



**CITY OF ONTARIO  
DEVELOPMENT ADVISORY BOARD**

**AGENDA**

**June 15, 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

**SPECIAL AND URGENT NOTICE ELIMINATING IN-PERSON PUBLIC PARTICIPATION AT CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD MEETINGS**

**Due to the directives contained in the Governor’s Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20) and the Governor’s Stay at Home Order (Executive Order N-33-20), the Development Advisory Board for the City of Ontario**

is required to limit in-person attendance at the upcoming Development Advisory Board meeting. Members of the public may utilize alternative measures established by the City of Ontario to view the Development Advisory Board meeting and/or to communicate your opinions to the Development Advisory Board Chairman. To view the meeting, please go to <http://www.ontarioca.gov/agendas/dab> and follow the link on that webpage.

Members of the public who wish to provide comment on an item may do so in one of the following manners:

1. **EMAIL:** You can email comments to [planningdirector@ontarioca.gov](mailto:planningdirector@ontarioca.gov) no later than 12:30 PM on the day of the meeting. All comments received by the deadline will be printed for Development Advisory Board consideration before action is taken on that matter. Please identify the agenda item that you wish to address in your comments. All written comments will be included in the record.
2. **TELEPHONE BEFORE THE MEETING:** You can call (909) 395-2036 no later than 12:30 PM on the day of the meeting and let them know that you would like to make a comment on an agenda item.
3. **IN WRITING DURING THE MEETING:** The meeting will be broadcast utilizing software that allows members of the public to make written comments. Your written comments will be read by a staff member to the Development Advisory Board Chairman during their consideration of that item.

Any members of the public who require special assistance or a reasonable accommodation to participate in the meeting of the Development Advisory Board may contact Gwen Berendsen at (909) 395-2036 or [planningdirector@ontarioca.gov](mailto:planningdirector@ontarioca.gov) at least 24 hours prior to the meeting.

## **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 May 18, 2020, approved as written.

## **PUBLIC HEARING ITEMS**

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

**FILE NO. PDEV17-016**: A Development Plan to construct an 85,583 square-foot neighborhood commercial shopping center that includes the following: 1) a 45,000 square-foot market with an attached 10,500 square-foot multi-tenant commercial building; 2) 3 stand-alone multi-tenant commercial buildings totaling 17,945 square-feet; 3) one stand-alone multi-tenant commercial building with drive-thru facility totaling 4,500 square-feet; 4) a gasoline fueling station with a 4,088 square-foot convenience store (7-Eleven); and 5) one restaurant pad with a drive-thru facility totaling 3,500 square-feet on 13.4 acres of land located at the southeast corner of Haven Avenue and Fourth Street, within the Commercial land use district of the Piemonte Overlay Area- Ontario Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with PSPA16-003, for which a Mitigated Negative Declaration was adopted by the City Council on May 16, 2017. This application introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0210-531-06, 0210-531-07, 0210-531-08, 0210-531-09, 0210-531-10, 0210-531-11, 0210-531-12, 0210-531-13, 0210-531-14.) **Submitted by Lewis Retail Centers.**

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

No action necessary – use of previous Mitigated Negative Declaration

#### **2. File No. PDEV17-016** (Development Plan)

Motion to Approve / Deny

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

**FILE NO. PDEV19-029**: A Development Plan to construct a 44,436-square foot industrial building on 2.29 acres of land located at 1485 and 1493 East Spruce Street, within the IG (General Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0113-462-10 and 0113-462-19) **Submitted by KCT Investment LLC.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines §15332

2. **File No. PDEV19-029** (Development Plan)

Motion to Approve / Deny

D. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-026 AND PCUP19-010:**

A Development Plan (File No. PDEV19-026) to construct a 6,000 square foot convenience store in conjunction with fuel sales, and a Conditional Use Permit (File No. PCUP19-010) to establish retail commercial land uses and alcoholic beverage sales for consumption off the premises, limited to beer and wine (Type 20 ABC License), on one-acre of land located at 1401 South Grove Avenue, within the Business Park land use district of the Grove Avenue 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 State CEQA Guidelines. 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 ONT Airport Land Use Compatibility Plan (ALUCP). (APN: 0113-361-54) **Submitted by Virender Jain. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines §15332

2. **File No. PCUP19-010** (Conditional Use Permit)

Motion to recommend Approval/Denial

3. **File No. PDEV19-026** (Development Plan)

Motion to recommend Approval/Denial

E. **ENVIRONMENTAL ASSESSMENT, VARIANCE, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR19-005 AND PDEV19-034:**

A Variance (File No. PVAR19-005) to deviate from certain minimum Development Code standards, including a reduction in the minimum building and drive-aisle setback from an arterial street (Vineyard Avenue) property line, from 25 feet to 15 feet, and for a reduction in the minimum drive-thru lane setback from a street (G Street) side property line, from 20 feet to 15 feet, in conjunction with a Development Plan (File No. PDEV19-034) to raze an existing In-N-Out Burger drive-thru restaurant and construct of a new and expanded 2,291 square foot In-N-Out Burger drive-thru restaurant on 1.57 acres of land located at the northwest corner of G Street and Vineyard Avenue, at 1891 East G Street, within the CCS (Convention Center Support Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Class 2, Replacement or Reconstruction) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and

was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0110-241-50 and 0110-241-54) **Submitted by In-N-Out Burger. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines §15302

2. **File No. PVAR19-005** (Variance)

Motion to recommend Approval/Denial

3. **File No. PDEV19-034** (Development Plan)

Motion to recommend Approval/Denial

F. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-036 AND PCUP19-015**: A Development Plan (File No. PDEV19-036) and Conditional Use Permit (File No. PCUP19-015) to construct and establish a 6,800 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15532 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 1014-111-08) **Submitted by Gracepoint Brethren in Christ Church. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15532

2. **File No. PCUP19-015** (Conditional Use Permit)

Motion to recommend Approval/Denial

3. **File No. PDEV19-036** (Development Plan)

Motion to recommend Approval/Denial

G. **ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-014 AND PDEV19-055**: A Tentative Parcel Map (File No. PMTT19-014 / TPM 20170) to merge 12 lots into one parcel in conjunction with a Development Plan (File No. PDEV19-055) to construct a 200,966 square-foot industrial warehouse building, on 8.6 acres of land, located on the southwest corner of Elm Street and Vineyard Avenue, within the IG (General Industrial)

zoning district. The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0113-415-42, 0113-415-43, 0113-415-44, 0113-415-45, 0113-415-46, 0113-415-47, 0113-415-48, 0113-415-49, 0113-415-50, 0113-415-53, 0113-415-54 and 0113-415-55) **submitted by Duke Realty. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of previous EIR

2. **File No. PMTT19-014** (Tentative Parcel Map)

Motion to recommend Approval/Denial

3. **File No. PDEV19-055** (Development Plan)

Motion to recommend Approval/Denial

H. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-067 AND PCUP19-028:** A Development Plan (File No. PDEV19-067) to construct a 157,370-square foot dual hotel (Hyatt Place and Hyatt House) and a 5,000 square-foot restaurant pad in conjunction with a Conditional Use Permit (File No. PCUP19-028) to establish a 265-room full-service hotel with alcoholic beverage sales for a Type 70 ABC License (On-Sale General Restrictive Service) on 4.94 acres of land, located at the southeast corner of Inland Empire Boulevard and Archibald Avenue, within the OH (Heavy Office) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0210-191-29, 0210-191-30, 0210-191-31, 0210-191-32) **Submitted by Ontario H Hotel LLC. Planning Commission and City Council action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines §15332

2. **File No. PCUP19-028** (Conditional Use Permit)

Motion to recommend Approval/Denial

3. **File No. PDEV19-067** (Development Plan)

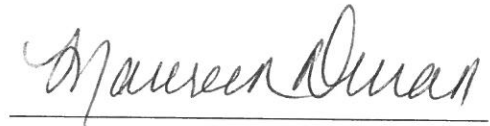
Motion to recommend Approval/Denial

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 **July 6, 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 **June 11, 2020**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

  
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**CITY OF ONTARIO**

**Development Advisory Board**

**Minutes**

**May 18, 2020**

**BOARD MEMBERS PRESENT VIA TEAMS**

Rudy Zeledon, Chairman, Planning Department  
Kevin Shear, Building Department  
Charity Hernandez, Economic Development Agency  
Jesus Plasencia, Engineering Department  
Paul Ehrman, Fire Department  
Joe De Sousa, Housing and Neighborhood Preservation  
Ahmed Aly, Municipal Utilities Company  
Emily Hernandez, Police Department

**BOARD MEMBERS ABSENT**

None

**STAFF MEMBERS PRESENT VIA TEAMS**

Jeanie Irene Aguilo, Planning Department  
Antonio Alejos, Engineering Department  
Diane Ayala, Planning Department  
Luis Batres, Planning Department  
Gwen Berendsen, Planning Department  
Michael Bhatanawin, Engineering Department  
Denny Chen, Planning Department  
Maureen Duran, Planning Department  
Jesus Plasencia, Engineering Department

**PUBLIC COMMENTS**

No one responded via telephone.

**CONSENT CALENDAR ITEMS**

- A. APPROVAL OF MINUTES:** Motion to approve the minutes of the April 20, 2020, meeting of the Development Advisory Board was made by Mr. Shear; seconded by Ms. C. Hernandez; and approved by roll-call vote (7-0). Mr. Plasencia recused himself as he did not attend this meeting.



