 1. Special attention has been given to the placement and height of the screen walls to ensure proper screening of the truck courts.

Off-street parking has been distributed along the south, east, and west sides of the buildings. Ample landscaped areas have also been provided immediately adjacent to the buildings and throughout the off-street parking areas.

(c) Site Access/Circulation — The Project has been designed to provide one primary vehicular access point along the east side of the buildings by way of a 40-foot-wide drive aisle that is accessed from Remington Avenue on the west and Archibald Avenue to the east. A secondary vehicular access, located just east of Building 2 for emergency purposes, has been provided through a common 26-foot-wide driveway that is shared with the adjacent development to the east. Additionally, ample maneuvering area has been provided for service vehicles.

Pedestrian access to the site will be provided by a 5-foot-wide sidewalk accessed from Remington Avenue.

(d) Parking — The Project complies with the parking requirements of the Colony Commerce Center East Specific Plan and Ontario Development Code. The Project is required to provide a total of 131 passenger vehicle parking spaces and 7 truck-trailer parking spaces. The project will provide 156 passenger vehicle parking spaces and 15 truck-trailer parking spaces (see Table 2: Project Parking Summary), exceeding the minimum off-street parking requirements for the Project.

***Table 2: Project Parking Summary***

<b>Building No.</b>	<b>Building Area</b>	<b>Parking Required</b>	<b>Parking Provided</b>	<b>Truck-Trailer Parking Required</b>	<b>Truck-Trailer Parking Provided</b>
<i>Building 1</i>	65,672	43	43	2	10
<i>Building 2</i>	61,203	41	53	2	2
<i>Building 3</i>	73,447	47	60	3	3

**Table 2: Project Parking Summary**

Building No.	Building Area	Parking Required	Parking Provided	Truck-Trailer Parking Required	Truck-Trailer Parking Provided
<b>Total</b>	<b>200,322</b>	<b>131</b>	<b>156</b>	<b>7</b>	<b>15</b>

(e) Architecture — The proposed industrial buildings will be of concrete tilt-up construction and will be designed in a Contemporary Architectural Style. The project is proposing a development that exemplifies the type of high-quality architecture promoted by The Colony Commerce Center East Specific Plan and The Ontario Plan. Special attention has been given to the use of color, massing, building form, materials, and architectural details (see Figure 1: Project Perspective, below, and Exhibits E through G: Building Elevations, attached).

This is exemplified by the use of:

- Decorative architectural tower elements at the office areas (east and south sides of buildings);
- Extensive use of insulated glazing at the office elements;
- Decorative metal panels at key architectural elements of the buildings;
- Attractive horizontal form liners at key areas of the buildings;
- Decorative entry canopies at office elements;
- Incorporation of insets and pop-outs;
- Aluminum storefront framing with tempered glass;
- Exterior up-down sconce lights at the office entry areas;
- Articulation in the building's footprint and parapet lines;
- Incorporation of color blocking to add visual interest;
- Decorative anodized clear mullions to enhance glazing areas; and
- Freestanding architectural colonnade along the southside of the office entrance.



**Figure 1: Project Perspective**

(f) Landscaping — The Colony Commerce Center East Specific Plan requires the project to provide a minimum 10 percent landscape coverage. The project proposes an average of 12

percent landscape coverage, exceeding the minimum coverage required. Shade trees, accent trees, and ground cover have been selected to enhance the Project site, along with 24-inch, 36-inch and 48-inch Fern Pine, California Sycamore, Brisbane Box, Coast Live Oak, Crape Myrtle and London Plane. Landscaping will be provided in the form of a 5-foot landscape setback along east property line, a 14-foot average landscape setback along the west property line (Cucamonga Flood Control Channel), and a 14-foot average landscape setback along the south property line (Remington Avenue). In addition, extensive landscaping in the form of ground cover, shrubs, and trees will be provided throughout the interior of the development, to further enhance the Project. The office front entry areas have also been designed with attractive entry plazas, which feature decorative paving. The Project will also be required to install new landscaping and paving improvements along the 20-foot wide Cucamonga Creek Flood Control Channel multipurpose trail, which runs along the west side of the Project, for the entire length of the site. Trail improvements will match what the adjacent development to the north has already completed (see Exhibit H—Landscape Plan, attached).

(g) Utilities (drainage, sewer) — The applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the Project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, bio treatment, and evapotranspiration. The PWQMP proposes underground chambers located beneath the parking lots of the truck court yards. The chambers are designed to accept runoff from the building’s roof and parking lot.

#### **Part II—RECITALS**

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PSP16-003, a Specific Plan (The Colony Commerce Center East Specific Plan) for which an Environmental Impact Report (SCH#2017031048) was certified by City Council on May 1, 2018, 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 Development Advisory Board (“DAB”) the responsibility and authority to review and act on the subject Application; and

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport



Land Use Compatibility Plan (“ALUCP”), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on May 16, 2022, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

### **Part III—THE DECISION**

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

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

(1) The environmental impacts of this Project were previously reviewed in conjunction with File No. PSP16-003, a Specific Plan (The Colony Commerce Center East Specific Plan) for which an Environmental Impact Report (State Clearinghouse No. 2017031048) was certified by City Council on May 1, 2018; and

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

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Certified EIR reflects the independent judgment of the Development Advisory Board; 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 DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR 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 body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

**SECTION 4: 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, establishing the Airport Influence Area for Ontario International Airport, 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 DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

**SECTION 5: Concluding Facts and Reasons.** Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Industrial land use district of the Policy Plan Land Use Map, and Planning Area 3 (Industrial) (PA-3) of The Colony Commerce Center East Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy



Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed development is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to the establishment of a dynamic, progressive city containing distinct neighborhoods and districts that foster a positive sense of identity and belonging among residents, visitors, and businesses (Goal CD1). Furthermore, the Project will promote the City's policy to take actions that are consistent with the City being a leading urban center in Southern California, while recognizing the diverse character of our existing viable neighborhoods (Policy CD1-1); and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and Planning Area 3 (Industrial) zoning district of The Colony Commerce Center East Specific Plan, including standards relative to the particular land use proposed (Industrial), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; 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 Colony Commerce Center East 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 Colony Commerce Center East Specific Plan; and

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

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

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

**SECTION 8: *Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303

East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

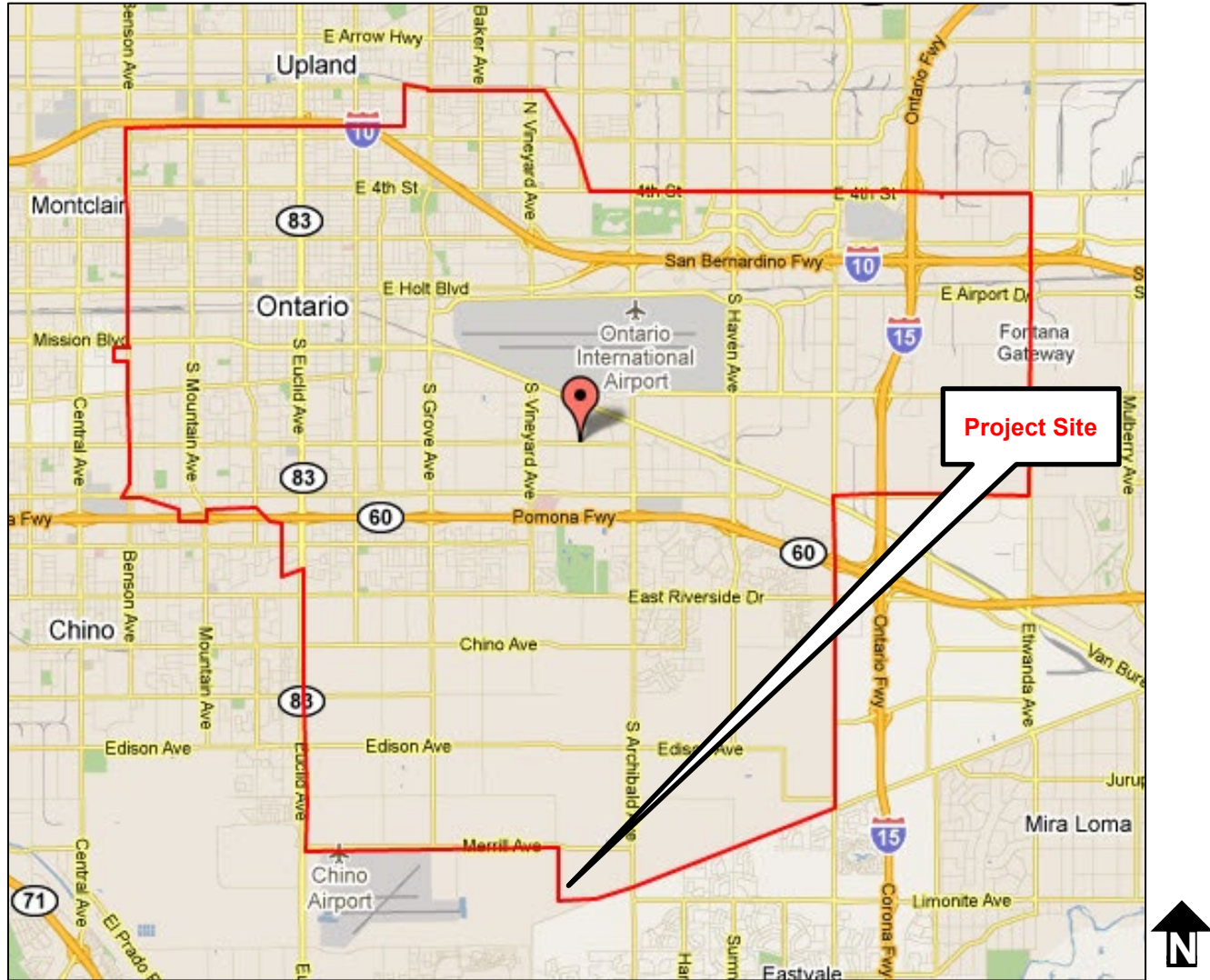
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APPROVED AND ADOPTED this 16th day of May 2022.

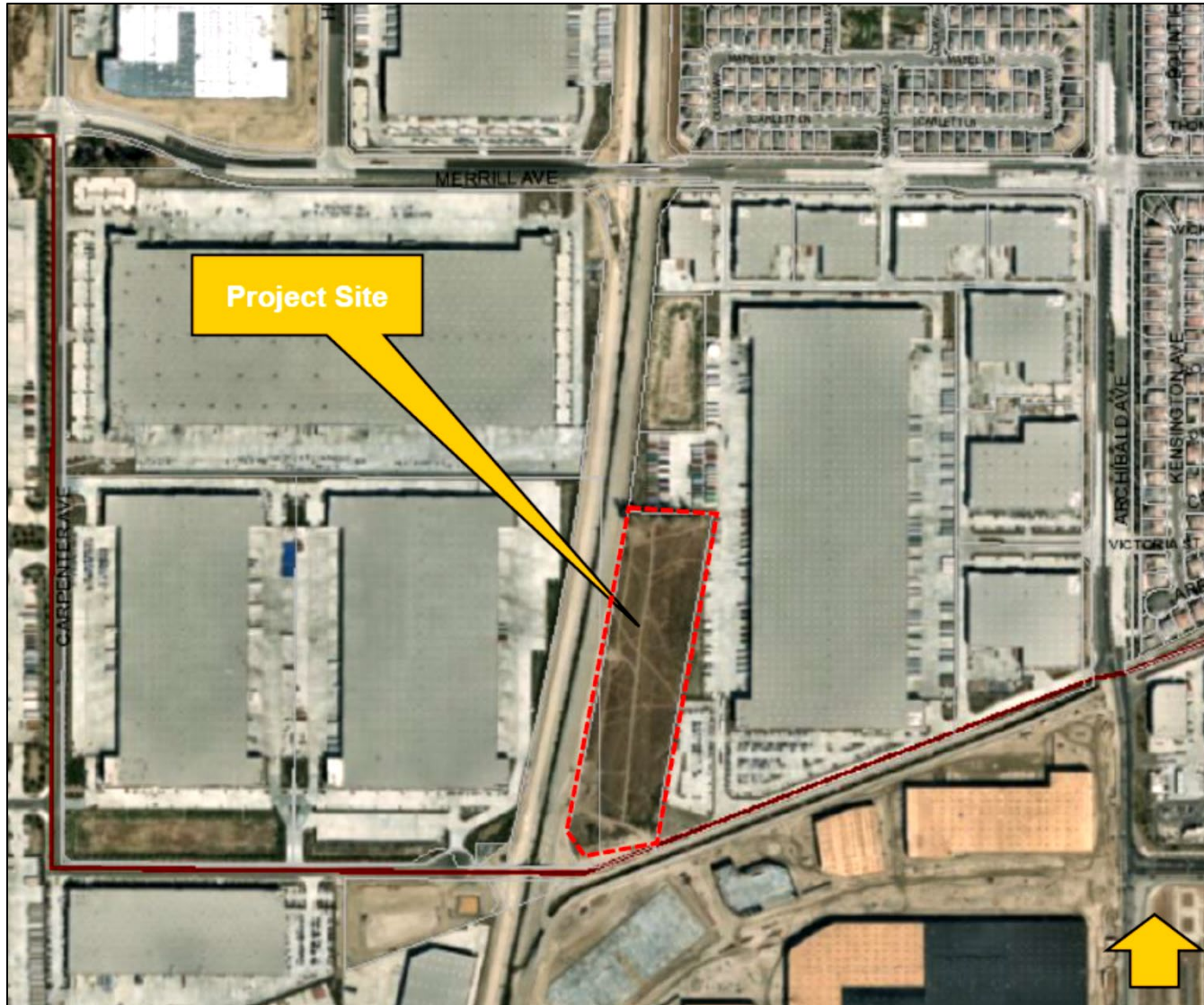
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Development Advisory Board Chairman

