

# ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT



DECISION NO. 2014-14

HEARING DATE: 07/07/2014

DECISION DATE: 07/10/2014

FILE NO.: PCUP14-008

**SUBJECT:** A Conditional Use Permit to establish an automobile rental business (Allied Rent-A-Car) on 2.28 acres of land generally located at the northeast corner of Holt Boulevard and Vineyard Avenue, within an existing hotel (Red Lion) at 204 North Vineyard Avenue, within the C4 (Airport Related Services) zoning district.

## STAFF

**RECOMMENDATION:**  Approval  Approval, subject to conditions  Denial

## PART A: BACKGROUND & ANALYSIS

ALLIED RENT-A-CAR, herein after referred to as "the applicant," has filed an application requesting Conditional Use Permit approval, File No. PCUP14-008, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

Project Description: A Conditional Use Permit to establish an automobile rental business (Allied Rent-A-Car) on 2.28 acres of land generally located at the northeast corner of Holt Boulevard and Vineyard Avenue, within an existing hotel (Red Lion) at 204 North Vineyard Avenue, within the C4 (Airport Related Services) zoning district. (*Exhibit A-Site Aerial*).

- (a) TOP Policy Plan Land Use Map Designation: Hospitality
- (b) Zoning Designation: C4 (Airport Related Services)
- (c) Surrounding Zoning and Land Uses:

	<u>Zoning</u>	<u>Existing Land Use</u>
North:	C4 (Airport Related Services)	Hotel
South:	C4 (Airport Related Services)	Hotel
East:	C4 (Airport Related Services)	Ontario Convention Center
West:	C4 (Airport Related Services)	Hotel

- (d) Site Area: 2.28 Acres

- (e) Assessor's Parcel No.: 0110-321-62
- (f) Project Analysis: Allied Rent A Car was established by Mathew Arfa in 1998. It is one of the largest privately owned vehicle rental company in both Los Angeles and Orange Counties. Allied has rental locations in the City of Santa Ana, City of Los Angeles, and City of Riverside. The applicant's commitment to exceptional customer service has allowed them to build long lasting relationships with top studios, hotels, travel agencies, and corporate companies.

The applicant is requesting approval for a Conditional Use Permit (CUP) to establish an automobile rental business to be located at the Red Lion Hotel site. (Exhibit D- Site Photos) Automobile retail sales, leasing, and rental are a conditionally permitted use within the C4 zone, which requires a CUP permit application review and approval.

The proposed business will require the applicant to lease of a desk area (7' x 2' = 14 SF) inside the Red Lion Hotel lobby area (Exhibit C- Floor Plan). Also, per the hotel owner, 5 on-site parking spaces will be provided to the applicant to park 5 rental vehicles. These vehicles will not obstruct traffic circulation and/or take additional hotel guests parking space. Furthermore, the applicant is not proposing more than a maximum of 5 vehicles to be parked at this location at this time.

The hours of operation are from 6:00 a.m. to 10:00 p.m., Monday to Sunday. No more than two (2) employees will be managing the ticket counter (desk area) and again, no more than 5 rental vehicles will be parked at the hotel's parking lot.

- (g) Parking - According to Article 31 – Parking and Loading Requirements of the Ontario Development Code, the existing hotel should provide “1 space, per room or suite.” The Red Lion Hotel currently has a total of 107 rooms and has a total of 117 parking spaces on site (Exhibit B- Site Plan). Five (5) parking spaces are needed for the auto rental business. Therefore, no parking issues are anticipated as a result of the proposed use.

Staff has carefully reviewed the proposed site plan and floor plan and believes that with the recommended conditions of approval, the use will not have any negative impacts on the adjacent land uses.

- (h) Land Use Compatibility: The intent of a Conditional Use Permit (CUP) application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations and to ensure that the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. The City of Ontario's Development Code describes a Conditional Use Permit as the following: “§ Sec. 9-1.0900: *Purposes and Authorization* – Conditional Use Permits are required for land use classifications typically having unusual site development features or operating

characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area." Approval of a CUP first requires making certain findings, which show that the proposed use is consistent with all City of Ontario development codes, land uses, and other applicable requirements. Additionally, the use must be compatible with the other surrounding uses; therefore, approving a CUP is discretionary in nature.