**PUBLIC HEARING ITEMS**

- B. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT19-020 (TT 20316):** A Tentative Tract Map (File No. PMTT19-20 / TT 20316) for condominium purposes to subdivide 56.99 acres of land into 4 numbered residential lots and 12 lettered lots for common areas, portions of the Great Park, private streets, public utility easements and neighborhood landscape edges. The project is located at the northwest corner of Archibald Avenue and Eucalyptus Avenue, within Planning areas 1 thru 4 (Conventionally-Loaded Lane Homes) of the Parkside Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to the Parkside Specific Plan File (No. PSP03-002) EIR (SCH# 2004011008) that was certified by the City Council on September 5, 2006. This application is consistent with the previously adopted EIR 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); (APNs: 0218-231-12, 0218-231-14, 0218-231-17, 0218-231-18, 0218-231-19, 0218-231-20, 0218-231-21, 0218-231-28, 0218-231-29, 0218-231-30, 0218-231-33, 0218-231-35 and 0218-231-38) **submitted by SC Ontario Development Company, LLC. Planning Commission action is required.**

Representative Damon Gascon of SC Ontario Development was present via telephone. Mr. Gascon had revisions in the Engineering conditions that he wanted to bring to the board's attention. He stated item 1.02, page 34 of 37, had been revised in addition to item 2.17, page 39 of 47, regarding the bus stop and turn out. He stated it does not apply to this specific project and should be stricken. Mr. Bhatanawin confirmed with Mr. Zeledon this was not applicable and would not be included in the conditions. Mr. Gascon then referred to item 2.26, page 4 of 47, stating it should read the sewer main will be 8 feet and not 10 feet. Mr. Zeledon confirmed these revisions with Mr. Bhatanawin.

Mr. Gascon stated he agreed to the conditions and wished to move forward with this project. Mr. Zeledon asked the board if there were any questions or concerns at which time there were not. Mr. Zeledon then stated there were no phone calls, emails, or written comments regarding this project. He then entertained a motion.

Motion recommending approval of **File No. PMTT19-020 (TT 20316)** subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. De Sousa; and approved by roll call vote (8-0).

- C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-064:** A Development Plan to construct 540 single-family homes and a private recreational center on approximately 34.3 acres of land located at the northwest corner of Eucalyptus Avenue and Archibald Avenue, within Planning Areas 1-4 and Planning Area 23 of the Parkside Specific Plan. The environmental impacts of this project were analyzed in an Addendum to the Parkside Specific Plan (File No. PSP03-002) Environmental Impact Report (SCH# 2004011008) certified by the City Council on September 5, 2006. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-231-35, 0218-231-33, 0218-231-30, 0218-231-29, 0218-231-28, 0218-231-22, 0218-231-21, 0218-231-20, 0218-231-19, 0218-231-18, 0218-231-17, 0218-231-14, and 0218-231-12). **Submitted by The New Home Company. Planning Commission action is required.**

Applicant Holly Slevcove of New Home Company was present via telephone. Ms. Slevcove stated she agreed to the conditions and informed the board there was a revision she had previously spoken to Ms. Ayala about and the agenda should be updated to reflect this. Mr. Zeledon stated he had the revised report and referred to page 34 of 51 regarding the walls and fences. He confirmed it had been revised to state the maximum wall height should be four feet and the walls and fences should be set back from facades and buildings. He then referred to item 2.8, page 35 of 51, regarding the AC units. Mr. Zeledon asked Ms. Slevcove if these were the conditions that were revised at which time Ms. Slevcove confirmed they were.

Mr. Zeledon asked if there were any questions or comments from the board at which time there were none. Mr. Zeledon stated there were no phone calls, emails, or written comments regarding this project. He then entertained a motion.

Motion recommending approval of **File No. PDEV19-064** subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. De Sousa; and approved by roll call vote (8-0).

- D. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV18-022 AND PCUP18-021:** A Development Plan (File No. PDEV18-022) to construct a 6,870 square-foot industrial building in conjunction with a Conditional Use Permit (File No. PCUP18-021) to establish and operate a towing service, on 3.1 acres of land located at 580 East Belmont Street, within the IL (Light Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15532 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-491-01, 1049-491-02 and 1049-491-03) **Submitted by Four Sisters Enterprises LLC. Planning Commission action is required.**

Representative Jorge Estrada of Estrada and Associates was present via telephone. Mr. Zeledon asked if he had reviewed the conditions. Mr. Estrada stated he did. He also stated he forwarded the conditions to the owners and they were all in agreement with them and wished to proceed. Mr. Zeledon asked if there were any questions at which time there were none.

Mr. Zeledon then stated there was correspondence received from a nearby resident as well as a phone call. Mr. Estrada asked if there was any other correspondence at which time Mr. Zeledon stated there was not. He then entertained a motion.

Motion recommending approval of **File Nos. PCUP18-021 & PDEV18-022** subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. De Sousa; and approved by roll call vote (8-0).

- E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-006:** A Development Plan to construct a 35,737 square foot industrial building on 1.48 acres of land located at 1533 West Holt Boulevard, within the IP (Industrial 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 (ALUCP); (APN: 1011-111-10) Submitted by United Trust Realty Corporation. Planning Commission action is required.**

Representative John Kiley was present via telephone and stated there was one revision in the Engineering conditions. This condition 2.12 would be stricken as it did not apply to this specific project. Mr. Zeledon confirmed with Mr. Bhatanawin that this did not apply and would not be included in the conditions.

There were no questions or concerns from the board. Mr. Zeledon stated there were no phone calls, emails, or written comments regarding this project. He then entertained a motion.

Motion recommending approval of **File No. PDEV19-006** subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. De Sousa; and approved by roll call vote (8-0).

**F. ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-011 (TT 20291) AND PDEV19-043:** A Tentative Tract Map (File No. PMTT19-011 / TT 20291) to subdivide 0.73-acre of land into a single lot for condominium purposes in conjunction with a Development Plan (File No. PDEV19-043) to construct 18 multiple-family dwellings located at 1005 and 1023 East Sixth Street, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 1047-172-17 and 1047-172-22) **submitted by TAVK Holding LLC / T&S Allied Investment LLC. Planning Commission action is required.**

Representative Cliff Sun was present via telephone. Mr. Zeledon asked if he had reviewed the conditions. Mr. Sun stated he did as well as the property owners, and they were all in agreement with the conditions of approval.

There were no questions or comments from the board. Mr. Zeledon stated there were no phone calls, emails, or written comments regarding this project. He then entertained a motion.

Motion recommending approval of **File Nos. PMTT19-011 (TT 20291) & PDEV19-043** subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. Plasencia; and approved by roll call vote (8-0).

There being no further business, the meeting was adjourned.

Respectfully submitted,



Maureen Duran  
Recording Secretary



# Development Advisory Board Decision

June 15, 2020

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

**FILE NO.:** PDEV17-016

**DESCRIPTION:** A Development Plan to construct a neighborhood shopping center consisting of six buildings totaling 85,583 square feet and establish a restaurant pad with drive-thru for future construction on 13.4 acres of land located at the southeast corner of Haven Avenue and Fourth Street, within the Commercial land use district of the Piemonte Overlay of the Ontario Center Specific Plan; (APNs: 0210-531-06, 0210-531-07, 0210-531-08, 0210-531-09, 0210-531-10, 0210-531-11, 0210-531-12, 0210-531-13, 0210-531-14) **submitted by Lewis Retail Centers.**

## ***Part I—BACKGROUND & ANALYSIS***

LEWIS RETAIL CENTERS, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV17-016, 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 13.4 acres of land located at the southeast corner of Haven Avenue and Fourth Street, within the Commercial land use district of the Piemonte Overlay Area of the Ontario Center Specific Plan, 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:

	<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	Ontario Center Mixed Use	SP (Specific Plan)	Commercial (Piemonte Overlay of Ontario Center SP)
<i>North</i>	<u>City of Rancho Cucamonga:</u> Offices, Vacant & Industrial	<u>City of Rancho Cucamonga:</u> Industrial Park (0.40 - 0.60 FAR)	<u>City of Rancho Cucamonga:</u> Industrial Park	N/A
<i>South</i>	Vacant & Offices	Ontario Center Mixed Use	SP (Specific Plan)	Urban Commercial (Ontario Center SP)
<i>East</i>	Multiple-Family Residential	Ontario Center Mixed Use	SP (Specific Plan)	Urban Residential (Ontario Center SP)
<i>West</i>	Office & Multiple-Family Residential	Ontario Center Mixed Use	SP (Specific Plan)	Garden Commercial (Ontario Center SP) & Urban Residential (Wagner Properties SP)



(2) **Project Description:**

(a) **Background** — The Applicant is requesting Development Plan approval to construct a neighborhood shopping center (see Figure 1: Site Plan, right) consisting of six buildings totaling 85,583 square feet and the establishment of a restaurant pad with drive-thru, which will be considered under a separate Development Plan application.

(b) **Site Design/Building Layout** — The proposed shopping center will buildout Subarea 1 of the Piemonte Overlay of the Ontario Center Specific Plan, which the Specific Plan designates for a mix of commercial and entertainment uses. The proposed site plan for the shopping center includes the following:



**Figure 1: Site Plan**

(i) **Market and Shops.** One 45,000 square foot market with an attached 10,500 square foot wing of multi-tenant shops is located at the southeasterly corner of the Project site. The loading dock for the market is located at the northeast corner of the building and will be screened from public view by a combination of buildings and dense landscaping. Views from the existing multiple-family residential project to the east will be adequately screened by a mix of existing and proposed landscaping and existing carports and garages located adjacent to the Project's east property line.

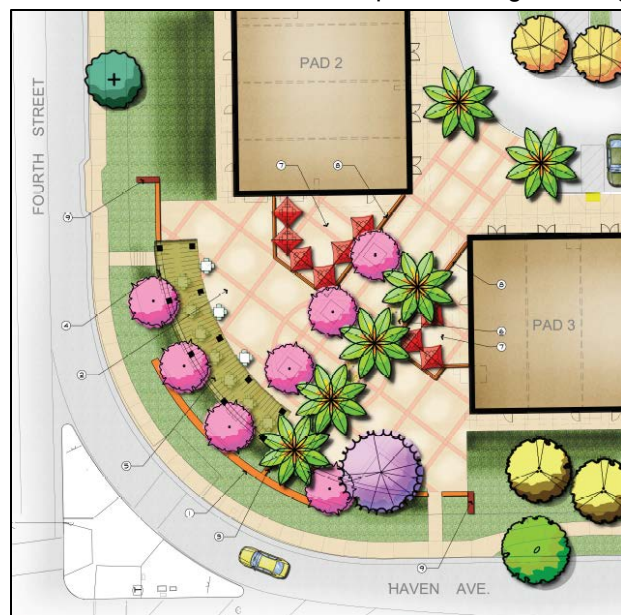
(ii) **Convenience Store with Fuel Sales (7-Eleven).** A 4,088 square foot convenience store with fuel sales is located at the northeasterly corner of the Project Site. Six fuel dispenser pumps are located immediately west of the convenience store and are covered by a 3,200 square foot canopy.