**Exhibit A—VICINITY MAP**



**Exhibit B—PROJECT LOCATION MAP**

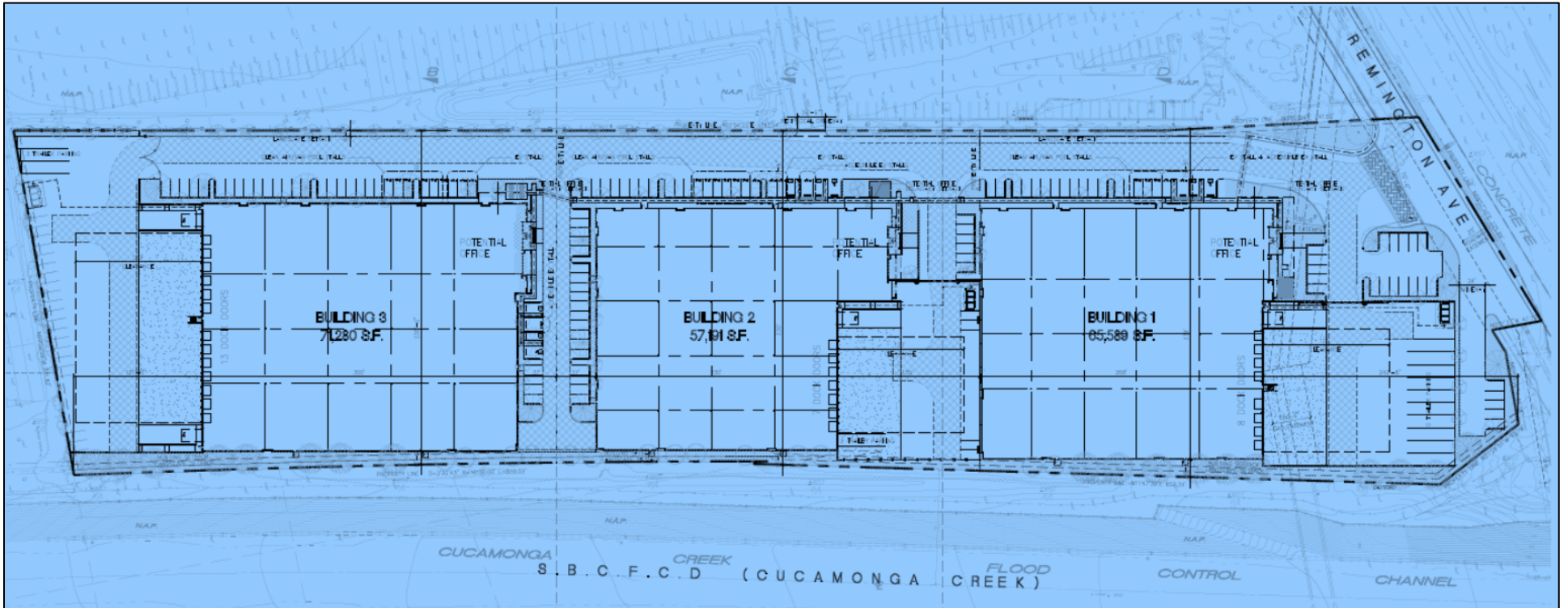




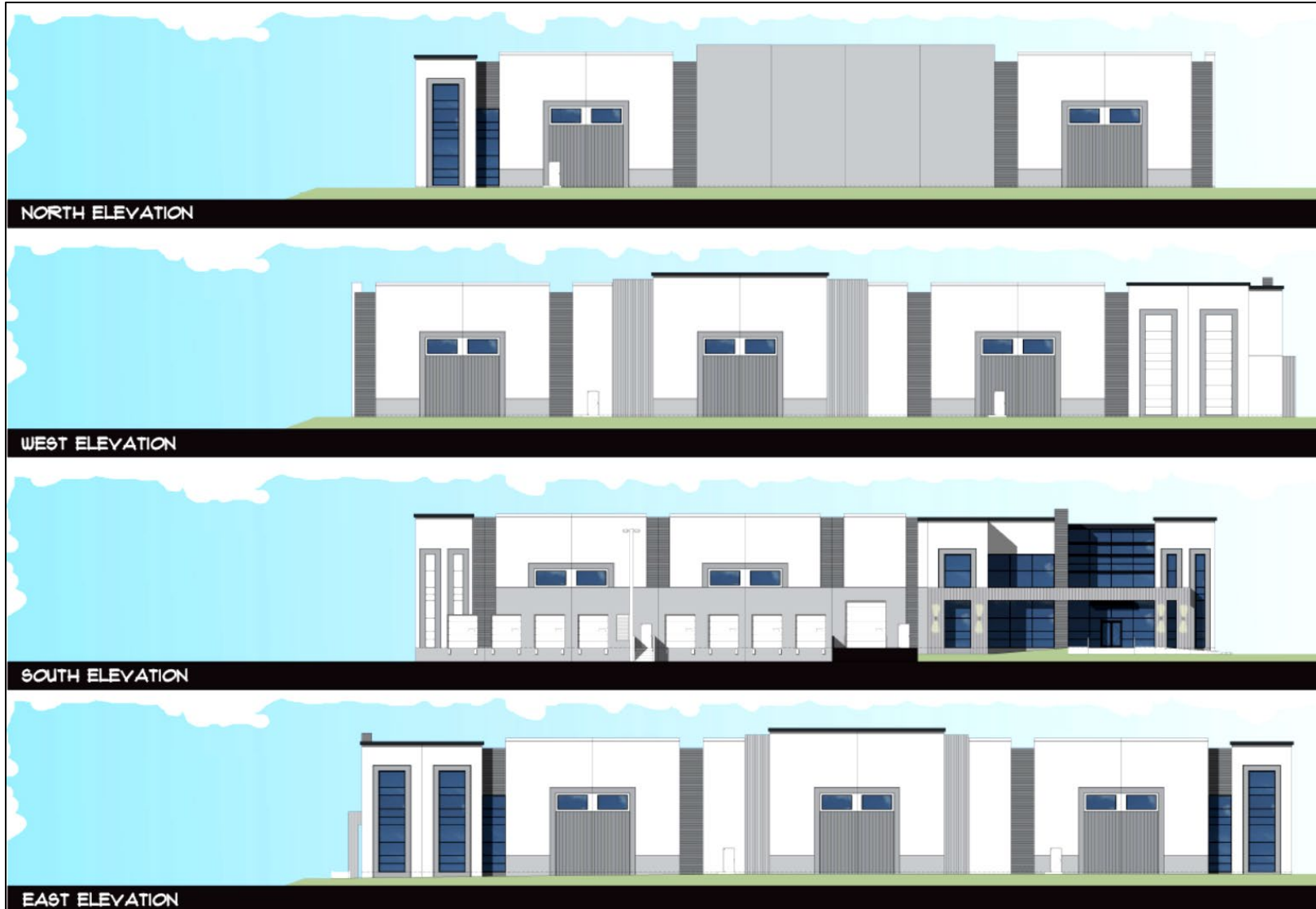
**Exhibit C—Completed Development Plan**



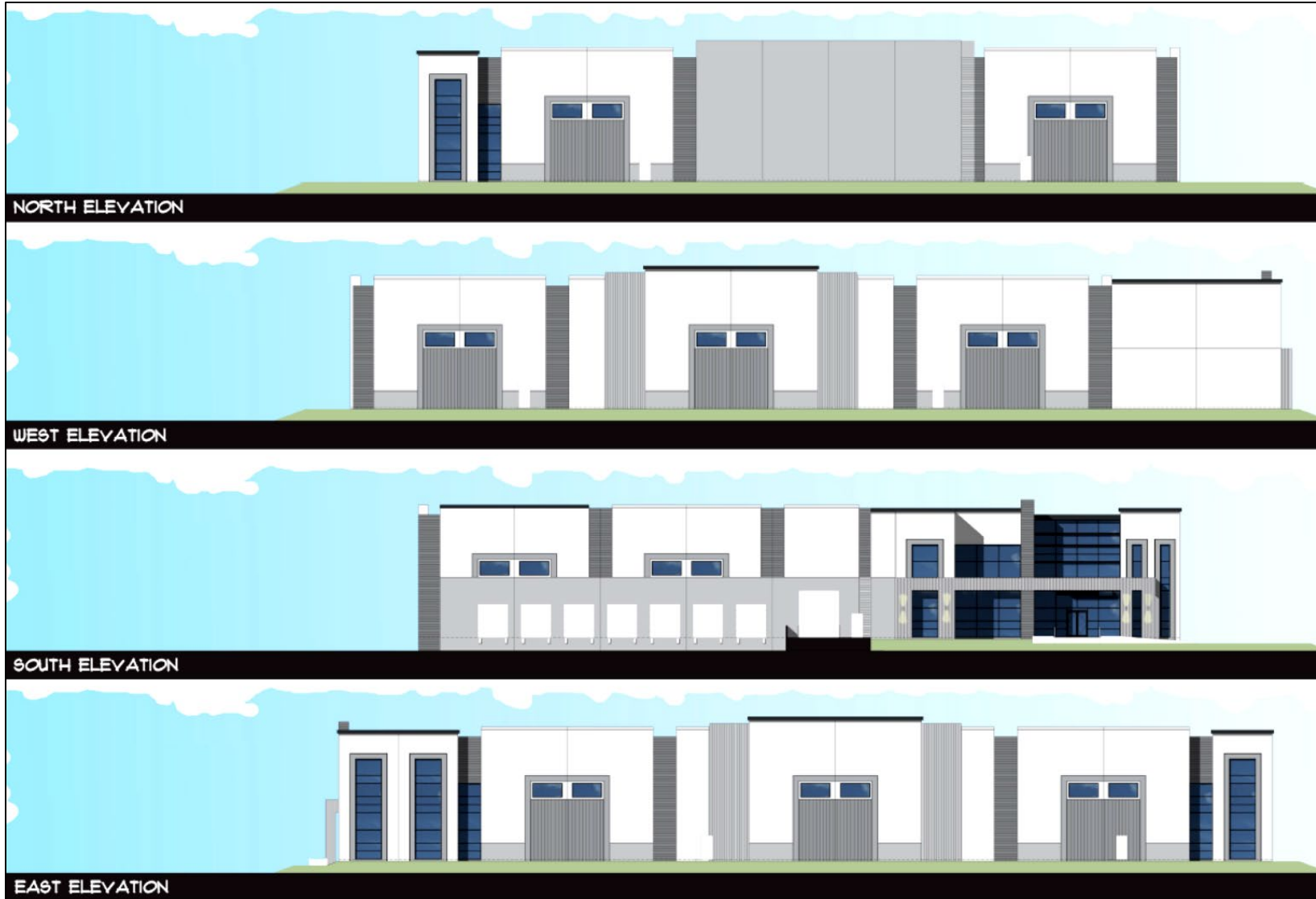
**Exhibit D—SITE PLAN**



**Exhibit E—BUILDING 1 EXTERIOR ELEVATIONS**



**Exhibit F—BUILDING 2 EXTERIOR ELEVATIONS**





**Exhibit G—BUILDING 3 EXTERIOR ELEVATIONS**

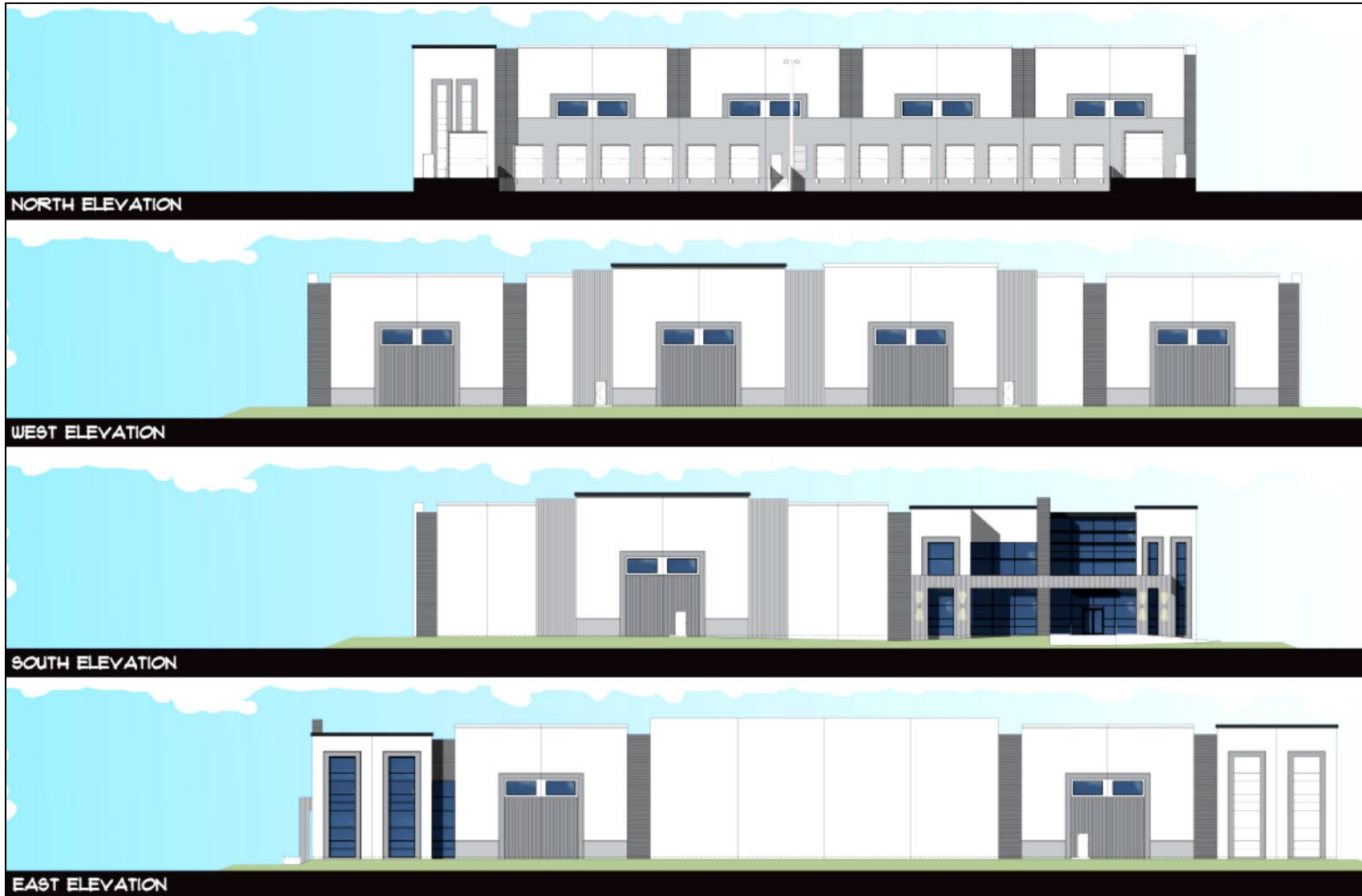
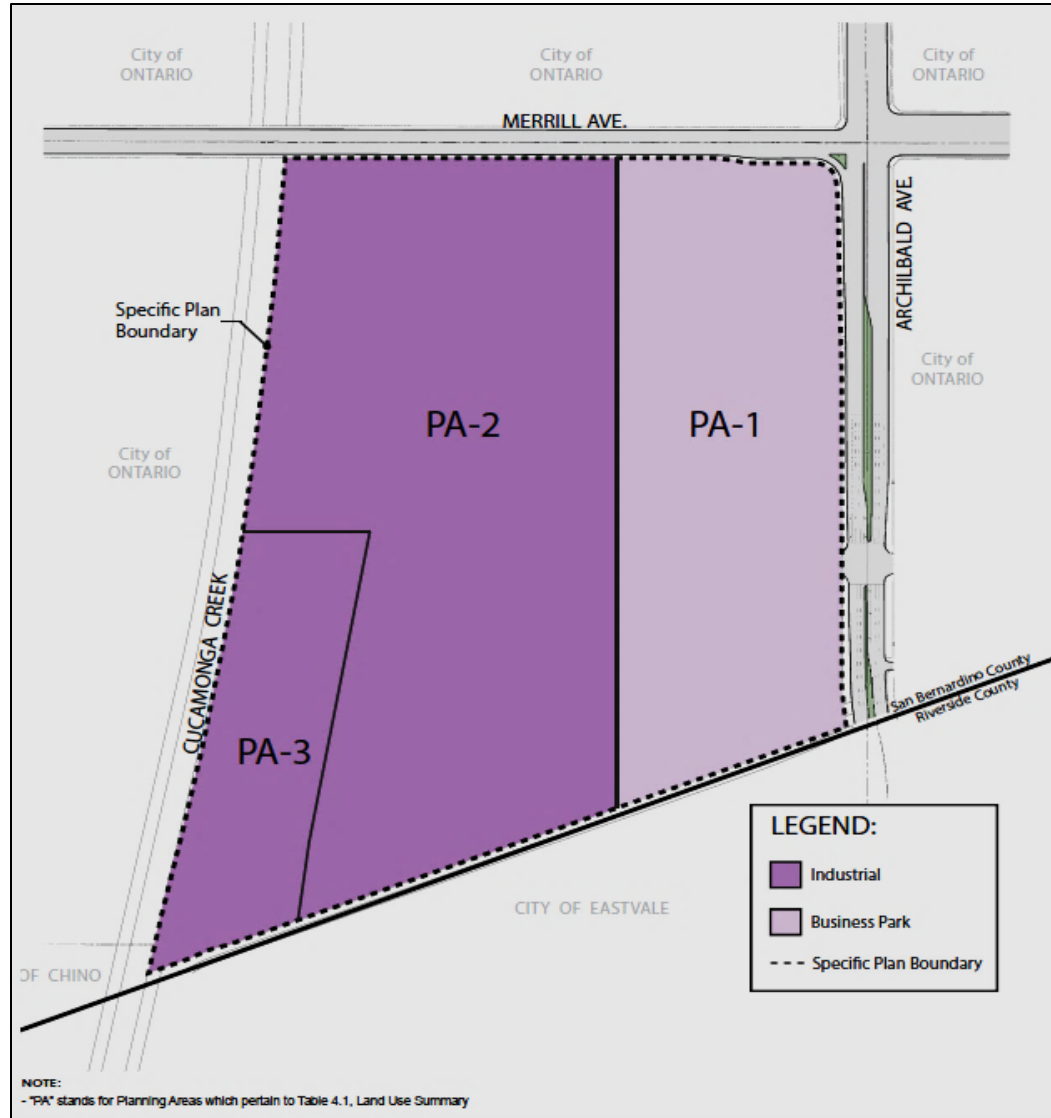


Exhibit H—LANDSCAPE PLAN



**Exhibit I—Colony Commerce Center East Specific Plan Land Use Plan**



*Exhibit F—Land Use Summary Table*

Planning Area	Land Use	Acres	Maximum Potential Intensity (Gross Floor Area)	Max.Floor Area Ratio
PA-1	Business Park	35.19 ac	919,725 SF	0.60
PA-2	Industrial	49.65 ac	1,189,514 SF	0.55
PA-3	Industrial	9.65 ac	231,195 SF	0.55
	<b>Total</b>	<b>94.49 ac</b>	<b>2,340,434 SF</b>	

## **Attachment A—Departmental Conditions of Approval**

*(Departmental conditions of approval follow this page)*



# LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

**Date Prepared:** 5/3/2022

**File No:** PDEV21-024

**Related Files:** N/A

**Project Description:** A public hearing to consider a Development Plan (File No. PDEV21-024) to construct three industrial buildings totaling 200,322 square feet on 10.2 acres of land located at the northeast corner of Remington Avenue and the Cucamonga Creek Flood Control Channel, within the Industrial (PA-3) land use district of the Colony Commerce Center East Specific Plan. (APN's: 0218-311-07, 0218-311-13); **submitted by Clark Neuhoff.**

**Prepared By:** Luis E. Batres, Senior Planner  
Phone: 909.395.2431  
Email: [Lbatres@ontarioca.gov](mailto:Lbatres@ontarioca.gov)

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

**1.0 Standard Conditions of Approval.** The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department (<https://www.ontarioca.gov/Planning/Applications>) 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 provide a minimum of 131 regular parking spaces and 7 truck-trailer parking spaces or as outlined on the minimum requirements on Table 2: Project Parking Summary of the DAB Decision.

**(b)** 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).

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

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



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

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

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

**2.6** 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.

**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 New Sign Program shall be prepared and approved by the City for this project.

**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 environmental impacts of this Project were previously reviewed in conjunction with File No. PSP16-003, a Specific Plan (The Colony Commerce Center East Specific Plan) for which an Environmental Impact Report (SCH#2017031048) was certified by City Council on May 1, 2018. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

(a) 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).

