



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

March 2, 2020

- ▶ **All documents for public review are on file in the Planning Department located in City Hall at 303 East “B” St., Ontario, CA 91764.**

**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, Development Agency
John P. Andrews, Executive Director, Economic Development
Kevin Shear, Building Official
Cathy Wahlstrom, Planning Director
Khoi Do, City Engineer
Chief Derek Williams, Police Department
Fire Marshal Paul Ehrman, Fire Department
Scott Burton, Utilities General Manager
Julie Bjork, Executive Director, Housing and Neighborhood Preservation

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 February 19, 2020, approved as written.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND Development Plan REVIEW FOR FILE

NO. PDEV19-053: A Development Plan to construct a 940-square foot addition to an existing 82,347 square foot automobile dealership (Mercedes Benz) on 8.17 acres of land located at 3787 East Guasti Road, within the Auto land use designation of the Ontario Gateway Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-005, for which an Environmental Impact Report (SCH#2006091039) was certified by City Council on June 19, 2007. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 210-212-55) **submitted by Jones Ontario Acquisition, LLC.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PDEV19-053 (Development Plan)

Motion to Approve / Deny

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 **March 16, 2020**.

I, Maureen Duran, Office Specialist of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **February 27, 2020**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

Maureen Duran

CITY OF ONTARIO

Development Advisory Board

Minutes

February 19, 2020

BOARD MEMBERS PRESENT

Rudy Zeledon, Chairman, Planning Department
Charity Hernandez, Economic Development Agency
Jesus Plasencia, Engineering Department
Paul Ehrman, Fire Department
Donnie Flores, Housing and Neighborhood Preservation
Ahmed Aly, Municipal Utilities Company
Emily Hernandez, Police Department

BOARD MEMBERS ABSENT

Kevin Shear, Building Department
Joe De Sousa, Housing and Neighborhood Preservation

STAFF MEMBERS PRESENT

Jeanie Irene Aguilo, Planning Department
Luis Batres, Planning Department
Gwen Berendsen, Planning Department
Michael Bhatanawin, Engineering Department
Denny Chen, Planning Department
Maureen Duran, Planning Department
Lorena Mejia, Planning Department
Charles Mercier, Planning Department
Miguel Sotomayor, Engineering Department
Dean Williams, Engineering Department

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the January 22, 2020, meeting of the Development Advisory Board was made by Mr. Plasencia; seconded by Aly; and approved unanimously by those present (5-0). Mr. Flores and Mr. Ehrman recused themselves as they were not present.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-045:** A Development Plan to convert an existing 2,838-square foot commercial building into a fueling station with a convenience store, and construct a new 3,546-square foot detached carwash and a new fueling station canopy on 1.06-acre of land located at 2380 South Archibald Avenue, within the Support Commercial land use district of the Archibald Center Specific Plan. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 1083-011-01) **submitted by Brixton Enterprises Inc.**

Representative Manoj Hariya was present. Mr. Zeledon asked Mr. Hariya if he had reviewed the conditions of approval. Mr. Hariya stated he did and added there were minor corrections that were resolved. Mr. Zeledon asked if Mr. Hariya was in agreement with these corrections, and Mr. Hariya stated he was. There were no other questions or comments.

Motion to approve **File No. PDEV19-045** subject to conditions was made by Ms. E. Hernandez; seconded by Mr. Plasencia; and approved unanimously by those present (7-0).

- C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-044:** A Development Plan to construct one industrial building totaling 127,100 square feet on 5.57 acres of land located at 1236 East Airport Drive, within the IG (General Industrial) zoning district. The environmental impacts of this project were previously analyzed with The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) that was certified by the City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 113-221-31) **submitted by Oakmont Industrial Group. Planning Commission action is required.**

Applicant John Atwell, Senior Vice President of Oakmont Industrial Group, was present and agreed to the conditions of approval. There were no questions or comments.

Motion recommending approval of **File No. PDEV19-044** subject to conditions to the Planning Commission was made by Mr. Aly; seconded by Ms. C. Hernandez; and approved unanimously by those present (7-0).