(iii) **Pads 2, 3, and 6.** Three stand-alone multi-tenant pad buildings totaling 17,945 square feet are proposed. Pads 2 and 3 (5,040 square feet, each) are located at the northwesterly corner of the Project site, oriented toward the Haven Avenue/Fourth Street intersection. The two buildings are separated by a large plaza that includes outdoor dining areas for both buildings (see Figure 2: Corner Plaza, right).

Pad 6 is proposed with a 7,865 square foot multi-tenant shop build, which is located along the southern edge of the Project site and backs on to Concours Street.

(iv) **Pad 5.** A 4,500 square foot stand-alone multi-tenant pad building with drive-thru is proposed. Pad 5 is located along the Project's Haven Avenue frontage, on the south side of the driveway entrance.

(v) **Pad 4.** The establishment of a standalone restaurant pad with drive-thru is proposed along the Project's Haven



**Figure 2: Corner Plaza**

Avenue frontage, on the north side of the driveway entrance. This pad is intended for the future construction with a maximum 3,500 square foot fast food restaurant, which will be considered under a separate Development Plan application.

(c) Site Access/Circulation — Vehicular access to the Project site is proposed at three locations, as follows:

- Access from Fourth Street is provided at the northeast corner of the Project site by a signalized full access driveway.
- Access from Haven Avenue is provided mid-block, between Fourth Street and Concours Street, and will be limited to right in/right out, only; and
- Access from Concours Street is provided at the southeast corner of the Project site by a full access driveway that aligns with the driveway across the street and is shared with the adjoining property to the east.

Vehicular circulation throughout the site is provided by a series of two-way drive aisles that provide access to all proposed buildings and throughout all parking fields. A drive aisle that runs north-south along the Project's east property line provides delivery truck access to the major tenant building.

Pedestrian circulation is provided throughout the Project site, which connects each building within the development. Additionally, a number of pedestrian pathways have been provided that connect to the site perimeter along Fourth Street, Haven Avenue, and Concours Street, which will encourage and promote pedestrian mobility through the Project.

(d) Parking — The minimum parking requirements for the proposed Project have been exceeded. The minimum off-street parking requirement for the shopping center is 487 spaces. A total of 545 parking spaces have been provided, result in an excess of 58 parking spaces. The parking statistics for the Project are summarized in the table below.

<b>Off-Street Parking</b>				
<b>Use</b>	<b>Building Area</b>	<b>Minimum Parking Ratio</b>	<b>Required</b>	<b>Provided</b>
Market	45,000 SF	4 spaces/1,000SF	180	225
Shops	5,510 SF Retail 5,040 SF Food	4 spaces/1,000SF 10 spaces/1,000 SF	22 50	79
Convenience Store with fuel sales	4,088 SF	4 spaces/1,000 SF	16	21
Pad 2 Retail/Food	1,260 SF Retail 3,780 SF Food	4 spaces/1,000 SF 10 spaces/1,000 SF	5 38	45
Pad 3 Retail/Food	1,260 SF Retail 3,780 SF Food	4 spaces/1,000 SF 10 spaces/1,000 SF	5 38	45
Pad 4 Fast Food	3,500 SF	13.3 spaces/1,000 SF	47	35
Pad 5 Retail/Food	2,300 SF Retail 2,200 SF Food	4 spaces/1,000 SF 10 spaces/1,000 SF	9 22	34
Pad 6 Retail/Food	3,850 SF Retail 4,015 SF Food	4 spaces/1,000 SF 10 spaces/1,000 SF	15 40	61
<b>TOTAL</b>	<b>85,583 SF</b>		<b>487</b>	<b>545</b>



(e) Architecture — A contemporary building design has been proposed, incorporating stucco exterior walls in combination with various accent walls clad in stone veneer and metal siding with a wood appearance, Greenscreen wall-hung trellis panels, prefabricated metal canopies, color blocking, clear vision glazing set in a clear anodized storefront system, and decorative accent lights. The applicant has proposed a development, which embodies the type of high-quality architecture promoted by the Piemonte Overlay of the Ontario Center Specific Plan and the Development Code's design guidelines for commercial developments. This is exemplified through the Project's use of:

- Significant articulation in the building footprint, which correspond to vertical changes in the planes of exterior walls
- Main entrances defined by enhanced architectural elements
- A mix of exterior finishes/materials and architectural detailing, including the incorporation of stucco walls in combination with the liberal use of cultured stone veneers, decorative metal panels, and color blocking used to define changes in wall planes
- Varied building massing, incorporating multiple changes in plane in exterior building walls
- Varied roof elements/forms, incorporating significant changes in roof and parapet lines.

(f) Landscaping — The Project provides substantial landscaping the full length of the Fourth Street, Haven Avenue, and Concours Street frontages, throughout off-street parking areas, and throughout stormwater retention areas, for an overall landscape coverage of 20.7 percent (120,634 square feet). A variety of accent and shade trees in 15 gallon, 24-inch, 36-inch, and 48-inch box sizes have been proposed to enhance the Project. Moreover, decorative paving and lighting will be provided at vehicular entries, pedestrian walkways, and other key locations throughout the Project.

(g) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Additionally, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizing low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of vegetated swales and detention basins, and underground infiltration systems designed to accept runoff from building roofs, parking lots, and Project driveways. Any overflow drainage will be conveyed to the surrounding streets.

## **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 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, a Mitigated Negative Declaration ("MND") in which development and use of the Project site was previously discussed, was adopted by the City Council on May 16, 2017, in conjunction with File No. PSPA16-003, pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the previous MND, 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 ("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 June 15, 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 for the Project, the DAB has reviewed and considered the information contained in the previous MND and supporting documentation. Based upon the facts and information contained in the previous MND and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this Project were previously reviewed in conjunction with File No. PSPA16-003, an Amendment to the Piemonte Overlay of The Ontario Center Specific Plan, for which an MND was adopted by the City Council on May 16, 2017.

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION 3: *Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision making 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.

**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 Ontario Center Mixed Use land use district of the Policy Plan Land Use Map, and the Piemonte Overlay of the Ontario Center Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; 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 applicable requirements of the City of Ontario Development Code and the Piemonte Overlay of the Ontario Center Specific Plan, including standards relative to the particular land use proposed (retail shopping 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 Piemonte Overlay of the Ontario Center Specific Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Piemonte Overlay of the Ontario Center Specific Plan; 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 Piemonte Overlay of the Ontario Center Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (retail shopping 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 Piemonte Overlay of the Ontario 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 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 15th day of June 2020.

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Development Advisory Board Chairman