(b) 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.

**1.2** 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.

**1.3** 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 will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

**(b)** Within 5 days following final application approval, the Notice of Exemption ("NOE") filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act ("CEQA"). The filing of an NOE is voluntary; however, failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

**(c)** 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.

**1.4** Additional Requirements.

**(a)** Applicant shall work with staff to enhance the main exterior entry plaza area to each office pod area with decorative paving, enhanced landscaping and decorative outdoor furniture.

**(b)** Damage to existing fencing along the south property line along the county flood control channel shall be repaired and or replaced to Industry standards. Also, any trash or debris within this project's frontage shall be cleaned up.

**(c)** Project shall fully improve the County multi-purpose trail that runs along the west side of the project, to match the improvements completed by the adjacent project to the north.

**(d)** On Building 1, the right-side architectural tower along the West elevation shall provide glazing/spandrel. Applicant shall work with staff during the plan check process to add.

**(e)** On Building 3- the East Elevation shall incorporate spandrel glass on the architectural tower to the right.

**(f)** On Building 1-the South Elevation shall incorporate spandrel glass on the left small tower, only within the areas that will be visible above the screen walls.

**(g)** On Building 1-The height of all the truck court screen walls located along the south side of the building, shall be a minimum of 14-feet tall.

**(h)** The project shall install new landscaping and new paving improvements along the Cucamonga Creek Flood Control Channel multi-purpose trail (just west of project site). The trail improvements shall match what the adjacent development to the north has already completed.



**ENGINEERING DEPARTMENT  
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input type="checkbox"/> TRACT MAP
PROJECT FILE NO. <u>PDEV21-024</u>		
RELATED FILE NO(S). _____		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___		

CITY PROJECT ENGINEER & PHONE NO: Raymond Lee, (909) 395-2104 *RL*

CITY PROJECT PLANNER & PHONE NO: Luis Batres, (909) 395-2431

DAB MEETING DATE: May 16, 2022

PROJECT NAME / DESCRIPTION: PDEV21-024, a Development Plan to construct three industrial buildings totaling 198,496 sf on 10.2 acres of land within the Industrial (PA-3) land use district of the Colony Commerce Center East Specific Plan

LOCATION: Northeast corner of Remington Avenue and Cucamonga Creek Channel

APPLICANT: Clark Neuhoff, (949) 701-2101  
Alere Property Group LLC

REVIEWED BY: *[Signature]* 4-7-22  
Khoi Do, P.E. Date  
City Engineer

APPROVED BY: *[Signature]* 4-7-22  
Khoi Do, P.E. Date  
City Engineer

Last Revised: 4/7/2022



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

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:   
\_\_\_\_\_ feet on \_\_\_\_\_  
Property line corner 'cut-back' required at the intersection of \_\_\_\_\_  
and \_\_\_\_\_.
- 1.02 Dedicate to the City of Ontario, the following easement(s): \_\_\_\_\_   
\_\_\_\_\_
- 1.03 Restrict vehicular access to the site as follows: \_\_\_\_\_
- 1.04 Vacate the following street(s) and/or easement(s): 
  - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
- 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](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 Financial 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](http://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 four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 Ontario Ranch Developments: 
  - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
  - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
  - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: \_\_\_\_\_

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

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

- 2.01 Record Parcel Map/Tract Map No. \_\_\_\_\_ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF 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 March 4, 1972.
- 2.05 Apply for a: 
  - Certificate of Compliance with a Record of Survey;
  - Lot Line Adjustment to remove the lot line between the two parcels of this project (APN 107315112 and APN 107315115). Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.;



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](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).

2.08 Submit a soils/geology report.

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

- State of California Department of Transportation (Caltrans)
- San Bernardino County Road Department (SBCRD)
- San Bernardino County Flood Control District (SBCFCD) – for improvements within its right-of-way such as bikeway trail construction, County Line Channel connection, etc.
- 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) – for sewer connection
- Other: California Department of Public Health – for recycled water usage

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):   
1. A public utility and access easement on Remington Avenue along the entire project frontage. The proposed easement shall be 49' wide minimum, depending on the layout and placement of the access road and underground utilities (e.g. sewer line and manholes).

2.12 Vacate the following street(s) and/or easement(s):   
1. Vacate Remington Avenue from the easterly property line to the westerly boundary of Parcel APN 107315112.  
2. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.





- 2.13 Ontario Ranch 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).
- 2.14 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.**
- 2.15 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.**
- 2.16 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$408,388, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.17 Other conditions:**
- 1. Reciprocal access agreement/easement between this property and the adjacent property to the east shall be provided to ensure access between the project site and Archibald Avenue.**
  - 2. 10' wide recycled water easement for private recycled water line from the northerly property line of Parcel APN 107315112 to the recycled water point of connection in Merrill Avenue.**





**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	Remington Ave (Private Drive)	Merrill Ave	Cucamonga Creek Channel	Street 4
<b>Curb and Gutter</b> (see Sec. 2.22.1)	<input checked="" type="checkbox"/> New <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
<b>AC Pavement</b> (see Sec. 2.22.1)	<input checked="" 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
<b>PCC Pavement</b> (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
<b>Drive Approach</b>	<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
<b>Sidewalk</b>	<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
<b>ADA Access Ramp</b>	<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
<b>Parkway</b>	<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)
<b>Raised Landscaped Median</b>	<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
<b>Fire Hydrant</b>	<input type="checkbox"/> New / Upgrade <input checked="" 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



<b>Sewer</b> (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
<b>Water</b> (see Sec. 2.D)	<input 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
<b>Recycled Water</b> (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
<b>Traffic Signal System</b> (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
<b>Traffic Signing and Striping</b> (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
<b>Street Light</b> (see Sec. 2.F)	<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
<b>Bus Stop Pad or Turn-out</b> (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
<b>Storm Drain</b> (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
<b>Fiber Optics</b> (see Sec. 2K)	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
<b>Overhead Utilities</b>	<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
<b>Trail</b> (see Sec. 2.37.1)			<input checked="" type="checkbox"/> <b>Class I Bikeway Trail</b>	
<b>Removal of Improvements</b>	_____	_____	_____	_____
<b>Other Improvements</b>	_____	_____	_____	_____

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 7-7.302.e of the City's Municipal Code.
- 2.22 **Other conditions:** 
  1. **Extend the existing concrete private drive (with curb & gutter and pavement) along Remington Avenue from the easterly end of the property to the Cucamonga Creek Channel bridge.**
  2. **Provide curb to existing AC berm at the Cucamonga Creek Flood Control Channel to the maintenance driveway.**

**C. SEWER**

- 2.23 **A 42" IEUA sewer is available for connection by this project in Remington Avenue (Private Drive).**   
 (Ref: Sewer plan bar code: S13524)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:** 
  1. **The project shall obtain approval from Inland Empire Utilities Agency (IEUA) for a Regional Connection. If approved by IEUA, the applicant shall be responsible for meeting all terms, conditions, standards, and requirements IEUA has for the Regional Connection.**
  2. **Construct City of Ontario sewer lateral from the point of the Regional Connection to the point of service. City of Ontario sewer shall meet City of Ontario standards and requirements.**
  3. **Each building shall have a monitoring manhole that captures all sewer wastewater from that building. The onsite sewer system shall be designed in a way so that each building's wastewater is kept separate from the other buildings' wastewater until each building's wastewater passes through a monitoring manhole, as shown on the Conceptual Utilities Systems Map electronically submitted 1/31/2022. The onsite sewer system shall be privately owned and maintained.**
  4. **Each building's Occupant shall separately apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of the Wastewater Discharge Permit ([https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/1\\_commercial\\_and\\_industrial\\_wastewater\\_permit\\_application\\_fillable.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/1_commercial_and_industrial_wastewater_permit_application_fillable.pdf)). Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as grease interceptors or clarifiers. For wastewater permit application questions, please contact: omucenvironmental@ontarioca.gov**

**D. WATER**

- 2.27 **A 12" water main is available for connection by this project in Remington Avenue (Private Drive).**   
 (Ref: Water plan bar code: W16414)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.29 **Other conditions:** 
  1. **Install a potable water service with meter and backflow prevention device for each building,**



- for a total of three services.
- 2. Install a fire service with double check detector assembly.
- 3. The onsite water system shall be privately owned and maintained.
- 4. Any relocation of existing fire hydrants, including but not limited to the existing fire hydrant fronting the Project along Remington Ave, shall be abandoned back to the main and new fire hydrant service shall be constructed to the City's current standards.

#### E. RECYCLED WATER

- 2.30 A 12" recycled water main is available for connection by this project in Merrill Avenue. (Ref: Recycled Water plan bar code:P11737)
- 2.31 Design and construct an on-site recycled water system for 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: 
  - 1. Construct a private recycled water system connected from the existing service in Merrill Ave to the Project site, within the private utility easement.

#### F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: 
  - 1. On-site and off-site circulation
  - 2. Traffic level of service (LOS) at 'build-out' and future years
  - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions: 
  - 1. The Applicant/Developer shall be responsible to design and construct the Cucamonga Creek Channel Class I Bikeway Trail and connect to the existing Class I Bikeway Trail within the San Bernardino County Flood Control District right-of-way as required by the City of Ontario Streetscape Master Plan and the Colony Commerce Center East Specific Plan along the project frontage.
  - 2. Reciprocal access agreement shall be provided from Archibald Avenue to project property line to ensure legal access between the project site and all other adjacent properties that share access.
  - 3. The Applicant/Developer shall repave Remington Avenue from the development site property line to the Cucamonga Creek Flood Control Channel Bridge.
  - 4. The Developer/Applicant shall provide new curb to tie into existing AC berms at the Cucamonga Creek Flood Control Channel maintenance driveway

#### G. DRAINAGE / HYDROLOGY

- 2.38 A 24" inch storm drain main is available to accept flows from this project in Remington Avenue. (Ref: Storm Drain plan bar code: D11607, D11608)





- 2.39 **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 **Other conditions:**  
1. **The Applicant/Developer shall obtain approval for connection to the County Line Channel from SBCFCD.**

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

#### **J. SPECIAL DISTRICTS**



- 2.48 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 four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

- 2.50 A \_\_\_\_\_ fiber optic line is available for connection by this project in \_\_\_\_\_ (Ref: Fiber Optic plan bar code: \_\_\_\_\_)
- 2.51 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole located on Remington Avenue (proposed private drive) west of Archibald Avenue, see Fiber Optic Exhibit herein.
- 2.52 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

**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 Ontario Ranch Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.





- 3.06** Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

**4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:**

- 4.01** Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02** Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03** The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04** Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

---

**Project Number: PDEV 21-024**

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

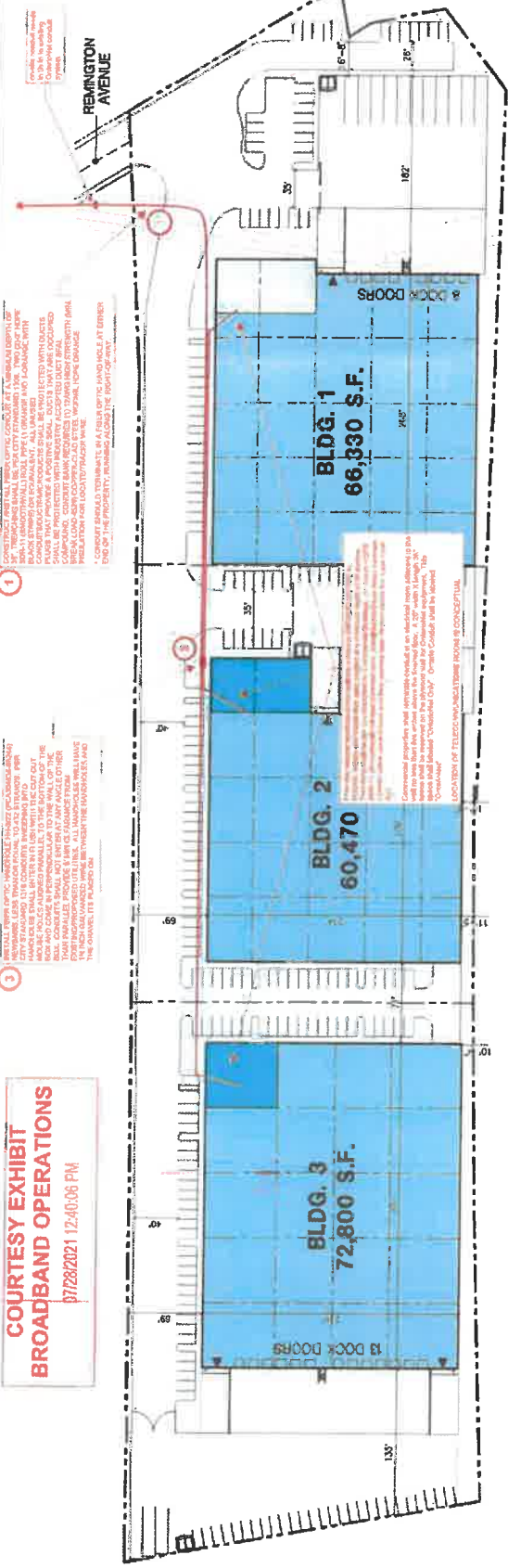
1.  **A copy of this check list**
2.  **Payment of fee for Plan Checking**
3.  **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4.  **One (1) copy of project Conditions of Approval**
5.  **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6.  **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).**
7.  **Three (3) sets of Public 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.  **Final Utilities System Map (USM)**
28.  **Three (3) copies of Bike Trail plan**

COURTSHIP OF THIS SHEET IS NOT 30' WIDE, IT IS A REDUCED PLAN

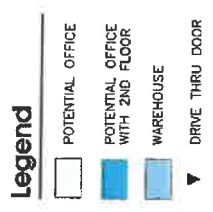
**COURTESY EXHIBIT**  
**BROADBAND OPERATIONS**  
 07/26/2021 12:40:06 PM



S.B.C.F.C.D. (CUCAMONGA CREEK)

**Tabulation**

BLDG. 1	BLDG. 2	BLDG. 3	TOTAL
181,000	107,000	166,000	454,000 S.F.
3.7	2.3	3.8	10.2 S.F.
3,000	2,000	2,000	7,000 S.F.
2,000	2,000	2,000	4,000 S.F.
63,330	60,470	72,800	196,600 S.F.
66,330	60,470	72,800	199,600 S.F.
41.0%	43.7%	44.7%	44.9%
68	60	60	188
20	20	20	60
25	25	25	75
45	40	40	125
80	70	70	220
2	2	3	7
11	3	3	17
10.2%	10.0%	10.0%	10.2%
24,041	13,041	15,000	52,082 S.F.
12.7%	11.2%	11.2%	11.2%
0	0	0	0
0	0	0	0



Note: This is a conceptual plan. It is based on preliminary information which is not fully verified and may be incomplete. It is meant as a comparative aid in examining alternate development strategies and any quantities indicated are subject to revision as more reliable information becomes available.



18831 Barbican Ave. - Ste. #100  
 Irvine, CA 92612  
 (949) 853-1770  
 www.hpaohs.com

**Conceptual Site Plan**  
**Remington Avenue**  
 Ontario, CA

**ALERE**  
 PROPERTY GROUP LLC

April 23, 2021 / Job #21149  
**Scheme 1A**



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Luis Batres, Senior Planner  
Planning Department

**FROM:** Mike Gerken, Deputy Fire Chief/Fire Marshal  
Fire Department

**DATE:** July 12, 2021

**SUBJECT:** PDEV21-024 - A Development Plan to construct three (3) industrial buildings totaling 198,496 square feet on 10.2 acres of land located at northeast corner of Remington Avenue and Cucamonga Creek Flood Control Channel, within the Industrial (PA-3) land use district of the Colony Commerce Center East Specific Plan (APN(s): 218-311-07 & 218-311-13).

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

---

### **SITE AND BUILDING FEATURES:**

- A. 2019 CBC Type of Construction: III-B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): Bldg 1: 65,734 / Bldg 2: 58,259 / Bldg 3: 70,503
- D. Number of Stories: 2
- E. Total Square Footage: Total: 198,496 Sq. Ft. (3 Buildings)  
Bldg 1: 65,734 / Bldg 2: 60,259 / Bldg 3: 72,503
- F. 2019 CBC Occupancy Classification(s): S-1 and B

## **CONDITIONS OF APPROVAL:**

### **1.0 GENERAL**

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

### **2.0 FIRE DEPARTMENT ACCESS**

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



### 3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2019 California Fire Code, Appendix B, is 2250 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

### 4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.9 Hose valves with one and one half inch (1 ½”) connections will be required on the roof, in locations acceptable to the Fire Department. These hose valves shall be take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.

**5.0 BUILDING CONSTRUCTION FEATURES**

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003. .
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

**6.0 OTHER SPECIAL USES**

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12’) feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6’) in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.

- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Luis Batres, Senior Planner

**FROM:** Officer Bill Lee, Police Department

**DATE:** July 28, 2021

**SUBJECT:** PDEV21-024- A DEVELOPMENT PLAN TO CONSTRUCT THREE INDUSTRIAL BUILDINGS TOTALING 198,496 SQUARE FEET, LOCATED AT THE NORTHEAST CORNER OF REMINGTON AVENUE AND CUCAMONGA CREEK FLOOD CONTROL CHANNEL.