- D. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-048:** A Development Plan to construct two industrial buildings totaling 83,416 square feet on 3.35 acres of land located at 1626, 1634, 1654, and 1650 East Holt Boulevard, within the BP (Business Park) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 0110-111-02, 0110-111-03, 0110-111-11, and 0110-111-12) **submitted by Holt LPIV 3 LLC. Planning Commission action is required.**

Applicant Jenny Morgan of Pannatoni Development was present. Mr. Zeledon asked if she had received and reviewed the updated conditions at which time she stated she did. Project Planner Jeanie Aguilo stated the updated conditions would also be presented at the Planning Commission meeting. There were no further questions or concerns.

Motion recommending approval of **File No. PDEV19-048** subject to conditions to the Planning Commission was made by Ms. E. Hernandez; seconded by Mr. Plasencia; and approved unanimously by those present (7-0).

- E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-058:** A Development Plan to construct 94 single-family dwellings and a 1.09-acre pocket park on approximately 30.38 gross acres of land located at the northwest corner of Schaefer and Haven Avenues, within Planning Area 8 of the West Haven Specific Plan. The environmental impacts of this project were previously analyzed with the West Haven Specific Plan (File No. PSP03-006) Environmental Impact Report (SCH#200407095) certified by the City Council on January 16, 2007. This application introduces no new significant environmental impacts, and all previously adopted measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan; (APN: 0218-151-38) **submitted by Pulte Homes. Planning Commission action is required.**

Applicant Matt Matson of Pulte Homes was present. Mr. Zeledon asked Mr. Matson if he reviewed the conditions of approval. Mr. Matson stated he did but was requesting engineering condition #5 referring to Solid Waste be revised. The condition stated that prior to the 46th building permit, issuance of a Solid Waste Handling Plan needs to be submitted. Mr. Matson's concern was that this may delay the building process. Mr. Aly, Municipal Utilities, responded and informed Mr. Matson the condition allows for flexibility as it states the permits need only be submitted and not approved by this timeline. He reiterated that staff would work with him to ensure this flexibility and stated the condition need not be revised.

Mr. Zeledon also stated staff would work with him to ensure the project moves in a timely manner. He then asked Mr. Matson if he was in agreement with this at which time Mr. Matson stated he was. Mr. Ehrman, Fire Department, asked Mr. Matson if he had received all information he needed from the Fire Department. Mr. Matson stated Fire Department staff went over the information with him thoroughly. Mr. Zeledon asked if there were any other questions or concerns at which time there were not.

Motion recommending approval of **File No. PDEV19-058** subject to conditions to the Planning Commission was made by Mr. Aly; seconded by Mr. Plasencia; and approved unanimously by those present (7-0).

There being no further business, the meeting was adjourned.

Respectfully submitted,



Maureen Duran
Recording Secretary



Development Advisory Board Decision

March 2, 2020

DECISION NO.: [insert #]

FILE NO.: PDEV19-053

DESCRIPTION: A Development Plan to add a 940 square foot addition to an existing 82,347 square foot auto dealership (Mercedes Benz) on 8.17 acres of land located at 3787 East Guasti Road, within the Auto land use designation of the Ontario Gateway Specific Plan (APN: 0210-212-55); **submitted by Jones Ontario Acquisition, LLC.**

Part I—BACKGROUND & ANALYSIS

JONES ONTARIO ACQUISITION, LLC., (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-053, 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 8.17 acres of land located at 3787 East Guasti Road, and is depicted in Exhibit A—Aerial Photograph, attached. The site is currently developed with an 82,347 square foot auto dealership (Fletcher Jones Mercedes Benz) that was developed in 2012. The existing dealership is composed of administrative offices, showroom, service writer’s offices, service drive canopy, service garage, and an inventory parking structure. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
<i>Site</i>	Mercedes Benz Dealership	OC (Office Commercial)	Ontario Gateway Specific Plan	Auto
<i>North</i>	I-10 Freeway	Highway	Highway	N/A
<i>South</i>	Costco Business Center (Currently under construction)	OC (Office Commercial)	Ontario Gateway Specific Plan	Mixed-Use
<i>East</i>	Trucking Operation	BP (Business Park)	IL (Light Industrial)	N/A
<i>West</i>	Embassy Suites Hotel	OC (Office Commercial)	Ontario Gateway Specific Plan	Office & Entertainment

(2) **Project Description:**

(a) **Background** — On March 5, 2018, the Development Advisory Board (“DAB”) approved a Development Plan (File No. PDEV18-002) to add a 1,500 square foot building addition and a shade canopy to the existing 82,347 square foot auto dealership (see Exhibit E: Previous Approved Site Plan, attached). Building permits have not been issued for the building addition and DAB approval will expire on March 5, 2020.