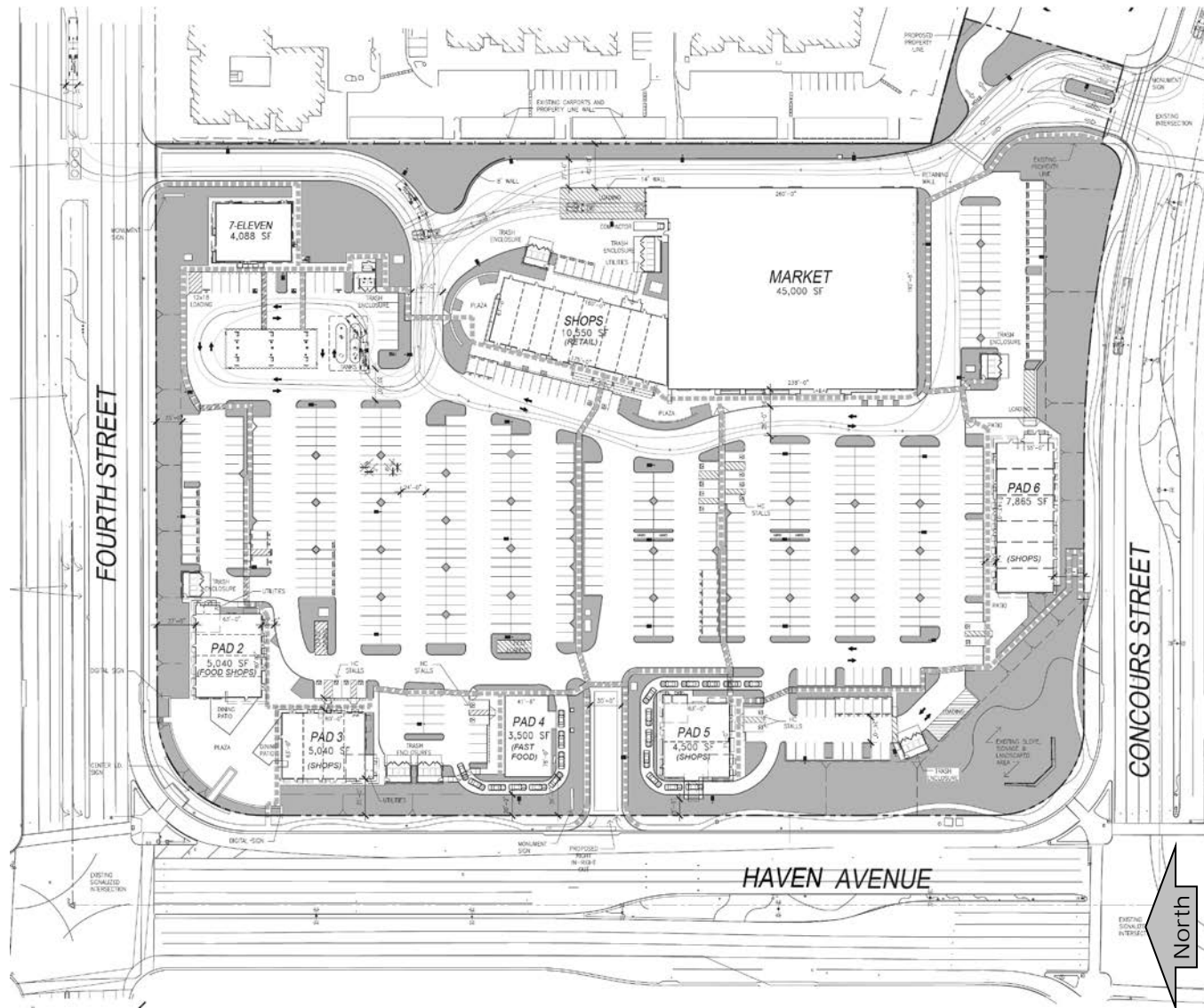


**Exhibit A—PROJECT LOCATION MAP**





**Exhibit B—SITE PLAN**



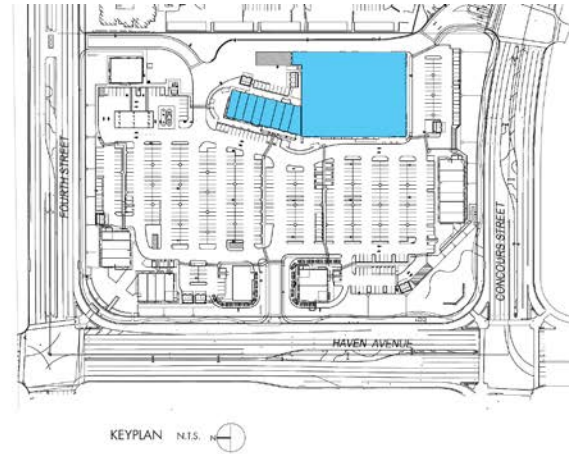
**Exhibit C—EXTERIOR ELEVATIONS**



NORTH ELEVATION



SOUTH ELEVATION

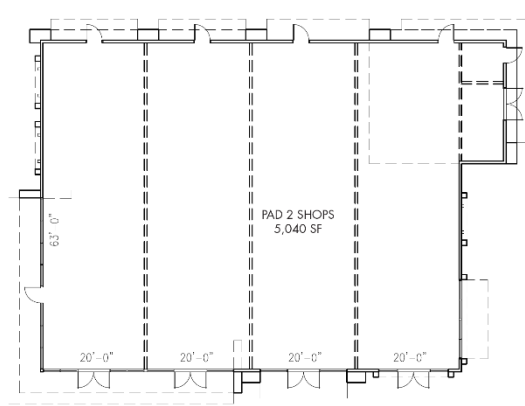


EAST ELEVATION

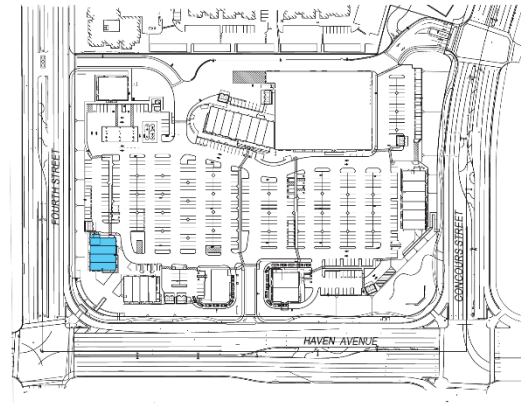


WEST ELEVATION

**Exhibit C—EXTERIOR ELEVATIONS (continued)**



FLOOR PLAN



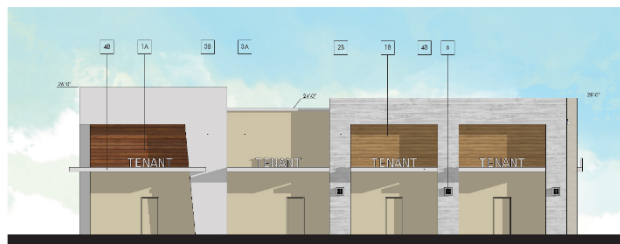
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SOUTH ELEVATION



EAST ELEVATION

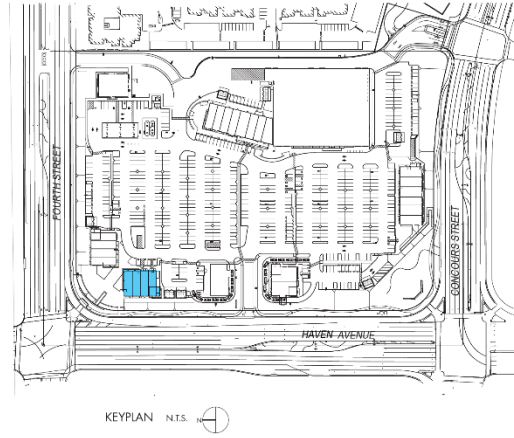
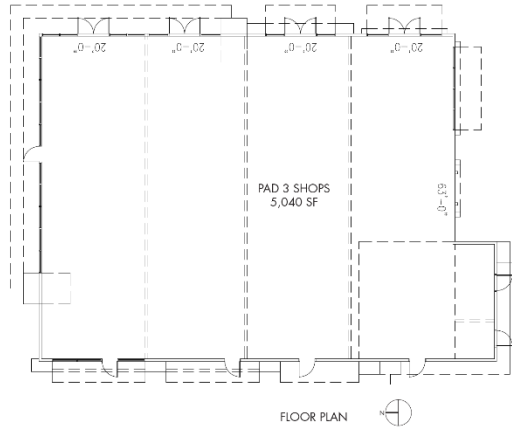


NORTH ELEVATION



WEST ELEVATION

**Exhibit C—EXTERIOR ELEVATIONS (continued)**



EAST ELEVATION



NORTH ELEVATION

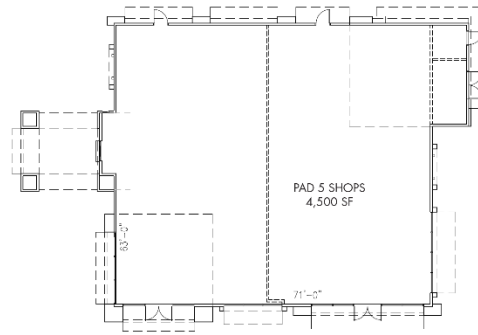


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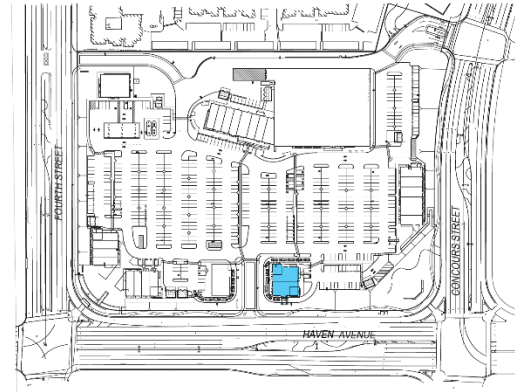


SOUTH ELEVATION

**Exhibit C—EXTERIOR ELEVATIONS (continued)**



FLOOR PLAN



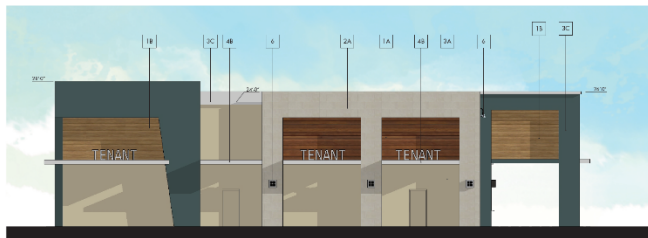
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SOUTH ELEVATION



EAST ELEVATION



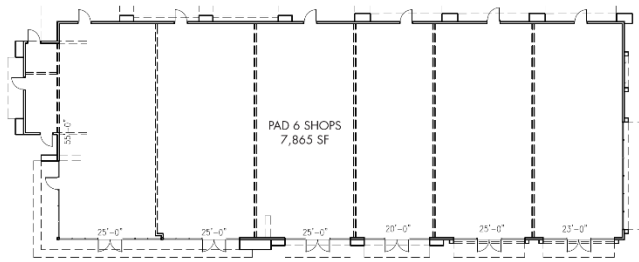
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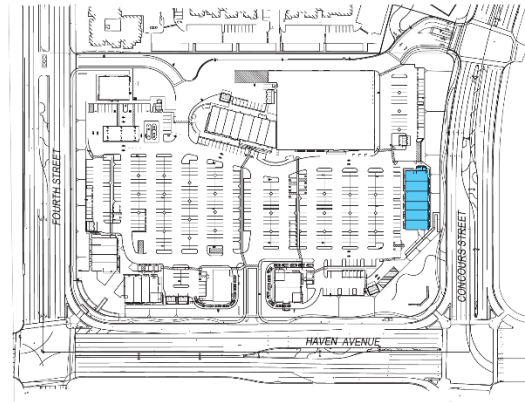
WEST ELEVATION



**Exhibit C—EXTERIOR ELEVATIONS (continued)**



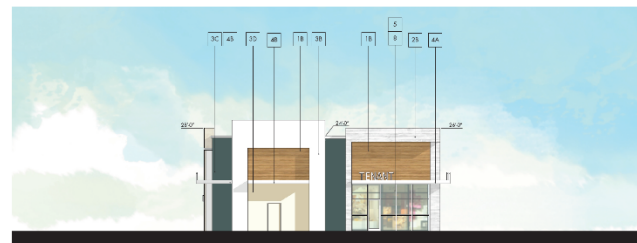
FLOOR PLAN



KEY PLAN N.T.S.