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

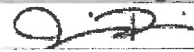
- Required lighting for all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 6 feet tall and 2 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street. Associated letters shall also be included.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Officer Bill Lee at (909) 408-1672 with any questions or concerns regarding these conditions.

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

**CONDITIONS OF APPROVAL**

Sign Off



03/30/2022

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

**Jamie Richardson, Sr. Landscape Planner**

Phone:

**(909) 395-2615**

D.A.B. File No.:

PDEV21-024

Case Planner:

Luis Batres

Project Name and Location:

3 Industrial Buildings

NE Corner of Remington Ave and Cucamonga Creek Flood Control Channel

Applicant/Representative:

Matthew Lee [matthew@hparchs.com](mailto:matthew@hparchs.com) (949) 862-2138

18831 Bardeen Ave., Suite 100

Irvine, CA 92612



**Preliminary Plans (dated 3/9/2022) meet the Standard Conditions for New Development and have been approved considering that the following conditions below be met upon submittal of the landscape construction documents.**



**Preliminary Plans (dated) have not been approved. Corrections noted below are required before Preliminary Landscape Plan approval.**

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

Landscape construction plans with plan check number may be emailed to: [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)

**DIGITAL SUBMITTALS MUST BE 10MB OR LESS.**

**Civil/ Site Plans**

1. Replacement and mitigation for removed trees shall equal the trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. Total heritage trees equal 120" replacement (Historic Eucalyptus Windrow)
2. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
  - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required. **120-15-gallon.**
  - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required. **80-24" box.**
  - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
  - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal," approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking, and irrigating 15-gallon trees (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items. **\$12,000.**
3. The Landscape Planning Division is in coordination with the City of Eastvale to connect or allow access to the south along the Cucamonga Creek Trail. Show the trail improvements along the western property line. The final design and access at the southern end will be determined.
4. Before permit issuance, stormwater infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division.
5. Show and dimension transformers set back 5' from paving all sides. Coordinate with landscape

plans.

6. Show and dimension backflow devices set back 4' from paving all sides. Locate on level grade
7. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.

#### Landscape Plans

8. Provide an arborist report and tree inventory as noted in #1.
9. The Landscape Planning Division is in coordination with the City of Eastvale to connect or allow access to the south along the Cucamonga Creek Trail. Show the trail improvements along the western property line. The final design and access at the southern end will be determined.
10. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
11. 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.



# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-024  
 Address: NEC of Remington Avenue & Cucamonga Flood Control Channel  
 APN: 218-311-07 & 218-311-13  
 Existing Land Use: Vacant  
 Proposed Land Use: A Development Plan to construct 3 industrial buildings totaling 198,496 SF  
 Site Acreage: 10.2 Proposed Structure Height: 38 FT  
 ONT-IAC Project Review: n/a  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Luis Batres  
 Date: 8/24/2021  
 CD No.: 2021-042 Rev. 1  
 PALU No.: n/a

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

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

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

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

Allowable Height: 130 FT

## CONSISTENCY DETERMINATION

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

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

The project is located within Safety Zone 6 the Chino Airport Influence Area, the project shall comply with the attached conditions.

Airport Planner Signature:

# AIRPORT LAND USE COMPATIBILITY PLANNING

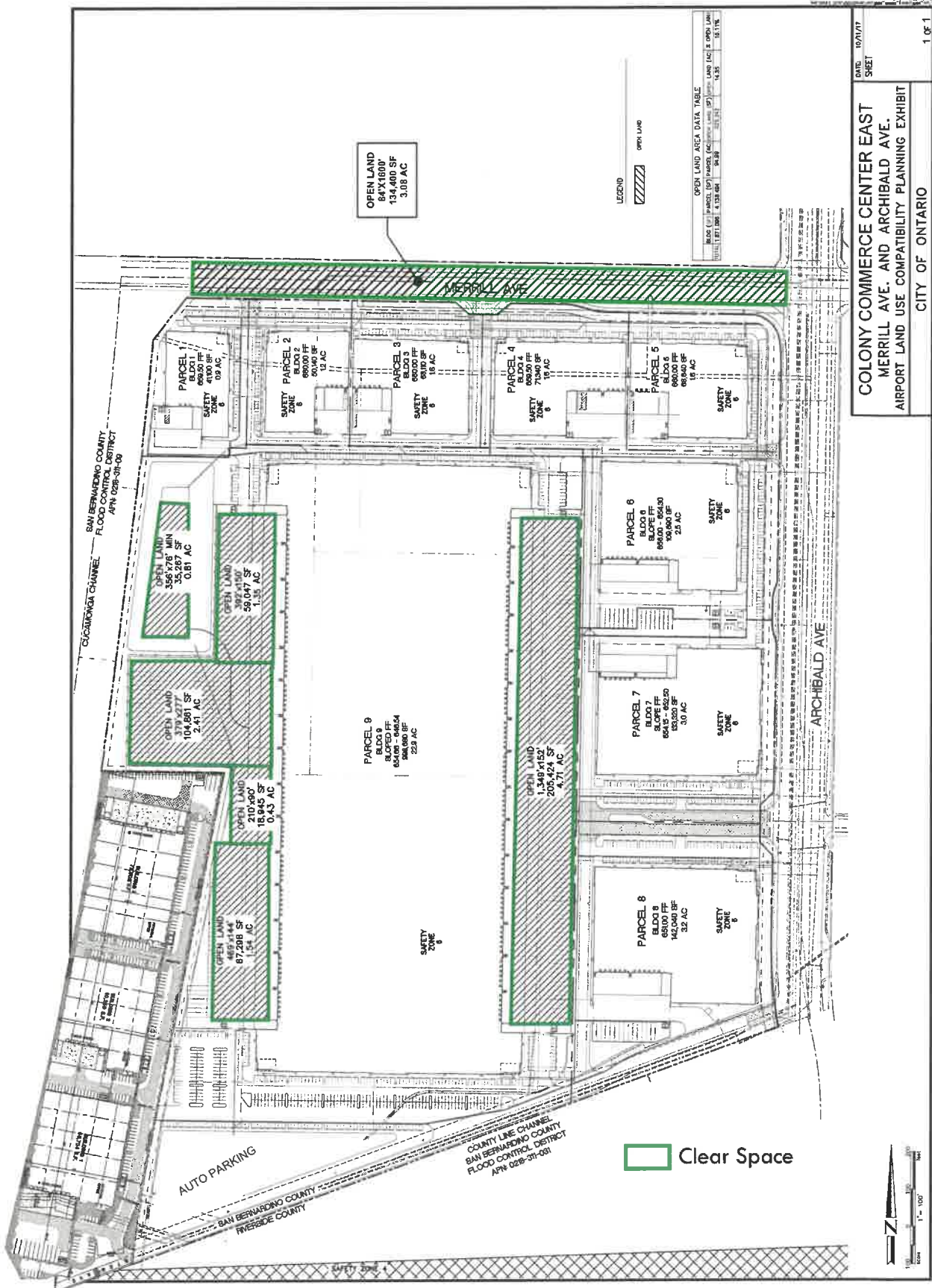
## CONSISTENCY DETERMINATION REPORT

CD No.: 2021-042

PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

1. The overall project will need to provide a minimum of 9.4 acres of open land and 14.35 acres have been provided see attached exhibit.
2. The maximum height limit for the project site is 130 feet and as such, any construction equipment such as cranes or any other equipment/permanent structures exceeding 130 feet in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need be filed with the FAA and approved prior to operating such equipment on the project site during construction.



DATE: 10/11/17  
SHEET  
COLONY COMMERCE CENTER EAST  
MERRILL AVE. AND ARCHIBALD AVE.  
AIRPORT LAND USE COMPATIBILITY PLANNING EXHIBIT  
CITY OF ONTARIO  
1 OF 1

**COLONY COMMERCE CENTER EAST SPECIFIC PLAN**  
Draft EIR  
City of Ontario

**FIGURE 5.8-1**  
**Caltrans Division of Aeronautics**  
**Safety Zone 6T Required Open Space Area**



# Development Advisory Board Decision

May 16, 2022

**DECISION NO.:** [insert #]

**FILE NO.:** PDEV21-040

**DESCRIPTION:** A hearing to consider a Development Plan to construct one industrial building totaling 1,255,320 square feet on 60.7 acres of land locate at 4902 South Baker Avenue, within the Industrial land use district of the Merrill Commerce Center Specific Plan (APNs: 1054-151-03, 1054-201-03, 1054-351-03); **submitted by Prologis LP. Planning Commission action is required.**

## Part I—BACKGROUND & ANALYSIS

PROLOGIS LP., (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV21-040, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of 60.7 acres of land located at 4902 South Baker Avenue and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
Site	Vacant	Industrial (0.55 FAR)	Merrill Commerce Center Specific Plan	Industrial
North	Vacant	Business Park (0.6 FAR)	Merrill Commerce Center Specific Plan	Business Park
South	Warehouse Distribution (City of Chino)	Light Industrial (City of Chino)	Preserve Specific Plan (City of Chino)	Light Industrial (City of Chino)
East	Warehouse / Fulfillment Center (under construction)	Industrial (0.55 FAR)	Merrill Commerce Center Specific Plan	Industrial
West	Vacant	Industrial (0.55 FAR)	Merrill Commerce Center Specific Plan	Industrial

(2) **Project Description:**

(a) **Background** — On February 2, 2021, the City Council approved the introduction (first reading) of Ordinance No. 3178 for the Merrill Commerce Center Specific Plan (“MCCSP”), adopted Resolution No. R2021-011, certifying the MCCSP Final Environmental Impact Report (“Certified EIR”; State Clearinghouse No. 2019049047), and adopted Resolution No. R2021-012, approving the associated General Plan Amendment (File No. PGPA18-003) establishing the Business Park (0.6 FAR) and Industrial (0.55 FAR) land uses on the Project site. On February 16, 2021, the City Council adopted (second reading) Ordinance No. 3178, approving the MCCSP (File No. PSP18-001). The MCCSP establishes the land use designations, development standards, and design guidelines on 376.3 acres of land, which includes the potential development of up to 8,455,000 square feet of industrial and business park development.

On March 23, 2021, the Planning Commission approved Tentative Parcel Map No. 20273, a request to subdivide the Merrill Commerce Center Specific Plan area to create 22 numbered lots, 22 lettered lots, public streets and to facilitate future development of industrial and business park projects. On November 16, 2021, the City Council approved Final Parcel Map No. 20273.

On November 3, 2021, the applicant submitted the subject Development Plan (File No. PDEV21-040) to develop Parcels 7, 8, and 9 of Parcel Map No. 20273 with one industrial building, referred to as Building 7, to be used as a warehouse distribution center totaling 1,255,320 square feet of gross floor area and having a floor area ratio (“FAR”) of 0.47. The applicant has also submitted a Lot Line Adjustment application (File No. E202200199) to merge the Project site into one parcel.

(b) Site Design/Building Layout — The proposed development includes a warehouse distribution building, with a footprint of 1,240,320 square feet, located on Parcels 7, 8, and 9 of Parcel Map No. 20273. The building is centrally located on the Project site, setback approximately 340 feet from future Baker Avenue, 200 feet from Merrill Avenue, 230 feet from future Walker Avenue, and 145 feet from the north property line, which abuts two properties designated as Business Park land uses. The parcels to the north of the Project site will be proposed for Business Park developments in the future and under separate Development Plan applications.

The proposed warehouse building is rectangular in shape, oriented in a north-south position, and potential office areas planned in the building corners. The building is approximately 380 feet wide by 1,780 feet long, with a total gross floor area of 1,255,320 square feet, including 30,000 square feet of office and mezzanine area. The parking lot areas are located at the north and south sides of the building, and gated truck yards are located along the east and west sides of the building.

(c) Site Access/Circulation — The Project site will be accessible by trucks and passenger vehicles from Baker Avenue to the east, Merrill Avenue to the south and Walker Avenue to the west. Driveways on Baker Avenue and Merrill Avenue will provide access for both passenger vehicles and trucks. A separate driveway on Merrill Avenue, located midway between Walker Avenue and Baker Avenue, is provided for passenger vehicles only. Two driveways along Walker Avenue will allow both passenger vehicle and truck access. Lastly, the east and west truck yards each provide an additional driveway that is restricted to outbound trucks.

Internal circulation is provided with minimum 24-foot-wide drive aisles throughout the site. The north end of the Project site provides passenger vehicle parking as well as a dedicated drive lane that trucks can use to access the east and west sides of the building. The south end of the Project site provides larger parking lot areas, with the south and north parking lots separated by gated truck yards along the east and west sides of the building.

(d) Parking — The Project is required to provide 638 passenger vehicle parking spaces and 49 trailer parking spaces. The Project provides 644 passenger vehicle parking spaces and 338 trailer parking spaces, exceeding the minimum requirements. Table 1 provides a parking summary for the Project.

<b>Table A: Parking Summary</b>					
<b>Type of Use</b>	<b>Building Area</b>	<b>Trailer Parking</b>		<b>Vehicle Spaces</b>	
		<b>Required</b>	<b>Provided</b>	<b>Required</b>	<b>Provided</b>
Warehouse / Distribution	1,255,320 SF	49	338	638	644

(e) Architecture — The Project incorporates a Contemporary Architectural style. The proposed building will be of concrete tilt-up construction with a variety of wall finishes, including



monochromatic color blocking, score patterns, and color banding. Accent material such as metal awnings, fiber cement siding, and glazing are incorporated on all building elevations in various combinations. The proposed fiber cement material will have a wood grain finish to incorporate the appearance of natural material and color tones. The proposed design creates visual interest throughout and presents a unique entry design with the use of geometric shaped metal canopies at the office entries.

(f) Landscaping — The MCCSP requires a minimum 10 percent landscape coverage be provided for buildings within the industrial and Business Park land use districts. As proposed, the Project landscape coverage is 10.2 percent, meeting the minimum requirement. The Project provides landscaping around the project perimeter, adjacent to the building, and throughout the parking lot to soften the appearance of these areas and provide additional shade. The landscape plan includes 350 box trees, such as Chinese Flame Tree, Crape Myrtle, oak, olive, California sycamore and pine varieties. The Project will also incorporate low-water usage and drought-tolerant shrubs and ground covers throughout the site.

The Project includes right-of-way improvements (street, curb, gutter, sidewalk, and parkway) along the surrounding streets. The proposed on-site and off-site landscape improvements will assist toward creating safe paths and areas for pedestrians to access the Project site. In compliance with the MCCSP, a multi-purpose trail and neighborhood edge will also be installed along Merrill and Walker Avenues.

(g) Signage — All future signage will be subject to review and approval of a comprehensive sign program for the Specific Plan area. A sign program will facilitate integration of the signs with the overall site and building design to create a unified visual statement and provide for flexible application of sign regulations in the design and display of multiple signs. Key provisions will include an entry monument, center and tenant identification signage, traffic and wayfinding signs, building signs, secondary monumentation, and visitor and directional signage.

(h) Utilities (drainage, sewer) — The Project will be required to construct infrastructure improvements per the Development Agreement (File No. PDA18-004) and requirements of the MCCSP. 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 underground storm water retention chambers to receive, retain, and treat storm water runoff.

## ***Part II—RECITALS***

WHEREAS, the Application is a Project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (“CEQA”) and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079) was certified by the City Council on February 2, 2021, (“Certified EIR”) in conjunction with File No. PGPA18-003 and PSP18-001, in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this project were thoroughly analyzed in the Certified EIR, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce some of those significant effects to a less-than-significant level and adopted a Statement of Overriding Considerations for those impacts that would be significant and unavoidable; and



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

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

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

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

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

WHEREAS, the project site is also located in the Airport Influence Area of Chino Airport and must be consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics, which 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 May 16, 2022, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

### ***Part III—THE DECISION***

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

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

(1) The environmental impacts of this project were previously reviewed in conjunction with File Nos. PGPA18-003 and PSP18-001, a General Plan Amendment and Specific Plan for which an

Environmental Impact Report (State Clearinghouse No. 2019049079) ("Certified EIR") was adopted by the City Council on February 2, 2021; and

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

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Certified EIR reflects the independent judgment of the City Council; 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 DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR 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 body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics. As the decision-making body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the 2011 California Airport Land Use Planning Handbook compatibility factors. As a result, the DAB therefore, finds and determines that the Project is consistent with the policies and criteria set forth within the Handbook, subject to conditions.

**SECTION 5: Concluding Facts and Reasons.** Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Industrial and Business Park land use district of the Policy Plan Land Use Map, and the Merrill Commerce Center Specific Plan 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 Merrill Commerce Center Specific Plan zoning district, including standards relative to the particular land use proposed (warehouse distribution center), 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 Merrill Commerce Center Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in

which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Merrill Commerce Center Specific Plan; and

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

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

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

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

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APPROVED AND ADOPTED this 16th day of May 2022.