The proposed use is located within the C4 (Airport Related Services) zone and within the Hospitality land use designation of The Ontario Plan (TOP). Within this zoning district, automobile rental(s) is a conditionally permitted use.

Staff is recommending approval of the proposed application, subject to the attached conditions. Staff believes that the floor plan is adequate and conditions of approval have been imposed on the application to mitigate impacts on the health, welfare, and safety of the project site and the adjacent uses.

Airport Land Use Compatibility Plan: This 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. Any special conditions of approval associated with uses in close proximity to the airport are attached to this report.

Departmental Review: Each department was provided the opportunity to review and comment on the subject application and recommend conditions of approval to be imposed upon the application. Recommended conditions of approval have been provided and are attached to this report. The Planning Department supports the proposed use and requests that the Zoning Administrator approve the use subject to each Department's recommended conditions of approval, which are designed to mitigate anticipated impacts related to the use.

Public Notification: The subject application was advertised as a public hearing in at least one newspaper of general circulation in the City of Ontario (Inland Valley Daily Bulletin). In addition, notices were mailed to all owners of real property located within 300 feet of the exterior boundaries of the property that is the subject of the hearing, as shown on the records of the County Assessor.

Correspondence:

As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the project site or from the public in general.

**PART B: RECITALS**

WHEREAS, the City of Ontario has received a request for Conditional Use Permit approval as described in Part A, above; and

WHEREAS, Ontario Municipal Code § 9-1.0405(f) provides that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

WHEREAS, all members of the Development Advisory Board of the City of Ontario were provided the opportunity to review and comment on the requested Conditional Use Permit, and no comments were received opposing the proposed use; and

WHEREAS, On the 7<sup>th</sup> day of July 2014, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(a) Denny D. Chen, *Associate Planner*, presented the staff report on the proposed use, indicating the staff recommendation of approval, subject to the attached conditions. Following staff's presentation, the Zoning Administrator opened the public hearing.

(b) Matthew Arfa, the applicant, explained the business operation and spoke in favor of the application. Mr. Arfa also asked Mr. Murphy if the 10-day appeal period could be waived by the Zoning Administrator so that he could have his business license application approved immediately after the hearing.

(c) Mr. Murphy responded that the Zoning Administrator did not have the authority to waive the appeal period and that the business license application cannot be approved until after the appeal.

(d) There being no one else to offer testimony regarding the application, the Zoning Administrator closed the public hearing.

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

**PART C: THE DECISION**

NOW, THEREFORE, it is hereby found, determined and resolved by the Zoning Administrator of the City of Ontario as follows:

(a) All facts set forth in this Zoning Administrator Report and Decision are true and correct.

(b) Based upon the evidence presented to the Zoning Administrator during the above-referenced public hearing, the Zoning Administrator hereby concludes as follows:

- (1) The proposed location of the Conditional Use Permit and the proposed conditions under which it will be operated or maintained will be consistent with the General Plan and will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. Alcohol beverage sales are a conditionally allowed use within the Urban Commercial land use designation of the Ontario Center Specific Plan.
  - (2) Automobile rental is allowed upon approval of a Conditional Use Permit. The project has been conditioned so that the facility and use are operated in a manner that will not be detrimental to the health and safety of the surrounding community. In addition, the Ontario Police Department has reviewed the application and they are recommending approval subject to the attached conditions.
  - (3) The proposed location of the Conditional Use Permit is in accordance with the objectives and purposes of the Ontario Development Code and zoning designation within which the site is located. The use will be operated in accord with the Ontario Development Code.
  - (4) Traffic generated by the proposed Conditional Use Permit will not overload the capacity of the surrounding street system and will not create a hazard to public safety. The Ontario Traffic Division reviewed the proposed use and they are recommending approval of the application.
  - (5) The proposed Conditional Use Permit will comply with each of the applicable provisions of the Ontario Development Code and applicable municipal codes. The use is consistent with uses allowed within the C4 (Airport Related Services) zoning district.
  - (6) The Ontario Police Department carefully reviewed the proposed CUP application and they are recommending approval subject to the attached conditions on the staff report.
  - (7) The subject building has no outstanding Building or Health Code violations or Code Enforcement activity.
  - (8) The site is properly maintained, including building improvements, landscaping, and lighting. Subject to the proposed use complying with all the conditions of approval, the subject property will be in compliance with City requirements. The proposed conditions will require them to replace missing/dead landscaping and to replace missing/damage business signs and to repaint the center.
- (c) The Zoning Administrator hereby finds and determines that the project identified in this Decision is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated


thereunder, pursuant to Section § 15301 (Existing Facilities) of the State CEQA Guidelines.

(d) The Zoning Administrator hereby finds and determines that 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.

(e) Based upon the findings and conclusions set forth in Parts A, B and C above, the Zoning Administrator hereby approves File No. PCUP14-008, subject to the conditions of approval attached hereto and incorporated herein by this reference.



APPROVED by the Zoning Administrator of the City of Ontario on this 10th day of July, 2014.

  
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Scott Murphy  
Zoning Administrator

**EXHIBITS**

**Exhibit A: Aerial Map**

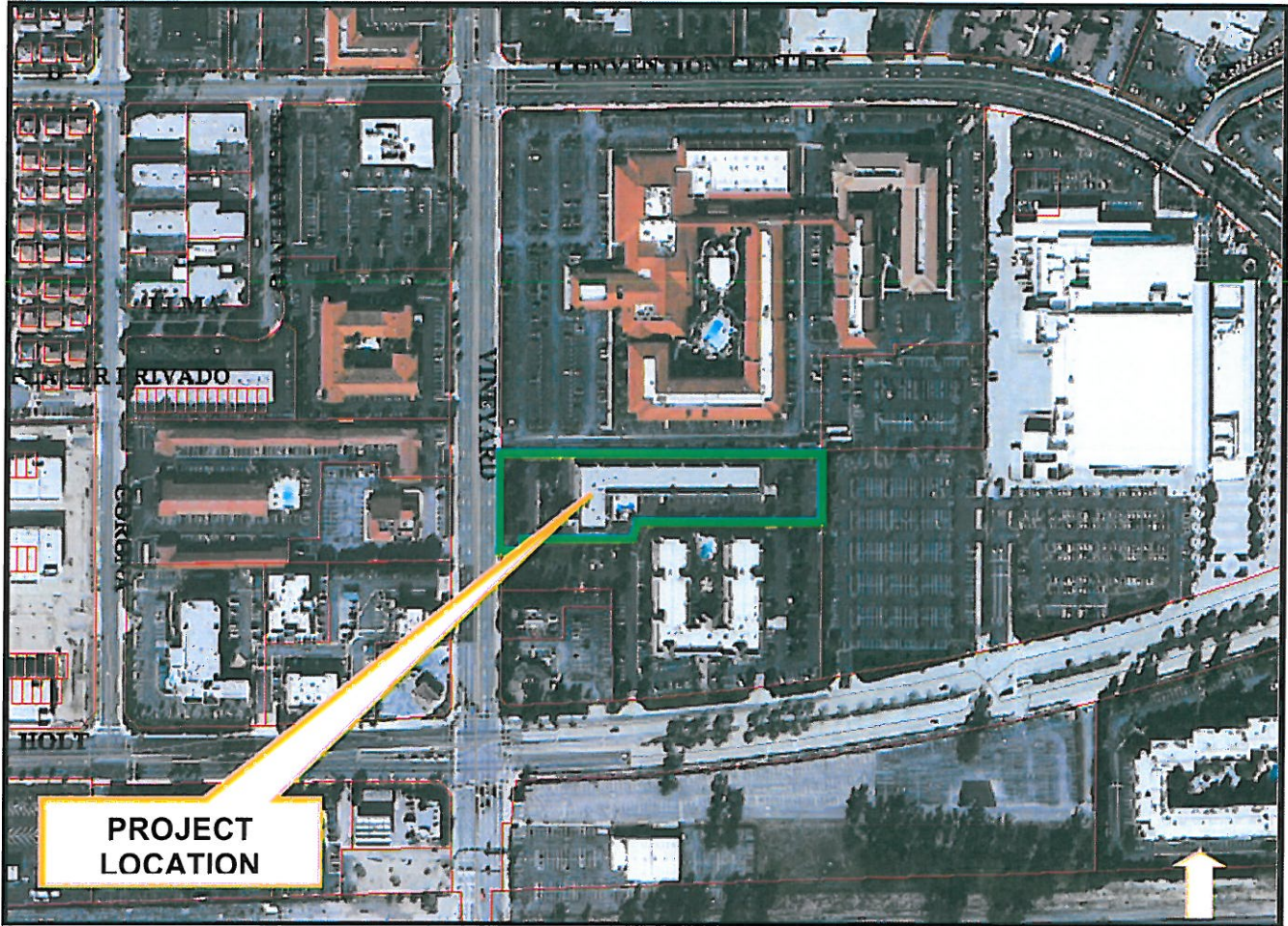
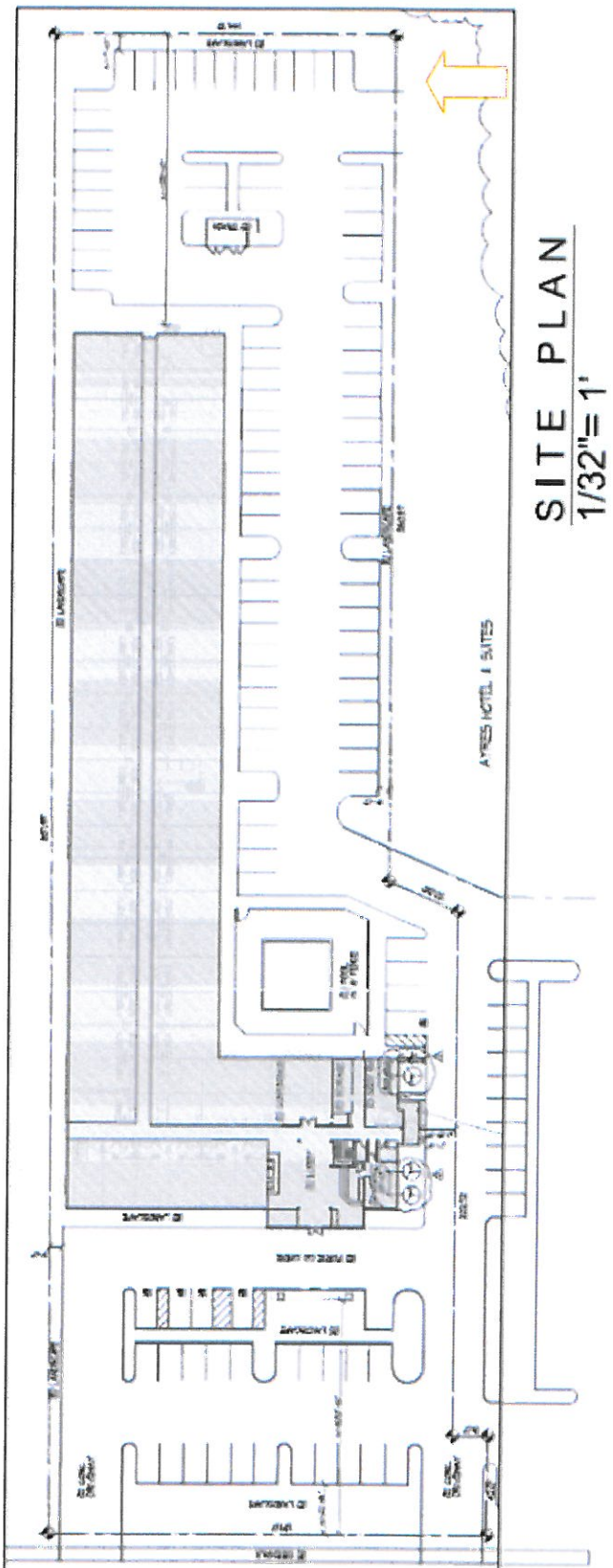
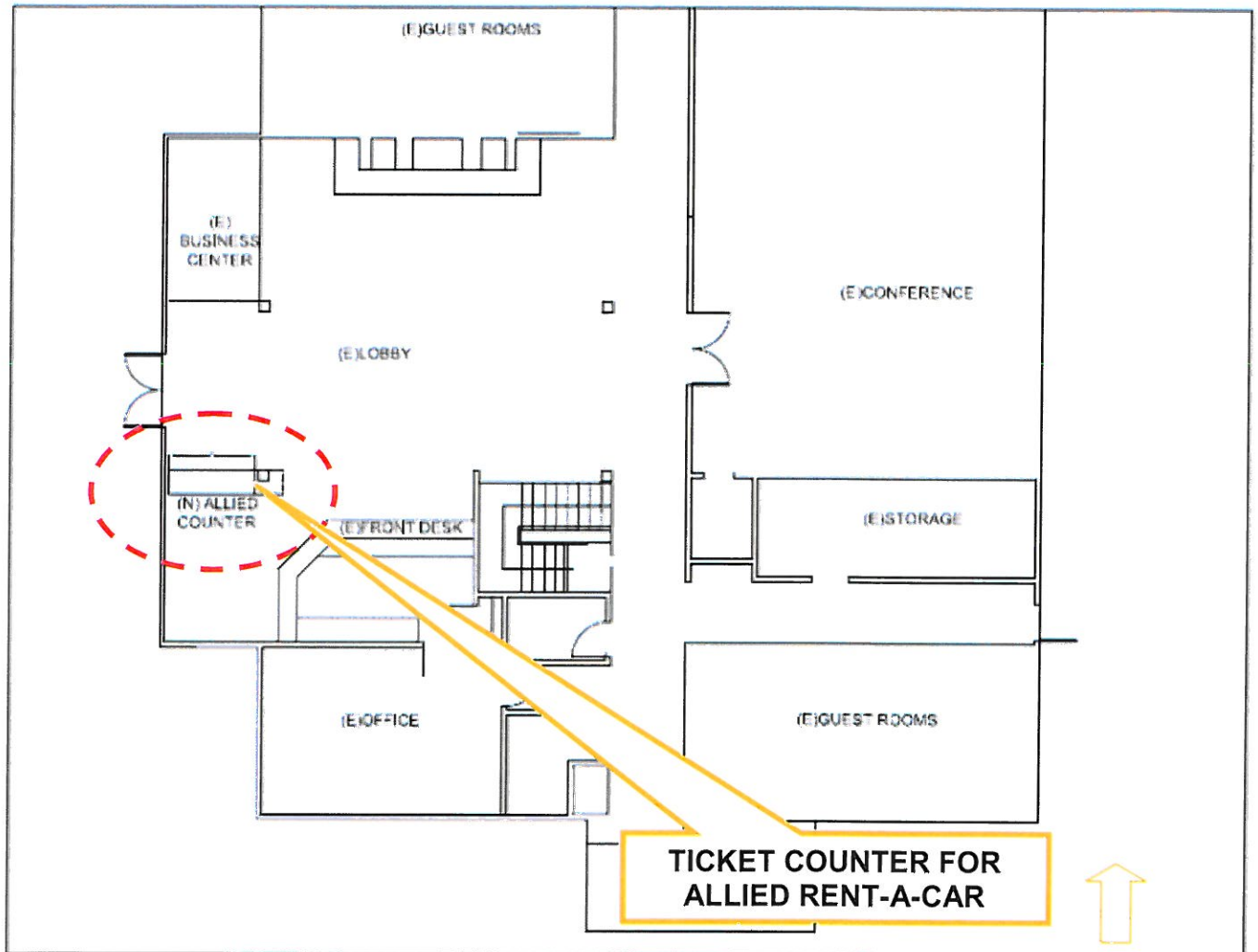