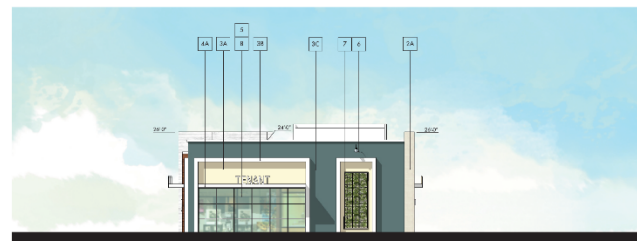
SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



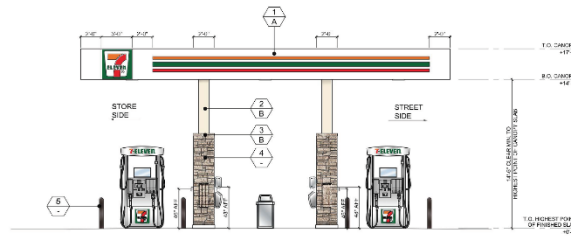
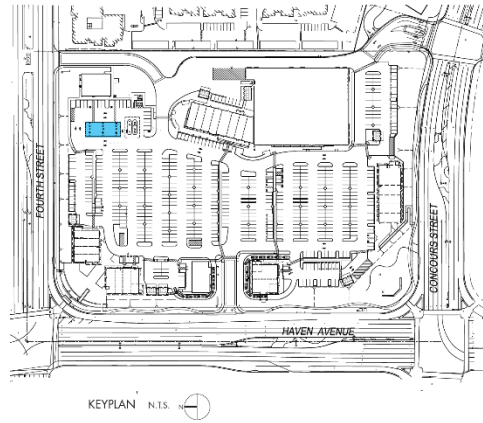
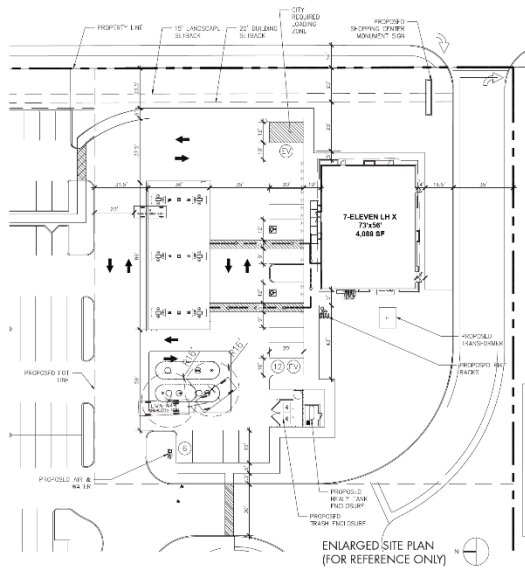
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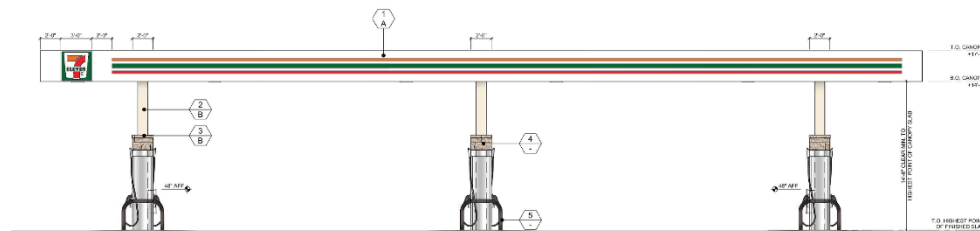
**Exhibit C—EXTERIOR ELEVATIONS (continued)**



**Exhibit C—EXTERIOR ELEVATIONS (continued)**



NORTH ELEVATION



WEST ELEVATION

Exhibit D—LANDSCAPE PLAN



PLANT LIST

SYMBOL	KEY BOTANICAL NAME	COMMON NAME	WUCOLS	SIZE	QTY.
<b>TREES</b>					
	<i>Bryhokyon populatus</i> (Match existing street tree-Concours Street)	Bottle Tree	L	24" B	12
	<i>Cercidium floridanum</i>	Blue Palo Verde	VL	24" B	34
	<i>Jacaranda mimosaefolia</i> / <i>Quercus agrifolia</i>	Jacaranda / Coast Live Oak	ML	8" B	8
	<i>Arbutus Menziesii</i>	Maria Strawberry Tree	M	24" B	71
	<i>Koeberlinia paniculata</i>	Goldenra Tree	L	24" B	73
	<i>Schinus molle</i> (Match existing street tree-Haven Avenue)	California Pepper Tree (INVASIVE)	L	24" B	6
	<i>Platanus acerifolia</i> (Match existing street tree-4th Street)	London Plane Tree	M	24" B	14
	<i>Quercus wislizenii</i>	Interior Live Oak	L	24" B	13
	<i>Cercis occidentalis</i>	Western redbud	M	36" B	35
	<i>Magnolia grandifolia</i> 'D.D. Blanchard'	Southern Magnolia	M	24" B	23
	<i>Ficus rubiginosa</i>	Ratibofig Fig	M	36" B	2
	<i>Cupressus sempervirens</i>	Italian Cypress	L	24" B	7
<b>PALMS</b>					
	<i>Phoenix carolinensis</i>	Canary Island Date Palm (INVASIVE)	L	15" BTH	6
	<i>Phoenix dactylifera</i>	Date Palm	L	20" BTH	14
<b>ESPALIER</b>					
	<i>Fedocarpus Gracilior</i>	Fern Pine	M		15G
<b>SHRUBS</b>					
	Agave 'Blue Flame'	Blue Flame Agave	L		5G
	Aloe vera	Medicinal Aloe	L		5G
	<i>Buxus microphylla japonica</i>	Japanese Boxwood	M		1G
	<i>Callistemon viminalis</i> 'Littleloha'	Dwarf Bottlebrush	L		5G
	<i>Carrisa grandiflora</i> 'Yucca Carpet'	Natal Plum	M		1G
	<i>Dianella lasiocarpa</i> 'Silver Struck'	Silver Struck Flax Lily	M		1G
	<i>Diets grandiflora</i>	Fortnight Lily	L		5G
	<i>Lantana hybrid</i> 'Gold Mount'	Lantana	L		1G
	<i>Ligustrum japonicum</i> 'Texanum'	Wax Leaf Privet	M		5G
	<i>Lomandra longifolia</i> 'L.M.100'	Breeze Dwarf Mat Rush	M		5G
	<i>Myoporum parvifolium</i> 'Putah Creek'	Myoporum	L		1G
	<i>Olea europaea</i> 'Montrea' P.P. 862266	Little Olive Dwarf Olive	L		5G
	<i>Photinosporum subira</i>	Tibera	M		5G
	<i>Raphiostephan indica</i> 'Chara'	Indian Hawthorne	M		5G
	<i>Rosa x 'Noire'</i>	Rose Flower Carpet	M		2G
	<i>Strelicia reginae</i>	Bird-of-Paradise	L		5G
	<i>Trachelospermum asiaticum</i>	Asian Jasmine	M		1G
	<i>Yucca filamentosa</i> 'Gold Sword'	Gold Sword Yucca	VL		5G
	Bio-Retention Basin per Civil Engineering Plans				

- NOTES:  
 - LANDSCAPE CONSTRUCTION PLANS SHALL MEET ALL THE REQUIREMENTS OF THE LANDSCAPE DEVELOPMENT GUIDELINES.  
 - GEOTECHNICAL SOIL TESTING AND REPORT SHALL BE INCLUDED WITH THE LANDSCAPE CONSTRUCTION PLANS.
- ① PRIVATE PLAZA SPACE (TYP) - 8168 S.F.
  - ② PLAZA SPACE W/ LARGE CANOPY TREES - 25264 S.F.
  - ③ ENHANCED PLAZA PAVING ENCLOSED BY 3' HT. WALL - 8118 S.F.
  - ④ DECORATIVE PAVING @ ENTRY (TYP) - 221490 S.F.
  - ⑤ MONUMENTATION WALL
  - ⑥ SIGN LOCATIONS
  - ⑦ PLAZA W/ SHADE STRUCTURE AND OPEN LANDSCAPE AREA - 27926 S.F.
  - ⑧ DECORATIVE PAVING @ RETAIL (TYP)
  - ⑨ PROPOSED INTERSECTION
  - ⑩ 8' HT. SCREENING WALL
  - ⑪ 14' HT. SCREENING WALL
  - ⑫ 36' HT. HEDGE AT DRIVE-THROUGH LANE
  - ⑬ RETAIL AND BUILDING SIGNAGE (TYP)
- \* TOTAL PATIO AREA: 19,959 S.F.

## 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**

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**Meeting Date:** June 15, 2020

**File No:** PDEV17-016

**Project Description:** A Development Plan to construct an 85,583 square-foot neighborhood commercial shopping center that includes the following: 1) a 45,000 square-foot market with an attached 10,500 square-foot multi-tenant commercial building; 2) 3 stand-alone multi-tenant commercial buildings totaling 17,945 square-feet; 3) one stand-alone multi-tenant commercial building with drive-thru facility totaling 4,500 square-feet; 4) a gasoline fueling station with a 4,088 square-foot convenience store (7-Eleven); and 5) one restaurant pad with a drive-thru facility totaling 3,500 square-feet on 13.4 acres of land located at the southeast corner of Haven Avenue and Fourth Street, within the Commercial land use district of the Piemonte Overlay Area- Ontario Center Specific Plan; (APNs: 0210-531-06, 0210-531-07, 0210-531-08, 0210-531-09, 0210-531-10, 0210-531-11, 0210-531-12, 0210-531-13, 0210-531-14.) **submitted by Lewis Retail Centers.**

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

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

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

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

**2.1 Time Limits.**

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

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

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

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

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

### **2.3** Landscaping.

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

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

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

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

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

### **2.5** Parking, Circulation and Access.

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

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

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

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

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

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

### **2.6** Outdoor Loading and Storage Areas.

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

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

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

**(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:

<b>Screen Wall Height</b>	<b>Minimum Gate Height</b>
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) Signage shall comply with the Piemonte Sign Program (File No. PSGP17-003). Signage shall be prepared and reviewed separately from this permit for any proposed signage on site.

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

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

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

(a) 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.

**2.13** Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with PSPA16-003, for which a Mitigated Negative Declaration was adopted by the City Council on May 16, 2017. This application introduces no new significant environmental impacts. The City's "Guidelines for the



Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

**2.15** Additional Fees.

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

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

**2.16** Additional Requirements.

**(a)** A Lot Line Adjustment shall be required upon Engineering Department approval.

**(b)** New development, an increase of more than 10 percent in GFA, or the major alteration or remodel of any building occupied by, or proposed to be occupied by, retail commercial uses providing 10 or more shopping carts for use by business patrons, shall install and maintain in good working order, an electronic barrier system at the perimeter of the business site, which, when crossed by a shopping cart, will disable the cart, thereby preventing its removal from the site. Alternate cart retention methods that would achieve the same outcome may be considered by the Planning Director.



## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

<input checked="" type="checkbox"/> <b>DEVELOPMENT PLAN</b> <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
<b>PROJECT FILE NO. PDEV17-016</b>  <b>RELATED FILE NO(S). PM 17550</b>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___	

<b>CITY PROJECT ENGINEER &amp; PHONE NO:</b>	<b>Dean A. Williams, Associate Engineer</b> (909) 395-2135
<b>CITY PROJECT PLANNER &amp; PHONE NO:</b>	<b>Jeanie Irene Aguilo, Associate Planner</b> (909) 395-2418
<b>DAB MEETING DATE:</b>	<b>June 15, 2020</b>
<b>PROJECT NAME / DESCRIPTION:</b>	<b>The Collection Shopping Center; 8 Commercial Buildings totaling 94,280 sf on 13.4 acres within the Piemonte Overlay of the Ontario Center S.P.</b>
<b>LOCATION:</b>	<b>Southeast Corner of Haven Avenue and Fourth Street</b>
<b>APPLICANT:</b>	<b>Lewis Piemonte Land, LLC</b> Rick Manners (909) 946-7562
<b>REVIEWED BY:</b>	<div style="display: flex; align-items: center;"> <div style="margin-right: 10px;">for</div> <div style="text-align: center;">             Bryan Lirley, P.E.            Principal Engineer         </div> <div style="margin-left: 20px; text-align: center;"> <div style="border-bottom: 1px solid black; width: 80px; margin: 0 auto;"></div>           6/10/20            Date         </div> </div>
<b>APPROVED BY:</b>	<div style="display: flex; align-items: center;"> <div style="text-align: center;">             Raymond Lee, P.E.            Assistant City Engineer         </div> <div style="margin-left: 20px; text-align: center;"> <div style="border-bottom: 1px solid black; width: 80px; margin: 0 auto;"></div>           6/10/20            Date         </div> </div>



**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): \_\_\_\_\_
- 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 Management Services Department at (909) 395-2124 regarding this requirement.   

(1) \_\_\_\_\_

(2) \_\_\_\_\_
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: [www.ci.ontario.ca.us](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 three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments: 
  - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
  - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
  - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: \_\_\_\_\_

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

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

- 2.01 Record Parcel Map/Tract Map No. \_\_\_\_\_ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcels are recognized parcels in the City of Ontario per Parcels 1-9 of Parcel Map No. 17550, as per map filed in Book 216, pages 7-20, inclusive, of Parcel Maps; document no. 2006-0632192, in the Office of the County Recorder of the County of San Bernardino.**
- 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 o, as instrument no. 2006-0632192f the parcel prior to the date of \_\_\_\_\_ .
- 2.05 Apply for a:  Certificate of Compliance with a Record of Survey;  **Lot Line Adjustment**   
 **Make a Dedication of Easement.**
- 2.06 **Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.**
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure



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

- 2.08 Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:** 
  - State of California Department of Transportation (Caltrans)
  - San Bernardino County Road Department (SBCRD)
  - San Bernardino County Flood Control District (SBCFCD)
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA)
  - Other: City of Rancho Cucamonga (traffic signal; median on Fourth Street)**
- 2.10 Dedicate to the City of Ontario the right-of-way described below:** 

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- 2.11 Dedicate to the City of Ontario, the following easement(s):** 

**An easement for sidewalk purposes for any public sidewalk proposed to be constructed outside of the City right-of-way. This would include, but not be limited to, proposed meandering sidewalk on Haven Avenue and Concours frontages, as well as additional sidewalk required at the back of the drive apron at all proposed drive approach locations where sidewalk (ADA path of travel) does not/cannot continue across the drive approach within the City right-of-way.**
- 2.12 New Model Colony (NMC) Developments:** 
  - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
  - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
  - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**
- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. The Storm Drain Development Impact Fee, approximately \$283,000.00, shall be paid to the Building Department.**



The final fee amount shall be determined based on the approved site plan and current fee schedule.

- 2.16 Other conditions: Developer/applicant shall be responsible for any outstanding improvements for this project per the conditions of approval for Parcel Map No. 17550 and the Ontario Center Specific Plan.

**B. PUBLIC IMPROVEMENTS**  
 (See attached Exhibit 'A' for plan check submittal requirements.)

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

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





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



Other Improvements		Reconfigure catch basins as necessary	
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Specific notes for improvements listed in item no. 2.17, above:

**Fourth Street and Haven Avenue are designated truck routes in the City of Ontario. As such, developer/applicant shall design and construct concrete pavement in accordance with City Standard Drawing No. 1207 at the intersection of Fourth Street (E/B) and the new project drive approach and at the intersection of Haven Avenue (N/B) and Fourth Street, modified as follows:**

**300 feet of PCC on Haven Avenue at Fourth Street; three thru lanes and two left turn pockets  
 No PCC required in free right lane; Haven Avenue to Fourth Street (E/B)  
 200 feet of PCC on Fourth Street at drive approach; four thru lanes ~~and one left turn pocket~~  
 No PCC required within the intersection proper, on either street**

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): \_\_\_\_\_
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide  water service  sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately \_\_\_\_\_, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: \_\_\_\_\_

**C. SEWER**

- 2.23 **An 8-inch sewer main is available for connection by this project in Concours. (Ref: Sewer plan bar code: S10090)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions: 1) Developer/applicant shall provide a grease interceptor (GI) for each food shop and/or restaurant.**

**2) Occupant/applicant shall apply for a Wastewater Discharge Permit for their establishment and shall comply with all requirements of the permit. Requirements of the Wastewater Discharge permit may include, but not be limited to, installation of wastewater pre-treatment equipment. For wastewater permit application questions, please contact Michael Birmelin, Environmental Programs Manager at (909) 395-2661.**

**D. WATER**

- 2.27 **A 12-inch water main is available for connection by this project in Haven Avenue, an 18-inch in Fourth Street and a 16-inch in Concours. (Ref: Water plan bar codes: W11059-60 Haven; W11070 Fourth and W10388 Concours)**



- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.29 **Other conditions: Developer/applicant shall up-grade the existing fire hydrants on all three project frontages (Fourth St., Haven Ave. and Concours) to the City's current standard, Drawing No. 4101, with break-a-way check valve.**

**E. RECYCLED WATER**

- 2.30 **A 12-inch recycled water main is available for connection by this project in Concours. (Ref: Recycled Water plan bar code: P10075)**
- 2.31 **Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.**
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 **Submit two (2) hard copies and one (1) electronic copy of both on-site and off-site utilities layout in PDF and AutoCAD format.**

**Submit 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 Ms. Cynthia Herredia-Torres at the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.**

- 2.34 Other conditions: \_\_\_\_\_

**F. TRAFFIC / TRANSPORTATION**

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: 
  - 1. On-site and off-site circulation
  - 2. Traffic level of service (LOS) at 'build-out' and future years
  - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 **New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.**
- 2.37 **Other conditions: 1) Developer/applicant shall design and construct a new traffic signal at the intersection of Fourth street and the new project driveway. The new traffic signal shall include a video detection system, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection. All new signal equipment shall be installed at it's ultimate location. Installation of the traffic signal will require reconstruction of the existing landscaped median to provide for turning movements. Construction of the signal and modification to the median will require coordination with the City of Rancho Cucamonga, the centerline of Fourth Street being the border of the two cities.** 
  - 2) **Developer/applicant shall design and construct a new traffic signal at the intersection of Concours and the existing/modified project driveway. The new traffic signal shall include a video detection system, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection. All new signal equipment shall be installed at it's ultimate location.**
  - 3) **Developer/applicant shall re-stripe Concours at the project driveway to realign the eastbound left turn lane to be closer to the existing median. This will allow for appropriate sight distance for vehicles preparing to make the left turn.**
  - 4) **Developer/applicant shall replace all existing street light fixtures fronting the project with the current City approved LED equivalent fixtures. This includes both heads on each doubled headed light in the medians and the single head lights in the parkway. In addition, the**



**developer/applicant shall relocate any existing street lights which conflict with proposed drive approaches, in accordance with City Standard Drawing No. 5104. Developer/applicant shall refer to the Traffic and Transportation Design Guidelines, Section 1.4, "Street Light Plans".**

**5) Developer/applicant shall ensure that all landscaping, block walls and/or other constructions shall be compatible with stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.**

**6) Developer/applicant's engineer-of-record shall meet with City Engineering/Traffic staff, prior to starting traffic signal and street lighting design plans.**

**G. DRAINAGE / HYDROLOGY**

- 2.38 **A 48-inch storm drain main is available to accept flows from this project in Concours along with an 8'x12' RCB in Haven Avenue.**   
 (Ref: Storm Drain plan bar code: D10313 Concours and D11790 Haven)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 **Other conditions: Developer/applicant shall relocate/reconfigure the existing catch basin(s) at the proposed main project entry drive approach on Haven Avenue to allow for construction of the entry. Relocation and/or reconfiguration may include relocation of an existing street light and modification to the existing storm drain system.**

**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) based on the approved Preliminary Water Quality Management Plan (PWQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 **Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, for each 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: Developer/applicant shall obtain coverage for the project under the Construction General Permit (GCP). The owner is the legally responsible person (LRP) of the site and shall have a Storm Water Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at: <https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml> coverage \_\_\_\_\_**

**J. SPECIAL DISTRICTS**

- 2.48 **File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum 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 the Management Services Department at (909) 395-2353 to initiate the CFD application process.**
- 2.49 **Other conditions: \_\_\_\_\_**

**K. FIBER OPTIC**

- 2.50 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.**
- 2.51 **Other conditions: Fiber optic conduit consistent with the City's requirement for fiber optic conduit currently exists in Haven Avenue. Developer/applicant shall add handhole(s) as necessary to this system to bring conduit on site to the proposed telecom points of connection. Contact the Information Technology Department at (909) 395-2000, regarding this requirement and necessary plan for same.**

**L. Solid Waste**

- 2.52 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>**   
**Developer/applicant shall provide a final Solid Waste Handling Plan (SWHP) sheet that complies with the "solid waste Handling Plan Requirements" prior to approval of the precise grading plan for the site.**  
**Each trash enclosure for each building shall have a minimum of three (3) 4-cubic yard bins (each bin dimension shall be 5'x7'). Pedestrian access to each bin shall meet ADA compliance.**
- 2.53 **Other conditions: \_\_\_\_\_**

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

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



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

**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 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.**





**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

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**Project Number: PDEV 17-016**

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

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



- 23.  **One (1) copy of Preliminary Title Report (current within 30 days)**
- 24.  One (1) copy of Traverse Closure Calculations
- 25.  One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.
- 26.  **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
- 27.  Other: \_\_\_\_\_



# CITY OF ONTARIO

## MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: May 29, 2019

SUBJECT: **FILE #: PDEV17-016**

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, June 12, 2019**.