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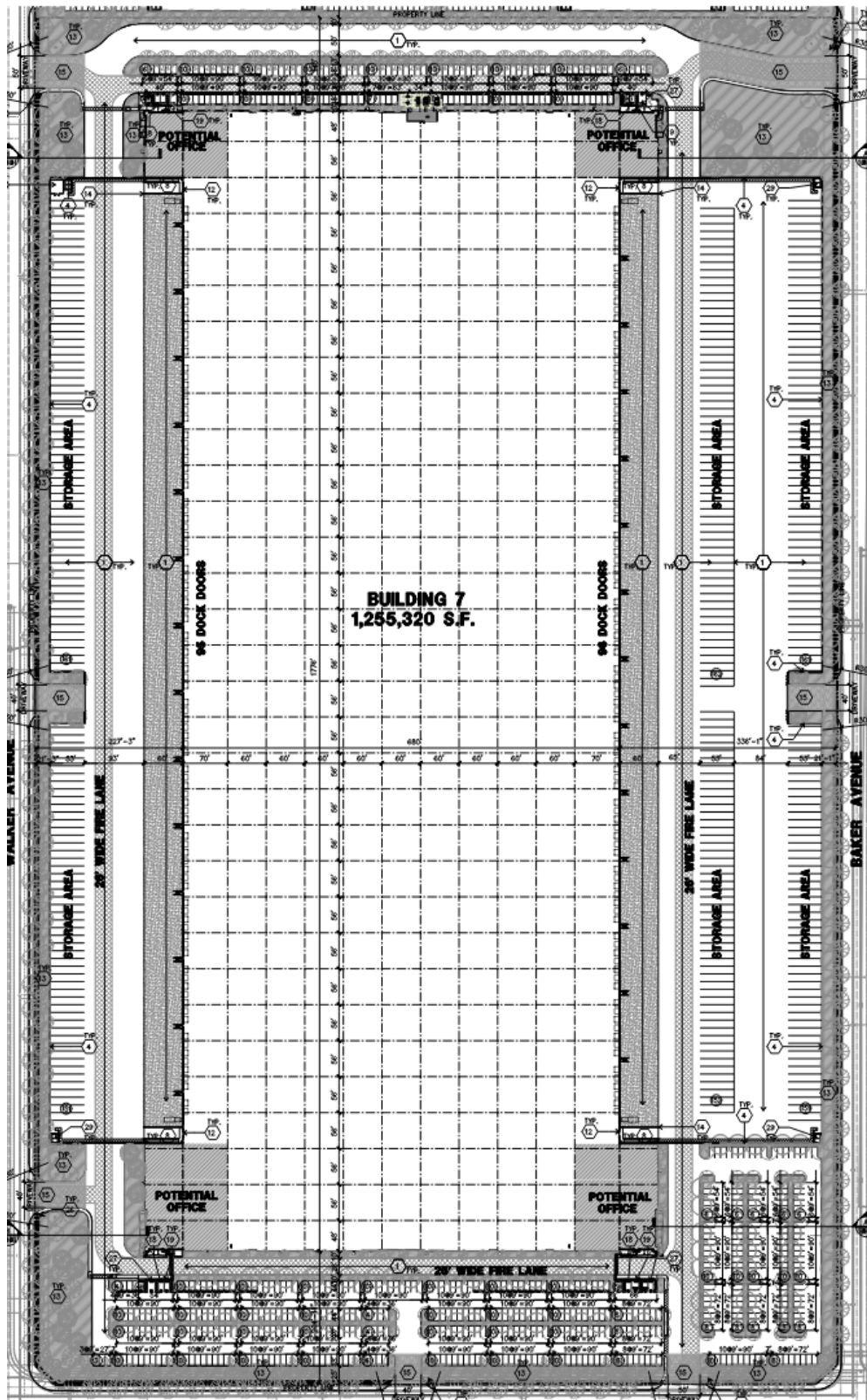
Development Advisory Board Chairman

**Exhibit A—PROJECT LOCATION MAP**





Exhibit B—SITE PLAN





**Exhibit C—EXTERIOR ELEVATIONS**



**South Elevation**



**West Elevation**



**Enlarged Office Elevation**



## **Attachment A—Departmental Conditions of Approval**

*(Departmental conditions of approval follow this page)*



## LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

**Date Prepared:** 5/16/2022

**File No:** PDEV21-040

**Related Files:** PMTT21-010

**Project Description:** A Development Plan to construct one industrial building totaling 1,255,320 square feet on 60.7 acres of land located at 4902 S. Baker Avenue, within the industrial land use district of the Merrill Commerce Center Specific Plan (MCCSP) zoning district; (APNs: 1054-151-01, 1054-151-02, 1054-201-01, 1054-201-02, 1054-351-01, 1054-351-02); **submitted by Prologis LP.**

**Prepared By:** Edmelynn V. Hutter, Senior Planner  
Phone: 909.395.2429 (direct)  
Email: ehutter@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 Lot Line Adjustment Approval.** Development Plan approval shall not be final and complete until such time that the associated Lot Line Adjustment (File No. E202200199) has been approved by the City and recorded with the County of San Bernardino.

**2.2 Time Limits.** 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.

**2.3 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** Architecture.

**(a)** Exterior building wall materials, roof types and colors shall be shown on development construction drawings.

**(b)** Roof access ladders shall be located on the inside of the building.

**(c)** All building drainage gutters, down spouts, vents, etc., shall be completely concealed from public view or shall be architecturally compatible (decorative) with the exterior building design and color.

**(d)** All tower elements on the building(s) shall be fully walled and finished on all sides and include detailing appropriate to the architectural style proposed, so as to be a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director. The term "tower elements" means architectural elements of the building that are that are substantially taller than the adjacent parapet wall or roof, as determined by the Planning Director.

#### **2.5** Landscaping and Site Amenities.

**(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)** The Project shall provide outdoor amenities such as employee break areas and include tables, seating and shade opportunities, subject to Planning Department review and approval.

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

**(d)** 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.

**(e)** 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.

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

(a) Within industrial zoning districts, walls and fences within the front yard building setback area shall not exceed 6 feet in height, with at least 90 percent of the vertical surface open and non-view obstructing and shall be setback a minimum of 5 feet behind the street property line.

(b) Long expanses of fence or wall (50 or more FT in length) adjacent to a public right-of-way shall have offset areas (decorative pilasters or a jog in the wall) along its length and shall be architecturally designed to prevent monotony. Construction plans shall include wall plans and details that show compliance with this condition of approval.

(c) The height of a wall or fence shall be measured on the exterior side, at the highest point of the natural ground or finished grade at the base of the fence or wall to the top of the fence or wall above the same base point.

(d) For gated sites, sufficient area shall be provided in front (exterior side) of vehicular access gates, to allow stacking of at least one tractor/trailer outside of the public street right-of-way.

(e) Development plans and construction drawings shall indicate materials, colors, and height of proposed and existing walls/fences and shall include a cross-section of walls/fences indicating adjacent grades. Walls shall be designed as an integral part of the architecture for the development.

(f) Walls shall be treated with a graffiti-proof coating at locations visible to the public.

**2.7** Refuse Storage (Trash Enclosures).

(a) All refuse shall be stored in an appropriate container. Furthermore, all refuse containers shall be stored within a City-approved enclosure, which shall be designed so as to be consistent with the building architecture on the project site.

(b) The number of enclosures, and their precise locations, dimensions, and design shall be provided consistent with the *Solid Waste Department Refuse and Recycling Planning Manual* (the manual may be obtain online at [http://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/planning\\_manual-2016\\_update.pdf](http://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/planning_manual-2016_update.pdf)).

(c) Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling shall be posted adjacent to all points of access to each trash enclosure.

(d) Trash enclosures shall be bordered by a minimum 5-FT wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates.



**2.8**     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)**     The use of compact parking spaces is not permitted.

**(g)**     Wheel stops shall be provided where necessary, to protect structures and parked vehicles.

**(h)**     Striping of parking spaces, aisles, and driveways conforming to the provisions of Development Code Division 6.03 (Off-Street Parking and Loading), and directional signs conforming to the provisions of Development Code Division 8.01 (Sign Regulations), shall be provided.

**(i)**     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) and subject to Planning review.

**2.9**     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 development shall maintain a minimum of 49 off-street loading spaces. Dock-high loading zones intended for tractor-trailers shall have a clear dimension of 12 FT wide by 45 FT long. All at-grade loading doors shall have a 12-FT wide by 18-FT deep unobstructed loading zone directly in front of the door, free of access drives.

**(f)** Truck loading and maneuvering areas in front of dock-high loading areas shall require a clear area of 120 FT.

**(g)** Loading areas shall be designed to provide for backing and maneuvering completely on-site, and not from a public street.

**(h)** Loading areas shall not encroach into landscape or building setbacks.

**(i)** All loading doors, areas, and activities shall be completely screened from public view, as well as from public, residential, and commercial uses, whether on the same lot or on neighboring properties, by a decorative masonry wall. Chain link fencing with slats or tennis windscreen material shall not be used as screening for storage areas.

**(j)** The height of screen and wing walls shall be determined by a sight-line analysis/wall section plan. The sight-line analysis/wall section plan shall show that all roll-up doors will be screened from view from adjoining parcels and public streets. The following criteria shall apply:

**(i)** Roll-up doors and openings in the screen wall shall be positioned such that the doors are not visible from the street.

**(ii)** Screening shall include a combination of screen walls, sight-obscuring gates, ornamental landscaping, and/or portions of the building such that the roll-up doors are not visible from the public street.

**(iii)** Upon Planning Department request, a “horizontal height mock up” shall be constructed for review and approval by Planning Department staff to verify adequacy of screen wall height from the freeway and streets. Mock up should be located at the lowest elevation on the site.

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

<b>Screen Wall Height</b>	<b>Minimum Gate Height</b>
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet

<b>Screen Wall Height</b>	<b>Minimum Gate Height</b>
8 feet:	8 feet
6 feet:	6 feet

**2.10** Site Lighting.

**(a)** Site lighting shall be reviewed and approved by the Planning and Police Departments prior to the issuance of building permits.

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

**(c)** The maximum height of luminaires shall be as follows:

**(i)** When a light source or luminaire has no cutoff (the point at which all light rays are completely shielded), the maximum permitted height of the luminaire shall be 14 FT.

**(ii)** When a luminaire has a total cutoff of light at an angle of 90 degrees or greater, the maximum permitted height of the luminaire shall be 24 FT.

**(iii)** When a luminaire has a total cutoff of light at an angle of less than 90 degrees, the maximum permitted height of the luminaire shall be 30 FT.

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

**(e)** Along pedestrian movement corridors, the use of low mounted bollard light standards, which reinforce pedestrian scale, shall be used. Steps, ramps and seatwalls should be illuminated wherever possible, with built-in light fixtures.

**(f)** The location of light fixtures should correspond to anticipated use. Lighting of pedestrian movement paths should illuminate changes in grade, path intersections, seating areas and any other uses along the movement path that, if left unlighted, would create an unsafe situation.

**(g)** Night lighting of buildings is encouraged, but should be accomplished in a selective manner, avoiding overall building illumination that produces an undesirable look. Night lighting of buildings may be used to highlight special building features, emphasize repeated or decorative features, and use the juxtaposition of light and shadow to articulate the building façade.

**2.11** 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. The plans shall include a cross-section drawing showing how the equipment is to be screened from view (include dimensions, materials, colors, etc.).

**(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.

**(c)** Rooftop equipment and ground-mounted screening shall be verified at occupancy. Additional screening will be required if determined necessary.

**2.12** Architectural Treatment.

**(a)** Exterior building wall materials, roof types and colors shall be shown on development construction drawings.

**(b)** Roof access ladders shall be located on the inside of the building.

**(c)** All building drainage gutters, down spouts, vents, etc., shall be completely concealed from public view or shall be architecturally compatible (decorative) with the exterior building design and color.

**(d)** All tower elements on the building(s) shall be fully walled and finished on all sides and include detailing appropriate to the architectural style proposed, so as to be a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director. The term "tower elements" means architectural elements of the building that are that are substantially taller than the adjacent parapet wall or roof, as determined by the Planning Director.

**(e)** At locations where changes in parapet wall height meet, the taller parapet must return into the building for a minimum distance of 6 FT, so that the actual thickness of the parapet wall cannot be observed or readily discerned.

**(f)** At building corners, where conditions exist that would allow the public to view the back (interior) side of parapet walls resulting from changes in parapet heights, the raised parapet area shall be constructed so as to be a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director.

**(g)** Colored elevations incorporating required exterior elevation changes shall be provided.

**(h)** The following architectural changes, detail and other information shall be incorporated into the construction drawings and are subject to City Staff review and approval:

**(i)** Show deeper recesses on the tilt-up wall panels. The proposed two feet is minimal, considering the scale and length of the building. Please provide plan details of the proposed tilt-up wall recesses and wall offsets including dimensions.

**(ii)** Show dimension of changes in parapet height on the elevation drawings.

**(iii)** Provide dimensioned details and elevation on scoring patterns for the tilt-up walls.

**(iv)** Provide dimension, plan, elevations, material, and color information on the proposed angled awning/cover at the office entries.

- (v) Revise plans to avoid placing downspout locations over glazing.

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

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

**2.15** 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).

**2.16** Trip Reduction Measures. The Project shall comply with the following trip reduction measures, as applicable:

- (a) Safe and convenient access to bicycle racks shall be provided from public streets. Bicycle racks or other secure bicycle parking, and shower/changing rooms, shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

- (b) On-site pedestrian walkways shall be provided, which connect each building in a development to bicycle parking facilities (if required) and public streets.

- (c) Passenger loading areas shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

- (d) Parking spaces reserved for use by carpool/vanpool vehicles shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

- (e) Transit facilities, such as bus shelters, bus pullouts, and bus pads, shall be provided if the Planning Director, in consultation with local transit providers, determines they are needed to serve the development.

**2.17** Environmental Review.

- (a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP18-001, a Specific Plan for which the Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079) was previously adopted by the City Council on 2/2/2021. 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) MCCSP EIR (State Clearinghouse No. 219049047) Mitigation Measure 4.10.1 – Mitigation for potential impacts to residences and dairy properties at 14651 South Grove Avenue and 8643 West Eucalyptus Avenue shall be provided consistent with City requirements, to include:

- (i) Payment of mitigation fees;

(ii) Provisions of as-built drawings and Historic American Buildings Survey (HABS) photo documentation; and

(iii) Development of Historic Context Reports for significant persons in the dairy farm industry, such as the Borba Family.

(c) The HABS documentation shall be prepared and submitted to the City for review and approval prior to issuance of any building permit.

(d) The Project shall be designed and constructed in compliance with the associated Greenhouse Gas Reduction Measures Screening Table for this Project.

(e) 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).

(f) 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.

**2.18** 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.

**2.19** Additional Requirements.

(a) The Development Plan is subject to applicable conditions of approval stipulated in Resolution No. PC21-017 (File No. PMTT20-010: Parcel Map No. 20273).

**2.20** Additional Fees

(a) The Project shall be subject to the Development Impact Fees and required payment timelines stipulated in the associated Development Agreement (PDA18-004).

(b) 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 will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Development Advisory Board

**FROM:** Edmelynne Hutter, Senior Planner

**DATE:** May 16, 2022

**SUBJECT:** File No. PDEV21-040  
ITEM C

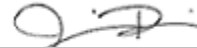
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At the time the agenda went to print, not all department Conditions of Approval were available. The Engineering and Airport Conditions of Approval will be distributed to the Development Advisory Board as soon as they are completed.

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

**CONDITIONS OF APPROVAL**

Sign Off



05/03/2022

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

**Jamie Richardson, Sr. Landscape Planner**

Phone:

**(909) 395-2615**

D.A.B. File No.:  
 PDEV21-040

Case Planner:  
 Edmelynn Hutter

Project Name and Location:

Industrial Building  
 4902 S Baker Ave

Applicant/Representative:

Prologis, L.P. – HPA [Jaime@hpaarchs.com](mailto:Jaime@hpaarchs.com) (949) 862-2110  
 18831 Bardeen Avenue, Suite 100  
 Irvine, CA 92612



**Preliminary Plans (dated 4/25/2022) meet the Standard Conditions for New Development and have been approved considering that the following conditions below be met upon submittal of the landscape construction documents.**



**Preliminary Plans (dated) have not been approved. Corrections noted below are required before Preliminary Landscape Plan approval.**

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

Landscape construction plans with plan check number may be emailed to:  
[landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)

**PREVIOUS COMMENTS (Clarifications provide in red)**

1. Show and identify any on-site stormwater infiltration areas or stormwater infiltration devices proposed in parkways or other landscape areas. **Locate the underground infiltration systems away from landscape areas; reconfigure so they are designed under parking areas and move around island and landscape planters.**
2. Show or note transformers shall be in planter areas and set back 3' from paving for small transformers less than 4' high and 5' setback for large transformers greater than 4' high. Locate on level grade. Coordinate with landscape plans. **Show locations on both civil and landscape plans and add notes and dimensions.**
3. Show or note backflow devices shall be in planter areas and set back min 3' from paving. Locate on level grade. Coordinate with landscape plans. **Show locations on both civil and landscape plans and add notes and dimensions.**
4. Wall footings shall not restrict landscape; max 12" in front of footing with 12" of cover. **Condition.**
5. Show on plans step-outs at parking spaces adjacent to planters; 12" wide monolithic curb, 12" compacted decomposed granite or pavers adjacent to the 6" curb. **Provide detail.**
6. Provide an outdoor employee area with places to sit and shade trees or structures. **Show on plans.**
7. Provide a tree inventory for existing trees, including genus, species, trunk diameter, canopy width, and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property affected by new walls, footings, or on-site tree planting. Add tree protection notes on construction and demo plans. Aerial photographs identify an existing windrow that will need to be included in the inventory. **Submit inventory; this inventory will include any existing windrows or trees within 15' of the property. Recent site inspections have identified that the trees have been removed. Please forward the arborist report. If an arborist report was not prepared as required, we will need to discuss mitigation measures based on aerial and site photographs; coordinate with a certified arborist or the landscape architect. Replacement and mitigation for removed trees shall be equal to the trunk diameter of heritage trees**

removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.