On September 24, 2019, the Applicant filed a new Development Plan application to add a 940 square foot addition to the existing 82,347 square foot auto dealership. This Development Plan is intended to replace the previously approved File No. PDEV18-002 (see Exhibit B—Site Plan, attached).

(b) Site Design/Building Layout — The proposed addition, with a height of 14.8 feet and measuring 65 feet long by 14.4 feet wide, will be located along the southwest portion of the existing service entrance area. The addition will consist of one large open area (approximately 754 square feet) and one single enclosed office (approximately 189 square feet). The proposed addition complies with all setback requirements of the Auto land use district of the Ontario Gateway Specific Plan and will provide setbacks of 170 feet from the south property line and 190 feet from the west property line.

(c) Parking — Parking for the proposed project are consistent with the parking standards for motor vehicle dealerships, which includes a service area, administrative offices, and an interior showroom. The existing dealership, with the proposed 940 square foot office addition, will be required to provide four additional parking spaces, for a total of 270 parking spaces. When the project is completed, a total of 571 parking spaces will be available; therefore, a shortage of parking is not anticipated.

(d) Architecture — The architecture and exterior finishes of the proposed addition will match the existing auto dealership. The materials proposed include a plaster exterior finish to match the existing dealership and aluminum and glass curtainwalls. The addition will feature five glass storefronts and a glass double door along the west elevation. Along the south elevation, the addition will feature a rectangular window that will complement the west elevation (see Exhibit D—Elevations, attached).

(e) Landscaping — A 23-foot wide by 30-foot long (approximately 690 square feet) landscape planter area will be provided along the south elevation of the addition. The landscape planter will continue the same landscape theme that exists throughout the dealership (see Exhibit C—Floor Plan & Landscaping, attached).

(f) Access — Pedestrian access to the addition will be provided along the west side of the structure, through a four-foot wide sidewalk. The sidewalk will feature decorative stamped paving to match the rest of the site. Vehicular access to the site will not be altered with the addition.

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 Impact Report (State Clearing House No. 2006091039) was certified on June 19, 2007 ("Certified EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this project were thoroughly analyzed in the EIR, which concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR 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 ("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 March 2, 2020, 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. PSP05-005, a Specific Plan for which an Environmental Impact Report (State Clearing House No. 2006091039) was adopted by City Council on June 19, 2007.

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

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and 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 Office Commercial land use district of the Policy Plan Land Use Map, and the Auto zoning district of the Ontario Gateway 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. In addition, the proposed development is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan, and City Council Priorities components of The Ontario Plan, as the project will contribute to the establishment of 1) a dynamic, progressive city containing district neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and business (Goal CD1). Furthermore, the project will promote the City's policy to "take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods" (Policy CD1-1); and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Auto zoning district of the Ontario Gateway Specific Plan, including standards relative to the particular land use proposed (office), 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 Auto land use district of the Ontario Gateway 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 Ontario Gateway 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 Auto land use district of the Ontario Gateway 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 (office). 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 Ontario Gateway Specific Plan. The existing dealership, with the proposed 940 square foot office

addition, will be required to provide four additional parking spaces for a total of 270 parking spaces. When the project is completed, a total of 571 parking spaces will be provided. Therefore, a shortage of parking is not anticipated.

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.

APPROVED AND ADOPTED this 2nd day of March 2020.