**PROJECT DESCRIPTION:** A Development Plan to construct 8 commercial buildings (The Collection Shopping Center) totaling 94,280 square feet on 13.4 acres of land located at the southeast corner of Haven Avenue and Fourth Street, within the Urban Commercial land use district of the Ontario Center Specific Plan (APN(s): 0210-531-06, 0210-531-07, 0210-531-08, 0210-531-09, 0210-531-10, 0210-531-11, 0210-531-12, 0210-531-13, 0210-531-14).

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

Landscape Planning  
Department

*[Handwritten Signature]*  
Signature

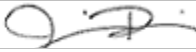
Landscape Planner  
Title

6/26/19  
Date

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

**PRELIMINARY PLAN CORRECTIONS**

**Sign Off**

	4/9/2020
Jamie Richardson, Sr. Landscape Planner	Date

Reviewer's Name: <b>Jamie Richardson, Sr. Landscape Planner</b>	Phone: <b>(909) 395-2615</b>
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D.A.B. File No.: PDEV17-016 Rev 4	Case Planner: Jeanie Aguilo
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Project Name and Location: The Collection Shopping Center SEC Haven Ave & 4 <sup>th</sup> St.
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Applicant/Representative: SiteScapes 3190 Airport Loop Dr. Costa Mesa, CA 92626	Hork Engineering 160 S. Old Springs Rd., Ste. 210 Anaheim Hills, CA 92808
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<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan (dated 3/20/2020) 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.</b>
<input type="checkbox"/>	<b>A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>

**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. Show transformers set back 5' from paving all sides. Transformer at Pad between buildings 4 & 5 there is a pad and PME pad located in an island planter and another pad located in an island planter near building 2 & 3; trees are required in these locations. Relocate the transformer at the 7-eleven away from the entry.
2. Show backflow devices set back 4' from paving all sides. Locate on level grade.
3. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
4. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
5. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference

see Urban Tree Foundation – Planting Soil Specifications.

**Landscape Plans**

- 6. Add tree protection notes to construction and demo plans
- 7. 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 on regular intervals.
- 8. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
- 9. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
- 10. Note on landscape plans: 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.
- 11. Show 8’ diameter of mulch only at new trees, 12’ min. at existing trees. Detail irrigation dripline outside of mulched root zone.
- 12. All landscape areas shall be permanently irrigated; no non-irrigated landscape areas. Adjust plans and MAWA calculations.
- 13. Provide an appropriate hydroseed plant mix for water quality basins and swales; provide a mix of hydroseed and container plants and tree to side slopes of basins.
- 14. Designer or developer to provide agronomical soil testing and include report on landscape construction plans. For phased projects, a new report is required for each phase.
- 15. Identify what is maintained by property owner and City.
- 16. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48” box, 10% 36 box, 30% 24” box, 55% 15 gallon.
- 17. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
- 18. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines.
- 19. 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—5 or more acres .....	\$2,326.00
Inspection—Construction (up to 3 inspections per phase) .....	<u>\$278.00</u>
Total.....	\$2,604.00
Inspection—Field – any additional.....	\$83.00

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

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-016

Address: SEC Haven Avenue & Fourth Street

APN: 210-531-06 thru 14

Existing Land Use: Vacant

Proposed Land Use: 8 Commercial Buildings totaling 94, 280 SF

Site Acreage: 13.4 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: Jeanie Aguilo

Date: 5/25/17

CD No.: 2017-028

PALU No.: n/a

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

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

Any temporary construction equipment (ex. cranes) exceeding 65 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.

Airport Planner Signature: \_\_\_\_\_





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Aguilo, Assistant Planner  
Planning Department

**FROM:** Lora L. Gearhart, Fire Protection Analyst  
Fire Department

**DATE:** April 27, 2017

**SUBJECT:** PDEV17-016 – A Development Plan To Construct Eight Commercial Buildings Totaling 94,280 SF On Approximately 13.4 Acres Of Land Located At The Southeast Corner Of Haven Avenue And Fourth Street, Within The Urban Commercial Land Use District Of The Ontario Center Specific Plan (Apsn: 0210-531-06, 0210-531-07, 0210-531-08, 0210-531-09, 0210-531-10, 0210-531-11, 0210-531-12, 0210-531-13, 0210-531-14).

- 
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
- Standard Conditions of Approval apply, as stated below for Development Advisory Board.
- 

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

- A. 2016 CBC Type of Construction: Unknown
- B. Type of Roof Materials: Unknown
- C. Ground Floor Area(s): Market - 55,000 Sq. Ft., Shops – 10,480 Sq. Ft., Pad 1 – 5,000 Sq. Ft., Pad 2 – 5,000 Sq. Ft., Pad 3 – 6,300 Sq. Ft., 3,500 Sq. Ft., 5,000 Sq. Ft., 4,000 Sq. Ft.
- D. Number of Stories: One Story
- E. Total Square Footage: Market - 55,000 Sq. Ft., Shops – 10,480 Sq. Ft., Pad 1 – 5,000 Sq. Ft., Pad 2 – 5,000 Sq. Ft., Pad 3 – 6,300 Sq. Ft., 3,500 Sq. Ft., 5,000 Sq. Ft., 4,000 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): Possible M, B, A

## **CONDITIONS OF APPROVAL:**

### **1.0 GENERAL**

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

### **2.0 FIRE DEPARTMENT ACCESS**

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

### **3.0 WATER SUPPLY**

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 2250 gallons per minute (g.p.m.) for 3 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

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

#### **4.0 FIRE PROTECTION SYSTEMS**

- ☒ 4.1 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 for Market and Shops or Pad 3 if the building contains an A-2 occupancy use with a fire area greater than 5000 sq. ft. or occupant load greater than 100 or structure contains more than 5000 sq.ft. and has more than one A-2 area.. 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.
- ☒ 4.4 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 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.
- ☒ 4.7 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

## 5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.6 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:** PLANNING DEPARTMENT, Janie Aguilo  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** March 15, 2017  
**SUBJECT:** PDEV17-016

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

---

### Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm



# CITY OF ONTARIO

## MEMORANDUM

TO: "Vacant", Development Director  
Scott Murphy, Planning Director (Copy of Memo only)  
Cathy Wahlstrom, Principal Planner (Copy of memo only)  
Charity Hernandez, Economic Development  
Kevin Shear, Building Official  
Khoi Do, Assistant City Engineer  
Carolyn Bell, Landscape Planning Division  
Sheldon Yu, Municipal Utility Company  
Doug Sorel, Police Department  
Art Andres, Deputy Fire Chief/Fire Marshal  
Tom Danna, T. E., Traffic/Transportation Manager  
Lorena Mejia, Associate Planner, Airport Planning  
Steve Wilson, Engineering/NPDES  
Bob Gluck, Code Enforcement Director  
Jimmy Chang, IT Department  
David Simpson, Development/IT (Copy of memo only)

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: March 15, 2017

SUBJECT: FILE #: PDEV17-016

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 **Wednesday, March 29, 2017**.

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

**PROJECT DESCRIPTION:** A Development Plan to construct 8 commercial buildings totaling 94,280 square feet on approximately 13.4 acres of land located at the southeast corner of Haven Avenue and Fourth Street, within the Urban Commercial land use district of the Ontario Center Specific Plan (APN(s): 21053106, 21053107, 21053108, 21053109, 21053110, 21053111, 21053112, 21053113, 21053114).

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

Building

Department

Signature

Title

Date





# CITY OF ONTARIO

## MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: May 29, 2019

SUBJECT: FILE #: PDEV17-016

Finance Acct#:

REVISION 3

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, June 12, 2019**.

**PROJECT DESCRIPTION:** A Development Plan to construct 8 commercial buildings (The Collection Shopping Center) totaling 94,280 square feet on 13.4 acres of land located at the southeast corner of Haven Avenue and Fourth Street, within the Urban Commercial land use district of the Ontario Center Specific Plan (APN(s): 0210-531-06, 0210-531-07, 0210-531-08, 0210-531-09, 0210-531-10, 0210-531-11, 0210-531-12, 0210-531-13, 0210-531-14).

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.

POLICE  
Department

Signature

Title

Date



# CITY OF ONTARIO

## MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: May 29, 2019

SUBJECT: FILE #: PDEV17-016 Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, June 12, 2019**.

**PROJECT DESCRIPTION:** A Development Plan to construct 8 commercial buildings (The Collection Shopping Center) totaling 94,280 square feet on 13.4 acres of land located at the southeast corner of Haven Avenue and Fourth Street, within the Urban Commercial land use district of the Ontario Center Specific Plan (APN(s): 0210-531-06, 0210-531-07, 0210-531-08, 0210-531-09, 0210-531-10, 0210-531-11, 0210-531-12, 0210-531-13, 0210-531-14).

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.