8. Add notes for any tree removal to occur outside of typical nesting season (February 1 through August 31) or per the specific plan EIR mitigation Measures. **Condition.**
9. Replacement and mitigation for removed trees shall equal the trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as: **Condition.**
  - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required.
  - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
  - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
  - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal," approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking, and irrigating 15-gallon trees (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items.
10. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind corners. **Remove the expanse of concrete at corners; maximum 4' behind the ramp.**

#### Landscape Plans

11. Provide an arborist report and tree inventory as noted in #8 & 10. **Submit inventory; this inventory will include any existing windrows or trees within 15' of the property. Recent site inspections have identified that the trees have been removed. Please forward the arborist report. If an arborist report was not prepared as required, we will need to discuss mitigation measures based on aerial and site photographs; coordinate with a certified arborist or the landscape architect. Replacement and mitigation for removed trees shall be equal to the trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.**
12. Landscape plans for offsite improvements shall be submitted to the Engineering Department.
13. Show corner ramp and sidewalk per city standard drawing 1213. **Remove the expanse of concrete at corners; maximum 4' behind the ramp.**
14. Show accessible route from the public sidewalk, accessible path to employee break area, and accessible path to adjacent industrial buildings within the same development. Include required accessible parking spaces and access aisles. **Show accessible routes.**
15. Show outdoor employee break area with table or bench and shade trees on the south and west sides. **Show the outdoor area and accessible access.**
16. 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. Landscape construction plans with building permit number for plan check may be emailed to: [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Edmelyne Hutter, Senior Planner  
Planning Department

**FROM:** Paul Ehrman, Sr. Deputy Fire Chief/Fire Marshal  
Fire Department

**DATE:** November 22, 2021

**SUBJECT:** PDEV21-040 - A Development Plan to construct one industrial building totaling 1,255,320 square feet on 60.7 acres of land locate at 4902 S. Baker Avenue, within the industrial land use district of the Merrill Commerce Center Specific Plan (MCCSP) zoning district. (APNs: 1054-151-01, 1054-151-02, 1054-201-01, 1054-201-02, 1054-351-01, 1054-351-02). Related File No. PMTT20-010.

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

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### **SITE AND BUILDING FEATURES:**

- A. 2019 CBC Type of Construction: Type II B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 1,240,320 Sq. Ft.
- D. Number of Stories: 1 w/ Mezzanine
- E. Total Square Footage: 1,255,320 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): S

## **CONDITIONS OF APPROVAL:**

### **1.0 GENERAL**

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

### **2.0 FIRE DEPARTMENT ACCESS**

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

### **3.0 WATER SUPPLY**

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2019 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

### **4.0 FIRE PROTECTION SYSTEMS**

- ☒ 4.2 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 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.



## 5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

## 6.0 OTHER SPECIAL USES

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



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Edmelyne Hutter, Senior Planner

**FROM:** Officer Tony Galban, Police Department

**DATE:** November 10, 2021

**SUBJECT:** PDEV21-040 - A DEVELOPMENT PLAN TO CONSTRUCT ONE INDUSTRIAL BUILDING TOTALING 1,255,320 SQUARE FEET, LOCATED AT 4902 SOUTH BAKER AVENUE.

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

- Required lighting for all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 6 feet tall and 2 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street. Associated letters shall also be included.
- First floor common stairwells shall be constructed to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Officer Tony Galban at (909) 408-1006 with any questions or concerns regarding these conditions.



# Development Advisory Board Decision

May 16, 2022

**DECISION NO.:** [insert #]

**DECISION NO.:** [insert #]

**FILE NOS.:** PMTT22-007 and PDEV22-002

**DESCRIPTION:** A hearing to consider: (1) a Tentative Parcel Map No. 20537 (File No. PMTT22-007), subdividing 119.94 acres of land into three parcels; and (2) a Development Plan (File No. PDEV22-002) to construct two industrial buildings totaling 2,237,458 square feet on 119.94 acres of land located at the northeast corner of Merrill Avenue and Grove Avenue, within PA-1 and PA-2 of the Industrial land use district of the Merrill Commerce Center Specific Plan; (APNs: 1054-111-03, 1054-141-03, 1054-221-03, 1054-331-03, and 1054-331-04) **submitted by Prologis LP. Planning Commission action is required.**

## Part I—BACKGROUND & ANALYSIS

PROLOGIS LP., (herein after referred to as “Applicant”) has filed an application requesting Tentative Parcel Map and Development Plan approval, File Nos. PMTT22-002 and PDEV22-007, as described in the subject of this Decision (herein after referred to as “Application” or “Project”).

(1) **Project Setting:** The Project site is comprised of 119.94 acres of land located at the northeast corner of Merrill and Grove Avenues and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Industrial (0.55 FAR)	Merrill Commerce Center Specific Plan	Industrial
<i>North</i>	Vacant	Business Park (0.6 FAR)	Merrill Commerce Center Specific Plan	Business Park
<i>South</i>	Agriculture, Industrial (City of Chino)	Public, Light Industrial (City of Chino)	Airport Development, Preserve Specific Plan (City of Chino)	Light Industrial (City of Chino)
<i>East</i>	Vacant	Industrial (0.55 FAR)	Merrill Commerce Center Specific Plan	Industrial
<i>West</i>	Agricultural Dairy	Industrial (0.55 FAR)	South Ontario Logistics Center Specific Plan	Industrial

(2) **Project Description:**

(i) **Background** — On February 2, 2021, the City Council approved the introduction (first reading) of Ordinance No. 3178 for the Merrill Commerce Center Specific Plan (“MCCSP”), adopted Resolution No. R2021-011, certifying the MCCSP Final Environmental Impact Report (“Certified EIR”; State Clearinghouse No. 2019049047), and adopted Resolution No. R2021-012, approving the associated General Plan Amendment (File No. PGPA18-003) establishing the Business Park (0.6 FAR) and Industrial

(0.55 FAR) land uses on the Project site. On February 16, 2021, the City Council adopted (second reading) Ordinance No. 3178, approving the MCCSP (File No. PSP18-001). The MCCSP establishes the land use designations, development standards, and design guidelines on 376.3 acres of land, which includes the potential development of up to 8,455,000 square feet of industrial and business park development.

On March 23, 2021, the Planning Commission approved Tentative Parcel Map No. 20273, a request to subdivide the Merrill Commerce Center Specific Plan area to create 22 numbered lots, 22 lettered lots, public streets, and to facilitate future development of industrial and business park projects. On November 16, 2021, the City Council approved Final Parcel Map No. 20273.

On January 10, 2022, the applicant submitted the subject Development Plan (File No. PDEV22-002) to develop the 119-acre Project site with two industrial buildings, to be used as warehouse distribution centers, totaling 2,237,458 square feet of gross floor area. On February 22, 2022, the applicant submitted Tentative Parcel Map No. 20537 (File No. PMTT22-007) to subdivide the Project site to combine existing parcels to accommodate the proposed warehouse buildings.

(ii) Tentative Parcel Map No. 20537 — Proposed Tentative Parcel Map No. 20537 (see Exhibit B) would; (1) merge two parcels into one parcel, (2) merge another three parcels into one parcel, and (3) realign East Borba Street. Proposed Parcel 1 of Tentative Parcel Map No. 20537 will be 57.598 acres in size and located on the north side of East Borba Street, between Walker and Grove Avenues.

Proposed Parcel 2 will be 54.232 acres in size and located to the south of Borba Street and north of Merrill Avenue.

The tentative parcel map also includes Parcel 3 that is 5.132 acres in size and maintains the no-build parcel established by Parcel Map No. 20273.

(iii) Development Plan

(i) **Site Design/Building Layout** — The proposed development includes two warehouse distribution buildings, referred to as Building 4 and Building 5. The Project site plan (see Exhibit C) locates Building 4 at the southwest corner of future Walker Avenue and future East Borba Street. Building 4 is bounded by Borba Street on the north, Merrill Avenue on the south, future Walker Avenue on the east, and Grove Avenue on the west. The warehouse building is proposed to be 1,072,097 square feet in size, including approximately 16,000 square feet of office area. The building is rectangular in shape and oriented in an east-west direction, with the primary office entrances facing east, towards Walker Avenue. The floor area ratio ("FAR") for Building 4 is 0.45, which is below the 0.55 FAR maximum allowed by the MCCSP and The Ontario Plan.

Building 5 is located at the northwest corner of future Walker Avenue and future East Borba Street, and is bounded by private property on the north, future Borba Street on the south, future Walker Street on the east, and Grove Avenue on the west. This warehouse building is proposed to be 1,166,668 square feet in size, including approximate 16,000 square feet of office area. Similar to Building 4, Building 5 is rectangular in shape and oriented in an east-west direction, with the primary office entrances facing east towards, Walker Avenue. The FAR for Building 5 is 0.46, and also meets the 0.55 FAR maximum allowed by the MCCSP and The Ontario Plan.

The north Project site boundary abuts four properties that are designated as Business Park land use. These parcels will be proposed for Business Park developments in the future and under separate Development Plan applications.

Both buildings have parking lots located on the east end of the parcels, along Walker Avenue. On the west side, on Grove Avenue, truck access is provided by one access drive for each building, which leads to

queuing areas that can accommodate at least twelve truck trailers. In addition, both building sites are designed with truck docks and trailer parking on the north and south sides of each building, with a larger trailer parking area on the west side of the buildings. In addition, both building sites provide outdoor amenities for employee use, including covered areas with tables and seating.

(ii) **Site Access/Circulation** — The proposed warehouse buildings are provided with multiple access points for trucks and passenger vehicles. Building 4 is designed with passenger vehicle driveway access at two locations along its Walker Avenue frontage, as well as one location on Borba Street, near the intersection with Walker Avenue. Primary truck access is located on Grove Avenue and provides room for twelve trucks with trailers to queue at the truck yard gate.

As designed, passenger vehicle access and circulation are generally separate from truck access and truck yard areas.

(iii) **Parking** — The Project is required to provide a total of 1,139 passenger vehicle parking spaces and 75 trailer parking spaces. The Project provides 1,254 passenger vehicle parking spaces and as much as 1,081 trailer parking spaces, exceeding the minimum parking requirements. Table A, below, provides a parking summary for the Project.

<b>Table A: Parking Summary</b>					
<b>Type of Use</b>	<b>Building Area</b>	<b>Trailer Parking</b>		<b>Vehicle Spaces</b>	
		<b>Required</b>	<b>Provided</b>	<b>Required</b>	<b>Provided</b>
Building 4: Warehouse / Distribution	1,072,097 SF	35	539	546	651
Building 5: Warehouse / Distribution	1,166,668 SF	40	542	593	603
<b>Total</b>	<b>2,238,765 SF</b>	<b>75</b>	<b>1,081</b>	<b>1,139</b>	<b>1,254</b>

As proposed, the passenger vehicle parking lot for Building 4 provides 409 spaces and the passenger vehicle parking lot for Building 5 provides 291 spaces. The balance of the required parking spaces can be accommodated within the truck yards of the respective building sites if necessitated by tenant operations.

All access driveways will be restricted with full height gates for the truck yards, or barrier arms for the parking lots and the Project will be conditioned to ensure that operation of the barriers allow proper access to police, fire, emergency services, and waste and recycling collection services.

(iv) **Architecture** — The Project incorporates a Contemporary Architectural style. The proposed buildings will be of concrete tilt-up construction with color blocking, accent colors, and score patterns. The paint colors proposed for this building are white and varying shades of gray. Dark green will be utilized as an accent color and applied in a vertical pattern adjacent to glazing. Material such as metal awnings, metal canopy, and green-hued vision glazing are applied on the east building elevations and portions of parapet walls.

The architectural design also incorporates wall offsets to create variations in the wall plane, visual depth, shadows, and dimensions. The proposed wall offsets on the building are typically three or four feet.

The proposed employee amenities are provided in the form of covered patio areas that are attached to the warehouse building and designed to architecturally match the structure.

(iv) **Landscaping** — The MCCSP requires a minimum 10 percent landscape coverage be provided for buildings within the industrial and Business Park land use districts. As proposed,

the Project's overall landscape coverage is 10.3 percent, which meets the minimum requirement. The Project provides landscaping around the project perimeter, adjacent to the building and throughout the parking lot to soften the appearance of these areas and provide additional shade. The landscape plan includes over 1,000 trees to be planted on-site and within the neighborhood edges. The proposed tree species include Chinese Flame Tree, pine varieties, oak varieties, Crape Myrtle, California Sycamore, and Italian Cypress. Landscape plans will also incorporate low-water usage and drought-tolerant shrubs and ground covers throughout the site.

The Project includes right-of-way improvements (street, curb, gutter, sidewalk, and parkway) along the surrounding streets. The proposed on-site and off-site landscape improvements will assist toward creating safe paths and areas for pedestrians to access the Project site. In compliance with the MCCSP, a neighborhood edge will be installed along Grove, Merrill, and Walker Avenues, as well as a multi-purpose trail along Merrill Avenue.

(v) **Signage** — All future signage will be subject to review and approval of a comprehensive sign program for the Specific Plan area. A sign program will facilitate integration of the signs with the overall site and building design to create a unified visual statement and provide for flexible application of sign regulations in the design and display of multiple signs. Key provisions will include an entry monument, center and tenant identification signage, traffic and wayfinding signs, building signs, secondary monumentation, and visitor and directional signage.

(vi) **Utilities (drainage, sewer)** — The Project will be required to construct infrastructure improvements per the Development Agreement (File No. PDA18-004) and requirements of the MCCSP. 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 a retention basin, underground storm water retention chambers to receive, retain, and treat storm water runoff.

## **Part II—RECITALS**

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

WHEREAS, the Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079) was certified by the City Council on February 2, 2021, ("Certified EIR") in conjunction with File No. PSP18-001, in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the Certified EIR, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

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

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



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

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

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

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

WHEREAS, on May 16, 2022, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

### ***Part III—THE DECISION***

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

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

(1) The environmental impacts of this project were previously reviewed in conjunction with File Nos. PGPA18-003 and PSP18-001, a General Plan Amendment and Specific Plan for which an Environmental Impact Report (State Clearinghouse No. 2019049079) (“Certified EIR”) was adopted by the City Council on February 2, 2021; and

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

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; 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 DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR 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 body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

**SECTION 4: 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, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when

implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics. As the decision-making body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the 2011 California Airport Land Use Planning Handbook compatibility factors. As a result, the DAB therefore, finds and determines that the Project is consistent with the policies and criteria set forth within the Handbook, subject to conditions.

**SECTION 5: Concluding Facts and Reasons.** Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) Tentative Parcel Map

(a) **The proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.** The proposed Tentative Parcel Map is located within the Industrial land use district of the Policy Plan Land Use Map, and the MCCSP zoning district. 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 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*).

(b) **The design or improvement of the proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.** The proposed Tentative Parcel Map is located within the Industrial land use district of the Policy Plan Land Use Map, and the MCCSP zoning 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*).

(c) **The site is physically suitable for the type of development proposed.** The Project site meets the minimum lot area and dimensions of the MCCSP zoning district and is physically suitable for the type of industrial development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(d) **The site is physically suitable for the density/intensity of development proposed.** The Project site is proposed for industrial development at a floor area ratio of 0.45 (Building 4) and 0.46 (Building 5). The Project site meets the minimum lot area and dimensions of the MCCSP zoning district and is physically suitable for this proposed density / intensity of development.

(e) **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.

(f) **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 industrial warehouse, parking lot, landscaping and street 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.

(g) **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.

(2) Development Plan

(a) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Industrial land use district of the Policy Plan Land Use Map, and the MCCSP 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.

(b) **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 MCCSP zoning district, including standards relative to the particular land use proposed (warehouse distribution), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(c) **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 Merrill Commerce Center Specific Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with

the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Merrill Commerce Center Specific Plan.

(d) ***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 Merrill Commerce Center Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as well as those development standards and guidelines specifically related to the particular land use being proposed (warehouse distribution). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Merrill Commerce Center Specific Plan.

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

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

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

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APPROVED AND ADOPTED this 16th day of May 2022.