Development Advisory Board Chairman

Exhibit A—AERIAL PHOTOGRAPH



Exhibit B—SITE PLAN

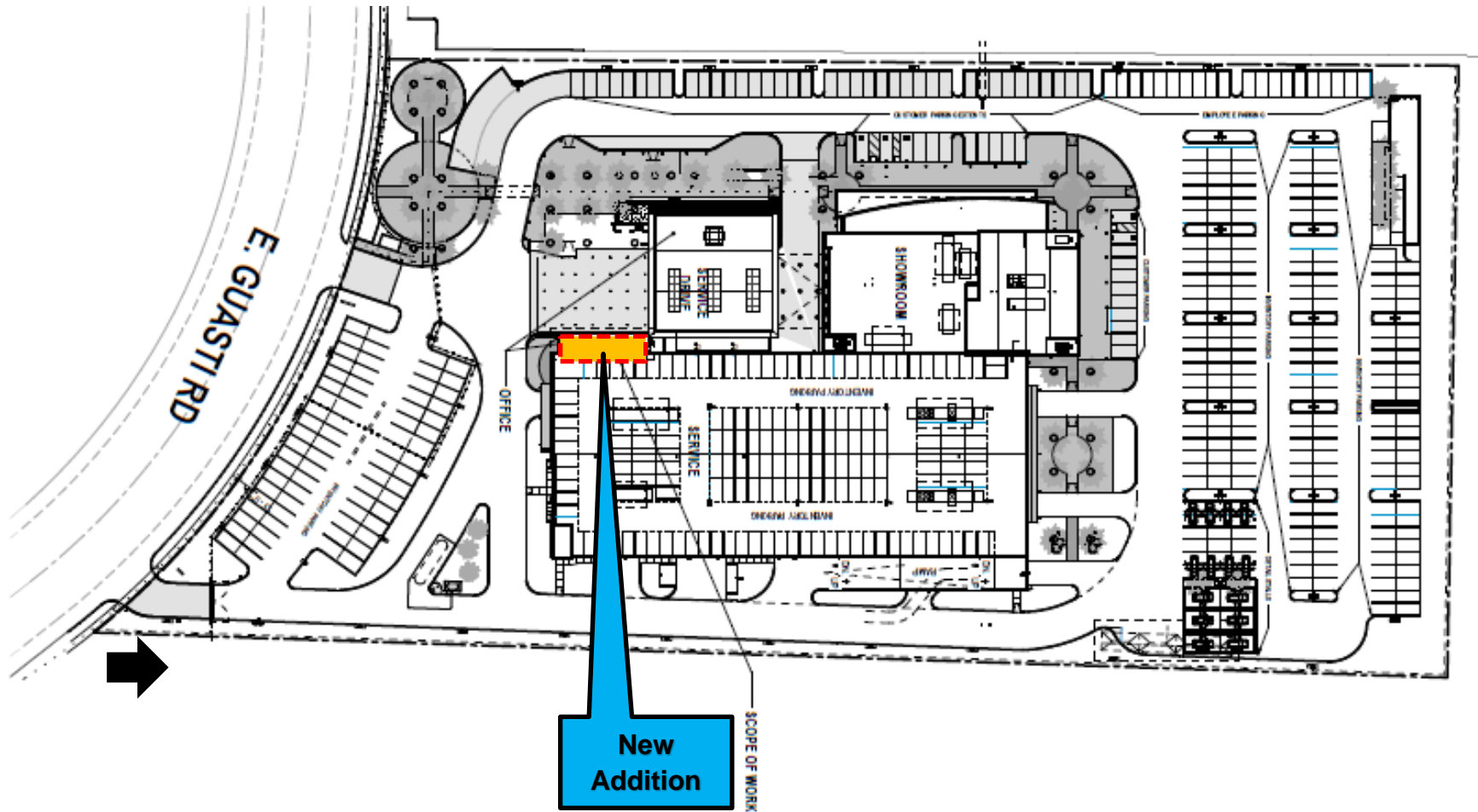


Exhibit C—FLOOR PLAN & LANDSCAPING

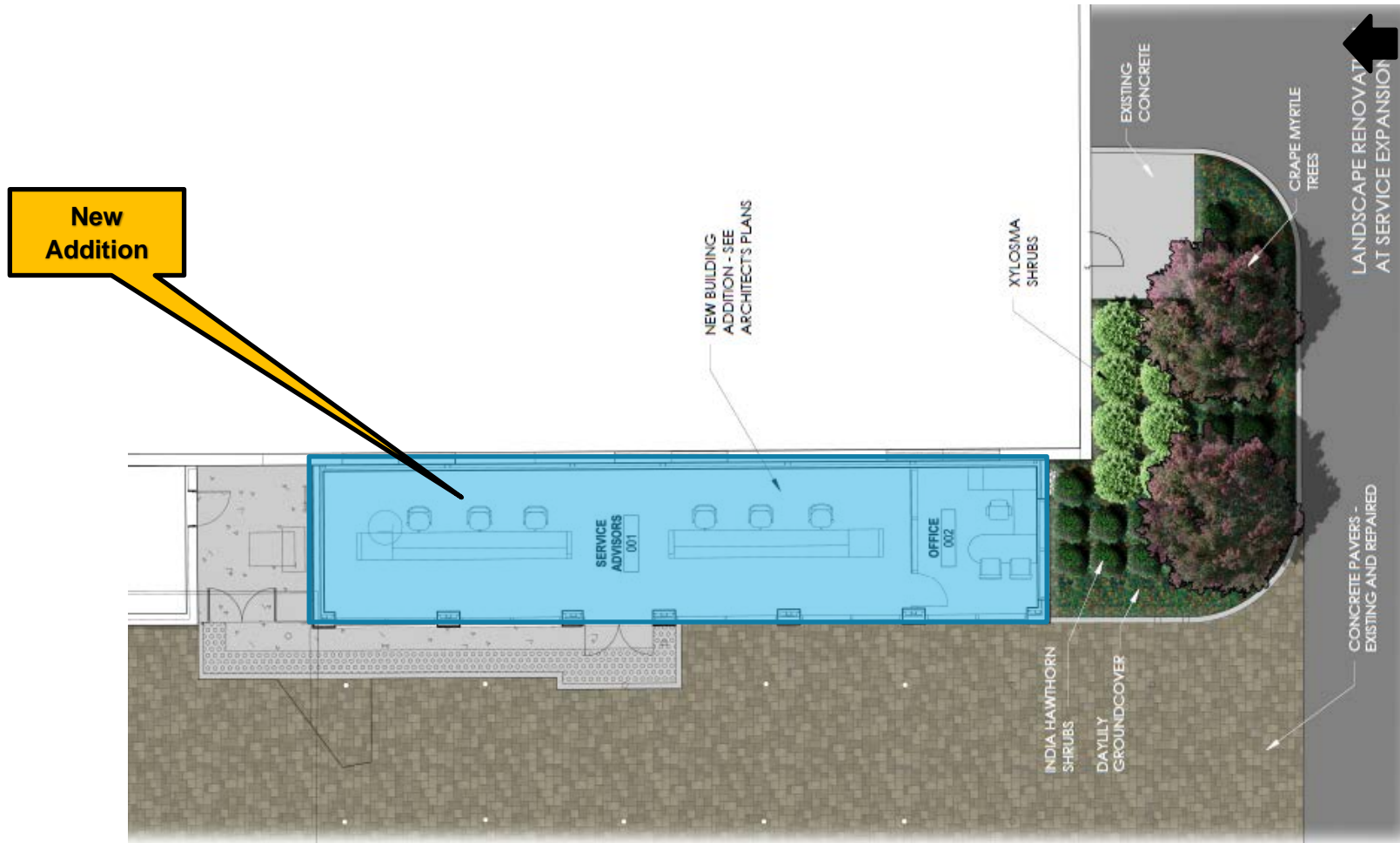


Exhibit D—ELEVATIONS



**Southwest
View**



West View

Exhibit F—SITE PHOTOS



View of South Elevation of Existing Service Area

Exhibit G—SITE PHOTOS



Side View (West Elevation) of Existing Service Office Area

Exhibit H—SITE PHOTO



South View of Existing Service Writer's Area and Canopy

Exhibit I—ELEVATIONS



East Elevation of Existing Service Area Offices

Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: March 2, 2020

File No: PDEV19-053

Related Files: PDEV18-002

Project Description: A Development Plan to add a 940 square foot addition to an existing 82,347 square foot auto dealership (Fletcher Jones Mercedes Benz) on 8.17 acres, at 3787 E. Guasti Road, within the Auto land use designation of the Ontario Gateway Specific Plan; (APN: 210-212-55) **submitted by Jones Ontario Acquisition, LLC.**

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

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

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

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

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

2.6 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking

areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

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

2.7 Mechanical and Rooftop Equipment.

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

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

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

2.9 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).

2.10 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-005, a Specific Plan for which an Environmental Impact Report (State Clearance house No. 2006091039) was adopted by City Council on June 19, 2007. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

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

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

2.11 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.

2.12 Additional Fees.

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

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

2.13 Additional Requirements.

(a) Exterior colors, textures and finishes on the new addition shall match the existing dealership structures/offices.

(b) All proposed chain link shall be replaced with decorative metal/wrought iron with metal mesh on the interior side.

(c) Any proposed roof equipment shall not be visible from public views, it shall also be located below the height of the addition's parapet walls.

(d) A final inspection is required from Planning, prior to occupancy of the new addition.



CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

DAB MEETING DATE: March 2nd, 2020

PROJECT: PDEV19-053, A Development Plan for a 940 SF building addition to an existing 35,575 SF building within an automobile dealership (Mercedes Benz), within the Auto land use district of the Ontario Gateway SP. Related Record: PDEV10-012

APN: 0210-212-55

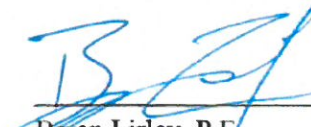
LOCATION: 3787 East Guasti Road

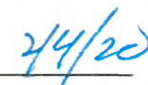
PROJECT ENGINEER: Miguel Sotomayor, Associate Engineer (909) 395-2108

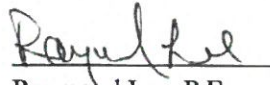
PROJECT PLANNER: Luis Batres, Senior Planner (909) 395-2431

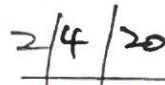
The following items are the Conditions of Approval for the subject project:

1. The applicant/developer shall pay all Development Impact Fees (DIF) to the Building Department. Final fee shall be determined based on the approved site plan.
2. The Applicant/Developer shall be aware that the Costco Project on the southside of Guasti Avenue will be installing parking restriction signs at their Project driveways therefore impacting on-street parking currently being used by Mercedes Benz.
3. The on-street parking will ultimately be completely restricted if in the future Guasti Road is extended and striped to the ultimate four lane section per the Master Plan of Streets and Highways.


Bryan Lirley, P.E.
Principal Engineer


Date



Raymond Lee, P.E.
Assistant City Engineer


Date

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

CONDITIONS OF APPROVAL

Sign Off


 Jamie Richardson, Sr. Landscape Planner

1/24/20
 Date

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

Phone:
(909) 395-2615

D.A.B. File No.:
PDEV19-053
 Project Name and Location:

Case Planner:
 Luis Batres

Mercedes Benz
 3787 E Guasti Road
 Applicant/Representative:
 Austin Hahn, CaliChi
 1 N La Salle Street, Suite 3950
 Chicago, IL 60602

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 1/7/20) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

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

Civil/ Site Plans

1. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
2. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.

Landscape Plans

3. Provide a tree inventory as noted in #1.
4. Replace dead or missing trees, shrubs and/or groundcover damaged by construction or neglect.
5. Repair or replace broken or leaking irrigation components.
6. Note to coordinate with on-site landscape maintenance personnel to ensure landscape is properly maintained in a neat and healthy condition free of weeds, pests or diseases and properly irrigated without run-off or overspray.
7. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>.
8. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

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

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

CITY OF ONTARIO MEMORANDUM

TO: PLANNING DEPARTMENT, Luis Batres
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: October 30, 2019
SUBJECT: PDEV19-053

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



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

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

DATE: October 23, 2019

SUBJECT: **PDEV19-053 — A Development Plan to construct a 940-square foot addition to an existing 35,575-square foot automobile dealership building (Mercedes Benz) located at 3787 East Guasti Road, within the Auto land use district of the Ontario Gateway Specific Plan (APN: 0210-212-55). Related File: PDEV10-012.**

The plan does adequately address Fire Department requirements at this time.

No comments.



CITY OF ONTARIO MEMORANDUM

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

FROM: Luis Batres, Senior Planner

DATE: September 25, 2019

SUBJECT: FILE #: PDEV19-053

Finance Acct#:

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

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

PROJECT DESCRIPTION: A Development Plan for a 940 SF building addition to an existing 35,575 SF building within an automobile dealership (Mercedes Benz) located at 3787 E Guasti Road, within the Auto land use district of the Ontario Gateway Specific Plan. (APN:0210-212-55). Related Record: PDEV10-012

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

POLICE
Department

E. HERNANDEZ
Signature

POLICE OFFICER
Title

10/2/19
Date

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-053
 Address: 3787 E Guasti Road
 APN: 0210-212-55
 Existing Land Use: Auto Dealership
 Proposed Land Use: Development Plan for a 940 SF addition to an existing auto dealership (Mercedes Benz)
 Site Acreage: 8.04 Proposed Structure Height: 15 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: 11/6/19
 CD No.: 2019-063
 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 checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="checkbox"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 115 FT	
<input type="radio"/> Zone 5			

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

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

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: 