Exhibit B: Site Plan





**Exhibit C: Floor Plan**



**LOBBY FLOOR PLAN**  
**NTS**

**Exhibit D: Site Photos**



**Front Entrance - Red Lion Hotel (West Elevation)**



**Proposed Desk Area Inside Hotel**

**DEPARTMENT ADVISORY BOARD  
COMMENTS, CONDITIONS AND RECOMMENDATIONS**

**DATE:** July 7, 2014

**FILE NO.:** PCUP14-008

**SUBJECT:** A Conditional Use Permit to establish an automobile rental business (Allied Rent-A-Car) on 2.28 acres of land generally located at the northeast corner of Holt Boulevard and Vineyard Avenue, within an existing hotel (Red Lion) at 204 North Vineyard Avenue, within the C4 (Airport Related Services) zoning district.

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The subject application has been reviewed by each agency/department listed below. A copy of each agency/department recommendation and comments are available for review in the Planning Department project file. Conditions of approval have been recommended by those agencies/departments marked below and are attached.

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> PLANNING             | <input type="checkbox"/> ECONOMIC DEVELOPMENT |
| <input checked="" type="checkbox"/> LANDSCAPING DIVISION | <input type="checkbox"/> HOUSING              |
| <input type="checkbox"/> ENGINEERING                     | <input type="checkbox"/> FIRE                 |
| <input type="checkbox"/> UTILITIES/SOLID WASTE           | <input checked="" type="checkbox"/> POLICE    |
| <input type="checkbox"/> BUILDING                        |   |



## CONDITIONS OF APPROVAL

**DATE:** July 7, 2014

**FILE NO.:** PCUP14-008

**SUBJECT:** A Conditional Use Permit to establish an automobile rental business (Allied Rent-A-Car) on 2.28 acres of land generally located at the northeast corner of Holt Boulevard and Vineyard Avenue, within an existing hotel (Red Lion) at 204 North Vineyard Avenue, within the C4 (Airport Related Services) zoning district.

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### 1.0 GENERAL REQUIREMENTS

- 1.1 Failure to maintain compliance with the herein-listed conditions of approval shall be deemed just cause for revocation of conditional use permit approval.
- 1.2 The use shall be operated in full conformance with the description and requirements of the Conditional Use Permit on file with the City. Any variations from, or changes in, the approved use (i.e., increase in hours/days of operation, expansion or intensification of use, etc.), must first be reviewed and approved by the Zoning Administrator prior to commencement of the change.
- 1.3 The approved use is subject to all conditions, requirements and recommendations from all other affected departments/agencies, provided on the attached reports/memorandums.
- 1.4 A copy of the herein-listed conditions of approval shall be maintained on the subject premises at all times.
- 1.5 The Planning Department may, from time to time, conduct a review of the approved use to ascertain compliance with the herein-stated conditions of approval. Any noncompliance with the conditions of approval shall be immediately referred to the Zoning Administrator for possible action.

### 2.0 SIGNAGE

- 2.1 The location, quantity, size, and design of all signage shall comply with the Ontario Development Code, Specific Plan, or applicable sign program, pursuant to the zoning district for which the project site is located within.
- 2.2 No more than 25% of the total window area shall bear advertising or signs of any sort. Window signs shall be placed and maintained in a manner so that there is clear and unobstructed view of the interior of the premises from the building exterior.

- 2.3 View obscuring material that is applied to any window, preventing direct view into or outside of the building is prohibited. Additionally, any furniture, shelving system, or product stacked in front of a window which prevents an unobstructed view into or outside of the building is prohibited.

### 3.0 PARKING AND CIRCULATION

- 3.1 The project shall provide off-street parking spaces pursuant to the requirements of Ontario Municipal Code § 9-1.3010. Parking shall be calculated and continuously maintained in accordance with established standards, as follows:

<i>Use</i>	<i>Area (in SF)</i>	<i>Parking Ratio</i>	<i>Parking Spaces Required</i>
Hotels / Motels	57,836	1 space per room or suite (107 rooms)	107
Car Rental Desk	14	1 space per room or suite	1
Vehicle Parking	(N/A)	5 parking spaces for 5 rental vehicles	5
Total Required			113
<b>TOTAL</b>	<b>57,836 SF</b>		<b>117 Provided</b>

### 4.0 GRAFFITI REMOVAL

- 4.1 Right of access to remove graffiti. The City shall be granted the right of entry over and access to parcels, upon 48-hours of posting of notice by authorized City employees or agents, for the purpose of removing or "painting over" graffiti from graffiti attracting surfaces previously designated by the Director of Public Works, and the right to remove such graffiti.
- 4.2 Supply City with graffiti removal material. The City shall be provided sufficient matching paint and/or anti-graffiti material on demand, for a period of two (2) years after imposing this condition, for use in the painting over or removal of designated graffiti attracting surfaces.