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Development Advisory Board Chairman

**Exhibit A—PROJECT LOCATION MAP**





Exhibit B—TENTATIVE PARCEL MAP NO. 20537

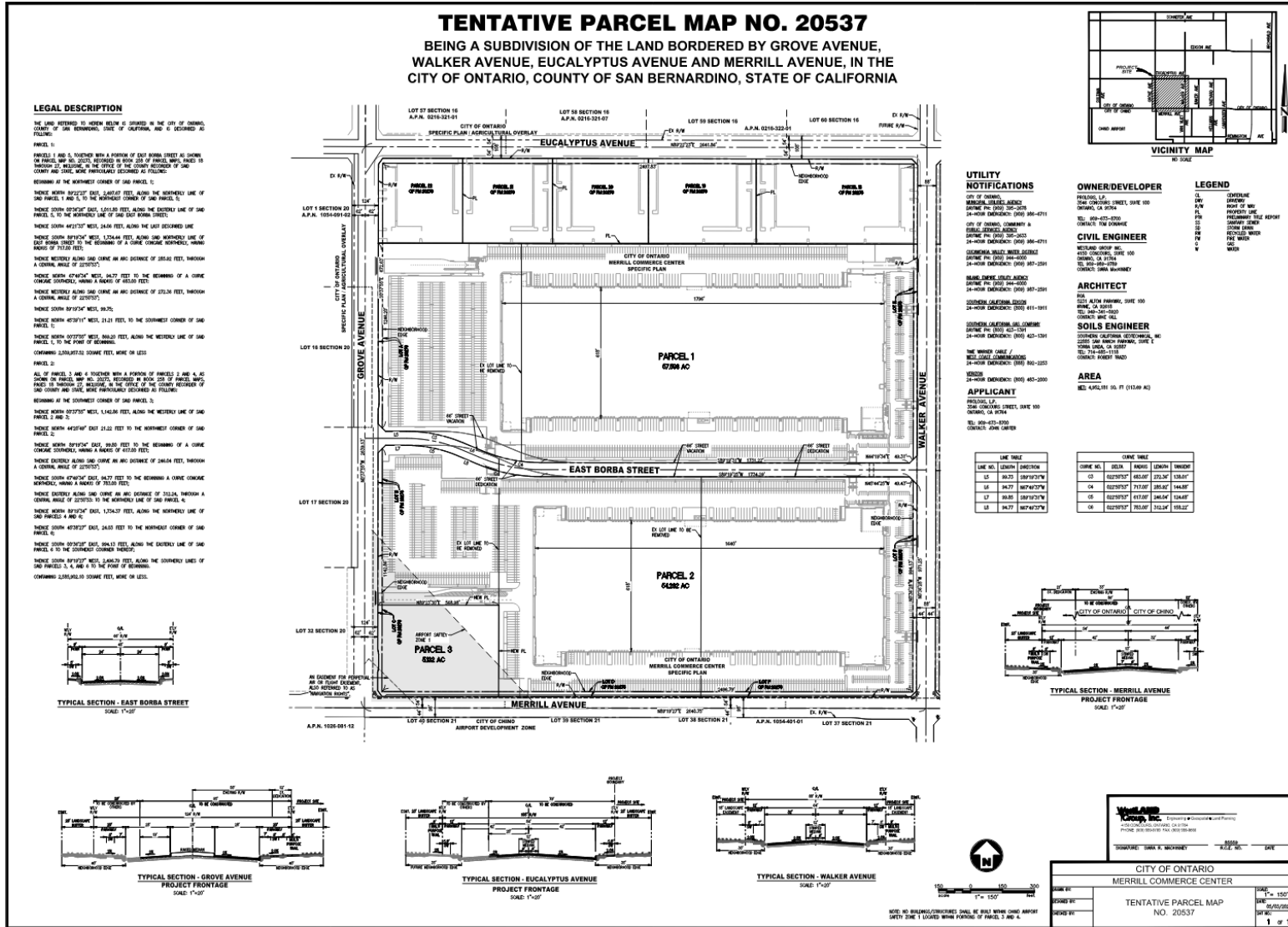
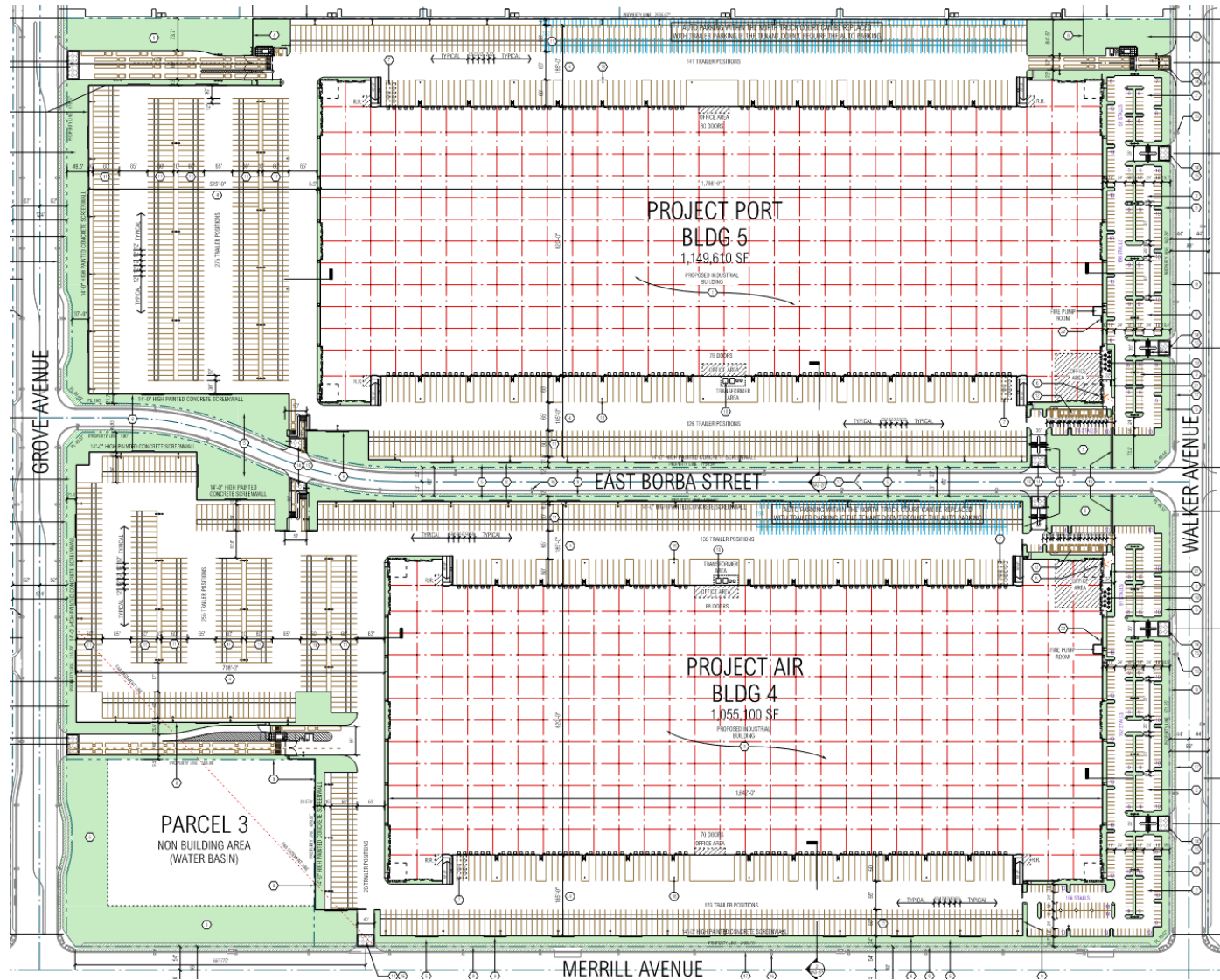
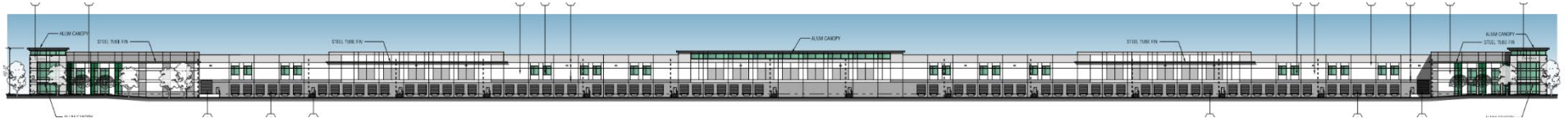


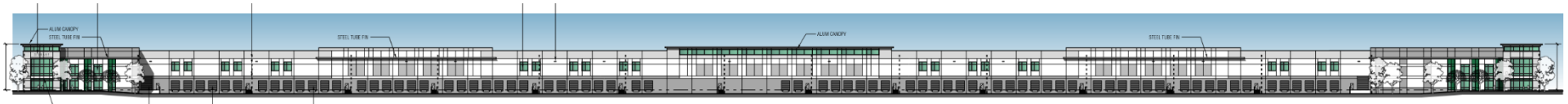
Exhibit C—SITE PLAN



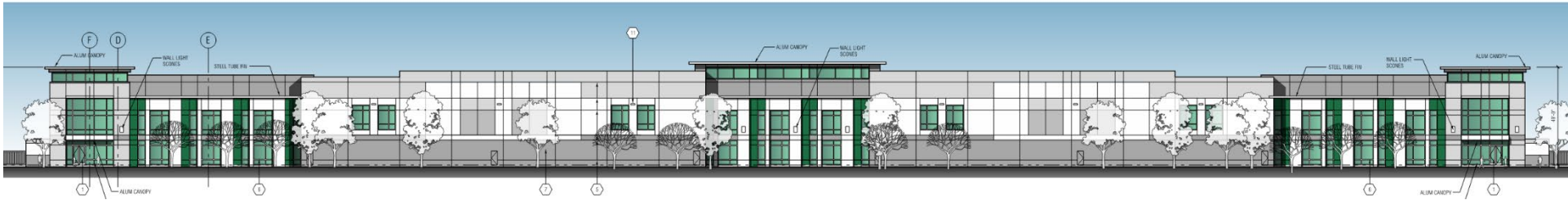
**Exhibit D—EXTERIOR ELEVATIONS**



**North Elevation**



**South Elevation**

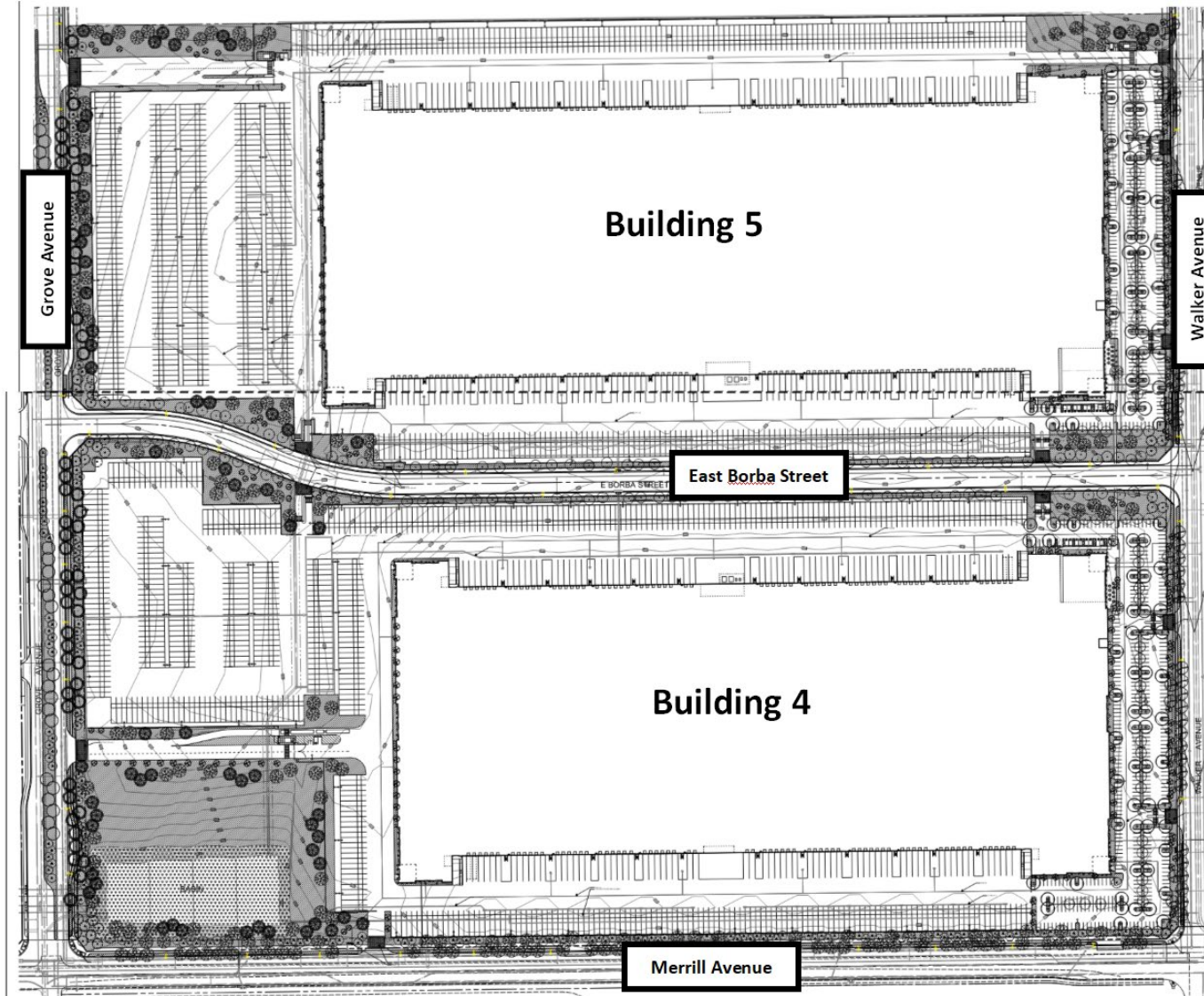


**West Elevation**



**East Elevation**

**Exhibit E—LANDSCAPE PLAN**



## **Attachment A—Departmental Conditions of Approval**

*(Departmental conditions of approval follow this page)*





## LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

**Date Prepared:** 5/5/2022  
**File No:** PMTT22-007  
**Related Files:** PDEV22-002, PMTT20-010

**Project Description:** A Tentative Parcel Map to subdivide 119.94 acres of land into three parcels at the northeast corner of Merrill Avenue and Grove Avenue, within PA-1 and PA-2 of the Industrial land use district of the Merrill Commerce Center Specific Plan to facilitate the development of two (2) industrial buildings proposed in File No. PDEV22-002; (APNs: 1054-111-03, 1054-141-03, 1054-221-03, 1054-331-03, and 1054-331-04); **submitted by Prologis LP.**

**Prepared By:** Edmelynn V. Hutter, Senior Planner  
Phone: 909.395.2429 (direct)  
Email: [ehutter@ontarioca.gov](mailto:ehutter@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.** Tentative Parcel Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

**2.2 Subdivision Map.**

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



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

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

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

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

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

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

**2.4** Landscaping.

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

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

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

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

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

**2.6** Parking, Circulation and Access.

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

**(b)** 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).

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

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

**(a)** This project shall be subject to the CC&Rs document approved in association with Parcel Map No. 20273. Otherwise, separate 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.

## **2.9** Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP18-001, a Specific Plan for which the Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079) was previously adopted by the City Council on 2/2/2021. 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) MCCSP EIR (State Clearinghouse No. 219049047) Mitigation Measure 4.10.1 – Mitigation for potential impacts to residences and dairy properties at 14651 South Grove Avenue and 8643 West Eucalyptus Avenue shall be provided consistent with City requirements, to include:

- (i) Payment of mitigation fees;
- (ii) Provisions of as-built drawings and Historic American Buildings Survey (HABS) photo documentation; and
- (iii) Development of Historic Context Reports for significant persons in the dairy farm industry, such as the Borba Family.

(c) The HABS documentation shall be prepared and submitted to the City for review and approval prior to issuance of any building permit.

(d) The Project shall be designed and constructed in compliance with the associated Greenhouse Gas Reduction Measures Screening Table for this Project.

(e) 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).

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

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

**2.11** Additional Requirements.

**(a)** The Project shall comply with all Federal, State, and local regulations regarding use, transportation, and storage of hazardous materials during construction and project implementation.

**2.12** Additional Fees.

**(a)** The Project shall be subject to the Development Impact Fees and required payment timelines stipulated in the associated Development Agreement (PDA18-004).

**(b)** 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 will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

**(c)** 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.



## LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

**Date Prepared:** 5/5/2022  
**File No:** PDEV22-002  
**Related Files:** PMTT22-007, PMTT20-010

**Project Description:** A Development Plan to construct two industrial buildings totaling 2,237,458 square feet on 119.94 acres of land located at the northeast corner of Merrill Avenue and Grove Avenue, within PA-1 and PA-2 of the Industrial land use of the Merrill Commerce Center Specific Plan; (APNs: 1054-111-03, 1054-141-03, 1054-221-03, 1054-331-03, and 1054-331-04); **submitted by Prologis LP.**

**Prepared By:** Edmelynn V. Hutter, Senior Planner  
Phone: 909.395.2429 (direct)  
Email: [ehutter@ontarioca.gov](mailto:ehutter@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** Architecture.

**(a)** Exterior building wall materials, roof types and colors shall be shown on development construction drawings.

**(b)** Roof access ladders shall be located on the inside of the building.

**(c)** All building drainage gutters, down spouts, vents, etc., shall be completely concealed from public view or shall be architecturally compatible (decorative) with the exterior building design and color.

**(d)** All tower elements on the building(s) shall be fully walled and finished on all sides and include detailing appropriate to the architectural style proposed, so as to be a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director. The term "tower elements" means architectural elements of the building that are that are substantially taller than the adjacent parapet wall or roof, as determined by the Planning Director.

### **2.4** Landscaping.

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

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

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

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

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



**(a)** Within industrial zoning districts, walls and fences within the front yard building setback area shall not exceed 6 feet in height, with at least 90 percent of the vertical surface open and non-view obstructing and shall be setback a minimum of 5 feet behind the street property line.

**(b)** Long expanses of fence or wall (50 or more FT in length) adjacent to a public right-of-way shall have offset areas (decorative pilasters or a jog in the wall) along its length and shall be architecturally designed to prevent monotony. Construction plans shall include wall plans and details that show compliance with this condition of approval.

**(c)** The height of a wall or fence shall be measured on the exterior side, at the highest point of the natural ground or finished grade at the base of the fence or wall to the top of the fence or wall above the same base point.

**(d)** For gated sites, sufficient area shall be provided in front (exterior side) of vehicular access gates, to allow stacking of at least one tractor/trailer outside of the public street right-of-way.

**(e)** Development plans and construction drawings shall indicate materials, colors, and height of proposed and existing walls/fences and shall include a cross-section of walls/fences indicating adjacent grades. Walls shall be designed as an integral part of the architecture for the development.

**(f)** Walls shall be treated with a graffiti-proof coating at locations visible to the public.

## **2.6** Refuse Storage (Trash Enclosures).

**(a)** All refuse shall be stored in an appropriate container. Furthermore, all refuse containers shall be stored within a City-approved enclosure, which shall be designed so as to be consistent with the building architecture on the project site.

**(b)** The number of enclosures, and their precise locations, dimensions, and design shall be provided consistent with the *Solid Waste Department Refuse and Recycling Planning Manual* (the manual may be obtain online at [http://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/planning\\_manual-2016\\_update.pdf](http://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/planning_manual-2016_update.pdf)).

**(c)** Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling shall be posted adjacent to all points of access to each trash enclosure.

**(d)** Trash enclosures shall be bordered by a minimum 5-FT wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates.

## **2.7** 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)** Implementation and operation of access restrictions such as gates and/or barrier arms shall provide proper access to police, fire, emergency services and waste and recycling collection services, subject to City review and approval.

**(g)** The use of compact parking spaces is not permitted.

**(h)** Wheel stops shall be provided where necessary, to protect structures and parked vehicles.

**(i)** Striping of parking spaces, aisles, and driveways conforming to the provisions of Development Code Division 6.03 (Off-Street Parking and Loading), and directional signs conforming to the provisions of Development Code Division 8.01 (Sign Regulations), shall be provided.

**(j)** 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).

## **2.8** 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 development shall maintain a minimum of 49 off-street loading spaces. Dock-high loading zones intended for tractor-trailers shall have a clear dimension of 12 FT wide by 45 FT long. All at-grade loading doors shall have a 12-FT wide by 18-FT deep unobstructed loading zone directly in front of the door, free of access drives.

(f) Truck loading and maneuvering areas in front of dock-high loading areas shall require a clear area of 120 FT.

(g) Loading areas shall be designed to provide for backing and maneuvering completely on-site, and not from a public street.

(h) Loading areas shall not encroach into landscape or building setbacks.

(i) All loading doors, areas, and activities shall be completely screened from public view, as well as from public, residential, and commercial uses, whether on the same lot or on neighboring properties, by a decorative masonry wall. Chain link fencing with slats or tennis windscreen material shall not be used as screening for storage areas.

(j) The height of screen and wing walls shall be determined by a sight-line analysis/wall section plan. The sight-line analysis/wall section plan shall show that all roll-up doors will be screened from view from adjoining parcels and public streets. The following criteria shall apply:

(i) Roll-up doors and openings in the screen wall shall be positioned such that the doors are not visible from the street.

(ii) Screening shall include a combination of screen walls, sight-obscuring gates, ornamental landscaping, and/or portions of the building such that the roll-up doors are not visible from the public street.

(iii) Upon Planning Department request, a “horizontal height mockup” shall be constructed for review and approval by Planning Department staff to verify adequacy of screen wall height from the freeway and streets. Mockup should be located at the lowest elevation on the site.

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

<b>Screen Wall Height</b>	<b>Minimum Gate Height</b>
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet

<b>Screen Wall Height</b>	<b>Minimum Gate Height</b>
8 feet:	8 feet
6 feet:	6 feet

**2.9** Site Lighting.

**(a)** Site lighting shall be reviewed and approved by the Planning and Police Departments prior to the issuance of building permits.

**(b)** 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.

**(c)** The maximum height of luminaires shall be as follows:

**(i)** When a light source or luminaire has no cutoff (the point at which all light rays are completely shielded), the maximum permitted height of the luminaire shall be 14 FT.

**(ii)** When a luminaire has a total cutoff of light at an angle of 90 degrees or greater, the maximum permitted height of the luminaire shall be 24 FT.

**(iii)** When a luminaire has a total cutoff of light at an angle of less than 90 degrees, the maximum permitted height of the luminaire shall be 30 FT.

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

**(e)** Along pedestrian movement corridors, the use of low mounted bollard light standards, which reinforce pedestrian scale, shall be used. Steps, ramps and seatwalls should be illuminated wherever possible, with built-in light fixtures.

**(f)** The location of light fixtures should correspond to anticipated use. Lighting of pedestrian movement paths should illuminate changes in grade, path intersections, seating areas and any other uses along the movement path that, if left unlighted, would create an unsafe situation.

**(g)** Night lighting of buildings is encouraged, but should be accomplished in a selective manner, avoiding overall building illumination that produces an undesirable look. Night lighting of buildings may be used to highlight special building features, emphasize repeated or decorative features, and use the juxtaposition of light and shadow to articulate the building façade.

**2.10** 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. The plans shall include a cross-section drawing showing how the equipment is to be screened from view (include dimensions, materials, colors, etc.).

**(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.

**(c)** Rooftop equipment and ground-mounted screening shall be verified at occupancy. Additional screening will be required if determined necessary.

### **2.11** Architectural Treatment.

**(a)** Exterior building wall materials, roof types and colors shall be shown on development construction drawings.

**(b)** Roof access ladders shall be located on the inside of the building.

**(c)** All building drainage gutters, down spouts, vents, etc., shall be completely concealed from public view or shall be architecturally compatible (decorative) with the exterior building design and color.

**(d)** All tower elements on the building(s) shall be fully walled and finished on all sides and include detailing appropriate to the architectural style proposed, so as to be a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director. The term "tower elements" means architectural elements of the building that are that are substantially taller than the adjacent parapet wall or roof, as determined by the Planning Director.

**(e)** At locations where changes in parapet wall height meet, the taller parapet must return into the building for a minimum distance of 6 FT, so that the actual thickness of the parapet wall cannot be observed or readily discerned.

**(f)** At building corners, where conditions exist that would allow the public to view the back (interior) side of parapet walls resulting from changes in parapet heights, the raised parapet area shall be constructed so as to be a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director.

**(g)** Colored elevations incorporating required exterior elevation changes shall be provided.

**(h)** The following architectural changes, detail and other information shall be incorporated into the construction drawings and are subject to City Staff review and approval:

**(i)** Show deeper recesses on the tilt-up wall panels. The proposed two feet is minimal, considering the scale and length of the building. Please provide plan details of the proposed tilt-up wall recesses and wall offsets including dimensions.

**(ii)** Show dimension of changes in parapet height on the elevation drawings.

**(iii)** Provide dimensioned details and elevation on scoring patterns for the tilt-up walls.

(iv) Provide dimension, plan, elevations, material, and color information on the proposed angled awning/cover at the office entries.

(v) Revise plans to avoid placing downspout locations over glazing.

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

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

**2.14** 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).

**2.15** Trip Reduction Measures. The Project shall comply with the following trip reduction measures, as applicable:

(a) Bicycle Parking and Shower/Changing Rooms. Safe and convenient access to bicycle racks shall be provided from public streets. Bicycle racks or other secure bicycle parking, and shower/changing rooms, shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

(b) On-Site Pedestrian Walkways. On-site pedestrian walkways shall be provided, which connect each building in a development to bicycle parking facilities (if required) and public streets.

(c) Passenger Loading Areas. Passenger loading areas shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

(d) Carpool/Vanpool Parking Spaces. Parking spaces reserved for use by carpool/vanpool vehicles shall be provided pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

(e) Transit Facilities. Transit facilities, such as bus shelters, bus pullouts, and bus pads, shall be provided if the Planning Director, in consultation with local transit providers, determines they are needed to serve the development.

(f) On-Site Video Conferencing Facilities. On-site video conferencing facilities shall be provided for office buildings with a capacity of 1,000 employees or greater.

**2.16** Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP18-001, a Specific Plan for which the Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079) was previously adopted by the City Council on 2/2/2021. 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)** MCCSP EIR (State Clearinghouse No. 219049047) Mitigation Measure 4.10.1 – Mitigation for potential impacts to residences and dairy properties at 14651 South Grove Avenue and 8643 West Eucalyptus Avenue shall be provided consistent with City requirements, to include:

- (i)** Payment of mitigation fees;
- (ii)** Provisions of as-built drawings and Historic American Buildings Survey (HABS) photo documentation; and
- (iii)** Development of Historic Context Reports for significant persons in the dairy farm industry, such as the Borba Family.

**(c)** The HABS documentation shall be prepared and submitted to the City for review and approval prior to issuance of any building permit.

**(d)** The Project shall be designed and constructed in compliance with the associated Greenhouse Gas Reduction Measures Screening Table for this Project.

**(e)** 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).

**(f)** 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.

**2.17** 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.

**2.18** Additional Requirements.

**(a)** The Development Plan is subject to applicable conditions of approval stipulated in Resolution No. PC21-017 (File No. PMTT20-010; Parcel Map No. 20273).

**2.19** Additional Fees.

**(a)** The Project shall be subject to the Development Impact Fees and required payment timelines stipulated in the associated Development Agreement (PDA18-004).

**(b)** 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 will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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



# **CITY OF ONTARIO**

## **MEMORANDUM**

**TO:** Development Advisory Board

**FROM:** Edmelynne Hutter, Senior Planner

**DATE:** May 16, 2022

**SUBJECT:** File Nos. PMTT22-007 and PDEV22-002  
ITEM D

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At the time the agenda went to print, not all department Conditions of Approval were available. The Engineering, OMUC and Airport Conditions of Approval will be distributed to the Development Advisory Board as soon as they are completed.

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

**CONDITIONS OF APPROVAL**

Sign Off



5/11/2022

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

**Jamie Richardson, Sr. Landscape Planner**

Phone:

**(909) 395-2615**

D.A.B. File No.:

PDEV22-002

Case Planner:

Edmelynn Hutter

Project Name and Location:

Industrial Buildings  
 Northeast Corner of Merrill Ave and Grove Ave

Applicant/Representative:

RGA Architects Mike Gill  
 15231 Alton Parkway, Suite 100  
 Irvine, CA 92618



**Preliminary Plans (dated 5/4/2022) meet the Standard Conditions for New Development and have been approved considering that the following conditions below be met upon submittal of the landscape construction documents.**



**Preliminary Plans (dated) have not been approved. Corrections noted below are required before Preliminary Landscape Plan approval.**

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

Landscape construction plans with plan check number may be emailed to:

[landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)

Civil/ Site Plans

1. Provide an arborist report and tree inventory for existing trees, including genus, species, trunk diameter, canopy width, and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings, or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall equal the trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
2. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
  - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required.
  - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
  - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
  - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal," approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking, and irrigating 15-gallon trees (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items.
3. Parkway tree locations shall be shown on all plans where utilities are proposed. Parkway trees are 30' apart. Show and note a 10' total space, 5' clearance each side of the tree from any utility or hardscape, including water, sewer, drain lines, driveways, and 10' clear from street lights. Relocate utilities to minimum clearances to allow parkway trees.
4. Before permit issuance, stormwater infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division. Any stormwater devices in parkway areas shall not displace street trees.

5. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
6. Show backflow devices set back 4' from paving on all sides. Locate on level grade
7. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind corners. Show 5' sidewalk and 7' parkway within the right of way or as required by Engineering dept.
8. Note for compaction to be no greater than 85% in landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
9. Show outdoor employee break area with table or bench and shade trees on the south and west sides.
10. If an infiltration basin is required, add detail and description of the soil. Soils shall be suitable for vegetated swales, such as sandy topsoil mix with a maximum of 5% organic matter and min 1" per hour infiltration rate.

#### Landscape Plans

11. Provide an arborist report and tree inventory as noted in #1.
12. During plan check, coordinate with Ontario Municipal Utilities Company (OMUC) to submit irrigation plans for recycled water systems to [omucwaterquality@ontarioca.gov](mailto:omucwaterquality@ontarioca.gov). OMUC shall review and approve irrigation systems utilizing recycled water before final landscape approval. Submit an electronic approval letter or memo from OMUC with the submittal of the landscape package.
13. Corners; verify dimension and grade for required monumentation (see Specific Plan for detail). Verify any monumentation shown within neighborhood edges for maintenance easements.
14. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening. Do not encircle utility; show as masses and duplicate masses in other locations at regular intervals.
15. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
16. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
17. Show corner ramp and sidewalk per city standard drawing 1213.
18. Show accessible access route from the public sidewalk, accessible path to employee break area, and accessible path to adjacent industrial buildings within the same development. Include required accessible parking spaces and access aisles.
19. Call out the proposed irrigation system (dripline and pop-up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet the water budget.
20. Show landscape hydrozones on plan or legend with plants per WUCOLS. Moderate water plants may be used for part shade north and east-facing locations, low water plants everywhere else.
21. Overhead spray systems shall be designed for plant material less than the height of the spray head.
22. Designer or developer to provide agronomical soil testing and include a report on landscape construction plans.
23. Call out all fences and walls, materials proposed, and heights.
24. Show concrete mowstrips to identify open property lines, separate ownership, or between maintenance areas.
25. Show outdoor employee break area with table or bench and shade trees on the south and west sides.
26. Show 25% of trees as California native (*Platanus racemosa*, *Quercus agrifolia*, *Quercus wislizenii*, *Quercus douglasii*, *Cercis occidentalis*, etc.) in appropriate locations.
27. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
28. 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. Landscape construction plans with building permit number for plan check may be emailed to: [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Lorena Mejia, Senior Planner  
Planning Department

**FROM:** Paul Ehrman, Sr. Deputy Fire Chief/Fire Marshal  
Fire Department

**DATE:** January 26, 2022

**SUBJECT:** PDEV22-002 - A Development Plan to construct two (2) industrial buildings totaling 2,237,458 square feet on 119.94 acres of land located at the northeast corner of Merrill Avenue and Grove Avenue, within PA-1 and PA-2 of the Industrial land use district of the Merrill Commerce Center Specific Plan (APN(s): 218-211-31).

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

### **SITE AND BUILDING FEATURES:**

- A. 2019 CBC Type of Construction: Type II-B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 1,149,610 Sq. Ft. + 1,055,100 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 2,238,765 Sq. Ft. (2 Buildings)
- F. 2019 CBC Occupancy Classification(s): S/F



## **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/Fire/Prevention](http://www.ontarioca.gov/Fire/Prevention).
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

### **2.0 FIRE DEPARTMENT ACCESS**

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

### 3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2019 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

### 4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 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 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

## 5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003. .
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

## 6.0 OTHER SPECIAL USES

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



# CITY OF ONTARIO MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)  
 Rudy Zeledon, Planning Director (Copy of memo only)  
 Diane Ayala, Advanced Planning Division (Copy of memo only)  
 Charity Hernandez, Economic Development  
 James Caro, Building Department  
 Raymond Lee, Engineering Department  
 Jamie Richardson, Landscape Planning Division  
 Dennis Mejia, Municipal Utility Company  
 Jeremy Phillips, Police Department  
 Paul Ehrman, Deputy Fire Chief/Fire Marshal  
 Jay Bautista, Traffic/Transportation Manager  
 Lorena Mejia, Airport Planning  
 Tricia Espinoza, Engineering/NPDES  
 Angela Magana, Community Improvement (Copy of memo only)  
 Jimmy Chang, IT Department  
 Ben Mayorga, Integrated Waste

**REVISION #1**  
**Bluebeam Submittal**

FROM: Edmelynne Hutter, Senior Planner

DATE: April 05, 2022

SUBJECT: FILE #: PDEV22-002 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 .

**PROJECT DESCRIPTION:** A Development Plan to construct two (2) industrial buildings totaling 2,237,458 square feet on 119.94 acres of land located at the northeast corner of Merrill Avenue and Grove Avenue, within PA-1 and PA-2 of the Industrial land use district of the Merrill Commerce Center Specific Plan (APN(s): 218-211-31 ).

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.

ONTARIO POLICE DEPT. ANTONIO GALBAN POLICE OFFICER 4/8/22  
 Department Signature Title Date