### 5.0 SITE LIGHTING

- 5.1 Site lighting shall be reviewed and approved by the Planning Department and Police Department prior to the issuance of building/electrical permits.
- 5.2 Exterior lighting shall be arranged or shielded in such a manner as to contain direct illumination on the parking area and avoid glare on any adjoining site.

## 6.0 ENVIRONMENTAL REVIEW

- 6.1 The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to § 15301 (Class 1-Existing Facilities) of the State CEQA Guidelines.
- 6.2 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.

## 7.0 ADDITIONAL REQUIREMENTS

- 7.1 Contact the property owner or property maintenance company to repair (if required) all landscape areas. Remove a 36" diameter of lawn at tree trunks and add 1" layer of mulch. Replace dead shrubs and groundcovers with like size and all other conditions of approval from the Landscape Planning Division. (See Attached)
- 7.2 All rental vehicles must be parked on site, at parking locations designated and approved by the property owner. No off-site parking of rental vehicles is allowed.
- 7.1 The maximum number of rental vehicles parked on-site shall not exceed 5 vehicles at all times. In the future, if the approved business activity intensifies, or the use changes by adding additional uses other than the one stated by this Conditional Use Permit, the applicant must file for a Conditional Use Permit modification.
- 7.2 Any damaged business signs shall be repaired, repainted, and/or replaced within 30 days of CUP this approval. Any and all new signs, including banner signs, require a Sign Plan and Temporary Sign Permit approval by the Planning Department, prior to sign display.
- 7.3 The applicant must apply and obtain approval of a business license application prior to starting this business.
- 7.4 Per Ontario Police Department, "no cash transactions allowed" at this location. (See Attached)

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

**DAB CONDITIONS OF APPROVAL**

Sign Off



Jamie Richardson, Associate Landscape Planner

06/16/2014

Date

Reviewer's Name:

**Jamie Richardson, Associate Landscape Planner**

Phone:

**(909) 395-2615**

D.A.B. File No.:

**PCUP14-008**

Related Files:

Case Planner:

**Denny Chen**

Project Name and Location:

**Allied Rent A Car**  
**204 N. Vineyard Ave.**

Applicant/Representative:

**Allied Rent A Car – Alex Chin**  
**1333 S. Main Street**  
**Santa Ana, CA 92707**



**A site plan (dated May12, 2014) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met.**



**A site plan (dated) has not been approved. Corrections noted below are required prior to DAB approval.**

**CONDITIONS OF APPROVAL**

1. Contact the property owner or property maintenance company to repair (if required) all landscape areas. Remove a 36" diameter of lawn at tree trunks and add 1" layer of mulch.
2. The maintenance company shall verify that irrigation is in proper working order and that all plant material is in good health; replace and repair where broken.
3. Shredded mulch is required in all planter areas at a depth of 3" for shrubs and 1" for groundcover. Soil shall not be visible. Keep mulch 3" clear of plant stems and 6" away from tree trunks.
4. Replace dead shrubs and groundcovers with like size and type.



**CITY OF ONTARIO**  
**MEMORANDUM**  
*“Excellence Through Teamwork”*

**TO:** Denny Chen, Planning Department

**FROM:** Scott Melendrez, Police Department

**DATE:** June 16, 2014

**SUBJECT:** FILE NUMBER PCUP14-008 - A Conditional Use Permit to establish an automobile rental business in an existing hotel at 204 N. Vineyard Avenue.

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This permit is approved with the following condition.

- No cash transactions allowed.

The Applicant is invited to call Scott Melendrez at (909) 395-2292 regarding any questions or concerns.