Broadband Operations

Anna Vaca Sr. Systems Analyst

06/27/2019

Department

Signature

Title

Date

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

<b>CONDITIONS OF APPROVAL</b>	
Sign Off	
<b>Broadband Operations</b>	06/27/2019

Reviewer's Name <b>Anna Vaca, Senior Systems Analyst</b>	Phone <b>909-395-2349</b>
File # <b>PDEV17-016</b>	Project Engineer: Unknown
Project Name and Location: A development plan to construct 8 commercial buildings (The Collection Shopping Center) on 13.4 acres located at the SEC of Haven Ave. and Fourth St.	
Sent to: Jeanie Irene Aguilo, Associate Planner	

<input type="checkbox"/>	Plan does adequately address the departmental concerns at this time. <b>No Comments.</b>
<input checked="" type="checkbox"/>	Plan does adequately address the departmental concerns at this time. <b>Report below.</b>
<input type="checkbox"/>	Plan does not adequately address the departmental concerns. <b>The conditions contained below must be met prior to scheduling for Development Advisory Board.</b>

Notes Req'd on Plans	<b>CONDITIONS OF APPROVAL – PDEV17-016</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1. Project shall be designed and constructed 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 in the Right-of-Way (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.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2. Contractor is responsible for locating and connecting conduit to existing OntarioNet hand holes on adjacent properties. There should be no "Gaps" in conduit between the contractor's development and the adjacent property. OntarioNet hand holes are typically located in the ROW at the extreme edge of a property.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3. The City requires public utility easement for fiber optics on all private aisles/alley ways.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4. Hand holes - Design and install OntarioNet fiber optic hand hole HH-2 (17x30x24), HH-2A (24x36x30), HH-3 (30x48x36) and/or HH-4 (36x60x36) as needed. Respectively Newbasis Part # PCA-173024-90116, PCA-243630-90064, PCA-304836-90244 and PCA-366036-90146 per City Standard 1316. Conduits sweeping into hand holes shall enter in flush with the cut-out mouse holes aligned parallel to the bottom of the box and come in perpendicular to the wall of the box. Conduits shall not enter at any angle other than parallel. Provide 5 foot minimum clearance from existing/proposed utilities.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5. ROW Conduit – Design and install fiber optic conduit at a minimum depth of 36-inch. Trenching shall be per City Standard 1306. Install (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct and (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange with Black Stripe) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct.
<input type="checkbox"/>	<input type="checkbox"/>	6. ROW Conduit - Design and Install all Fiber Optic Conduit at a Minimum Depth of 36". Trenching Shall be Per City Standard 1306. (1) 7-way Microduct (Duraline - Orange) 13/16mm tubes and (1) 2" HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct.

Notes Req'd on Plans	CONDITIONS OF APPROVAL – PDEV17-016	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Building Entrance (Commercial) - Design and install fiber optic conduit at a minimum depth of 36 inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct.
<input type="checkbox"/>	<input type="checkbox"/>	8. Building Entrance (Single Family) – Design and install 0.75-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct from hand holes on property or hand holes in the ROW. Consult City's Fiber Team for design assistance.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9. Warning Tape - Contractor shall supply and install an approved non-detectable warning tape 18-inch above the uppermost conduit when backfilling trenches, pits or excavations greater than 10' in length. Warning Tape shall be non-detectable, Orange in color, 4-inch minimum width, 4 mil, 500% minimum elongation, with bold printed black letters "CAUTION - BURIED FIBER OPTIC CABLE BELOW" printed in bold black lettering no less than 2-inch high.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10. All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards. All hand holes, conduits and ducts shall be placed in the public right of way. All hand holes will have ¼-inch galvanized wire between the hand holes and the gravel it is placed on.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	11. All unused conduits/ducts/microducts shall be protected with duct plugs that provide a positive seal. Ducts that are occupied shall be protected with industry accepted duct seal compound.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12. Locate/Tracer Wire - Conduit bank requires (1) 12AWG high strength (minimum break load 452#) copper-clad steel with 30mil HDPE orange insulation for locate/tracer wire. Contact City's Fiber Team for tracer wire specifications and see note 8.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	13. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
<input type="checkbox"/>	<input checked="" type="checkbox"/>	14. A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecomm/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
<input type="checkbox"/>	<input type="checkbox"/>	15. Developer to install 3 inch SCE conduit stub for future City fiber optic meter pedestal within an 8-foot wide, 5-foot deep reserved area for City fiber optic network cabinet. A 3-foot clearance must be maintained around the cabinet and the meter. HH4 shall be placed near the reserved area for cable entrance to network cabinet. The pedestal and network cabinet will be supplied and installed by the City. The service submittal to SCE will be coordinated by the City.
<input type="checkbox"/>	<input type="checkbox"/>	16. Multi-family dwellings are considered commercial property.
<input type="checkbox"/>	<input type="checkbox"/>	17. Refer to the In-tract Fiber Network Design guideline on the City's website for additional in-tract conduit guidelines.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	18. Please contact City's Fiber Team at <a href="mailto:OntarioNet@ontarioca.gov">OntarioNet@ontarioca.gov</a> for conduit design assistance.
<input type="checkbox"/>	<input type="checkbox"/>	19. For additional information please refer to the City's Fiber Optic Master Plan.
<input type="checkbox"/>	<input type="checkbox"/>	20. Please see attached corrections.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	21. Please also provide plans in digital format (PDF) on future revisions.



# Development Advisory Board Decision

June 15, 2020

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

**FILE NO.:** PDEV19-029

**DESCRIPTION:** A Development Plan to construct a 44,436 square foot industrial building on 2.29 acres of land located at 1485 and 1493 East Spruce Street, within the IG (General Industrial) zoning district; (APNs: 0113-462-10 and 0113-462-19); **Submitted by KCT Investment LLC.**

## ***Part I—BACKGROUND & ANALYSIS***

KCT INVESTMENT LLC, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-029, 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 2.29 acres of land located at 1485 and 1493 East Spruce Street 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:

	<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	IG (General Industrial)	N/A
<i>North:</i>	Warehouse	Industrial	IG (General Industrial)	N/A
<i>South:</i>	Vacant/Manufacturing	Industrial	IL (Light Industrial)	N/A
<i>East:</i>	Warehouse	Industrial	IG (General Industrial)	N/A
<i>West:</i>	San Bernardino County Flood Control Channel	Open Space – Non-Recreation	UC (Utilities Corridor)	N/A

(2) **Project Description:**

(a) **Site Design/Building Layout** — Proposed, is the construction of a 44,436-square foot industrial building, having a floor area ratio (“FAR”) of 0.44. The project site is comprised of two irregular shaped lots located at the end of an unimproved cul-de-sac. The project Engineering Department conditions of approval require the developer to construct Spruce Street cul-de-sac right-of-way improvements, which include street dedications and widening, storm drain catch basin, paving, streetlights, sewer manhole, fire hydrants, underground public utilities (sewer, storm drain & water), curb, gutter, sidewalk and parkway improvements.

The proposed building is situated on the northeast corner of the project site, with the office entry located at the southwest corner of the building, and oriented to the south, facing Spruce Street. The building is setback 3 feet from the north property line, approximately 47 feet from the west property line, one foot from the east property line, and has a varying setback of 62 to 130 feet along the south property line. Off-street parking is provided within the southern-most portion of the Project site, adjacent to the Spruce Street frontage (see

Exhibit B—Site Plan, attached). A yard area designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging is located at the northwest corner of the Project site, out of view from Spruce Street.

(b) Site Access/Circulation — The Project has one point of vehicular access from Spruce Street, a 30-foot wide driveway centrally located along the southern property line, that will be shared by both standard vehicles and tractor-trailers accessing the yard area and parking lot.

(c) Parking — The Project has provided off-street parking pursuant to the “Manufacturing” and “Warehouse and Distribution” parking standards specified in the Development Code. The proposed industrial building requires a total of 51 off-street parking spaces, and 51 spaces have been provided. In addition, a minimum of one tractor-trailer parking space for each 4 dock-high loading spaces is required to be provided. Three dock-high loading doors are proposed, requiring one tractor-trailer parking space, which has been provided.

(d) Architecture — The proposed industrial warehouse building will be of concrete tilt-up construction. Architecturally, the building incorporates smooth-painted concrete, horizontal and vertical reveals, color blocking, clerestory windows with clear anodized aluminum mullions and blue glazing, steel canopies over the main office entry, and first and second story windows (see Exhibit C—Elevations, attached). The mechanical equipment for the building will be roof-mounted and obscured from public view by the parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building architecture. Staff believes that the proposed Project illustrates the type of high-quality architecture promoted by the Development Code. This is exemplified through the use of the following:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas
- Articulation in the building parapet/roof line, which serves to accentuate the building’s office entrance
- Design features that ensure that the building’s massing and proportion, along with its colors and architectural detailing, are consistent throughout all four building elevations

(e) Landscaping — The project provides landscaping along Spruce Street and throughout the southern portion of the project site. The Development Code requires that the project provide a minimum 10 percent landscape coverage and 14 percent has been provided, exceeding the minimum requirements. The project includes full street right-of-way improvements (street widening, paving, curb, gutter, sidewalk and parkway) and street trees. The proposed on-site and off-site landscape improvements will assist towards creating a walkable safe area for pedestrians to access the project site. The landscape plan incorporates a combination of 24-inch, 36-inch and 48-inch box accent and shade trees that will be provided throughout the project site and includes Hungarian Oak, Forest Pansy, Coast Live Oak and Mondell Pine trees. The landscape plan also includes a variety of shrubs, agave, grasses and groundcovers that have low water usage and are drought tolerant throughout the project site. Moreover, an employee break area has been provided adjacent to the office area, immediately west of the building, with benches, tables, and a shade tree (see Exhibit D—Landscape Plan, attached).

(f) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground stormwater infiltration system for the project, located at the southwest corner of the site, within the parking lot area. Any overflow drainage will be conveyed to Spruce Street by way of a parkway culvert.



### **Part II—RECITALS**

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the 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 June 15, 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 administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) 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 consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is less than the five-acre

threshold and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is adequately served by all required utilities and public services.

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

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

**SECTION 2: Housing Element Compliance.** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the 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 3: 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 4: 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 specific findings set forth in Sections 1 through 3 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 the General Industrial (IG) 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 IG (General Industrial) zoning district, including standards relative to the particular land use proposed (Industrial

Warehouse), 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 imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code 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 Development Code; and

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

**SECTION 5: Development Advisory Board Action.** Based on the findings and conclusions set forth in Sections 1 through 4 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 6: Indemnification.** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

**SECTION 7: Custodian of Records.** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

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APPROVED AND ADOPTED this 15th day of June 2020.

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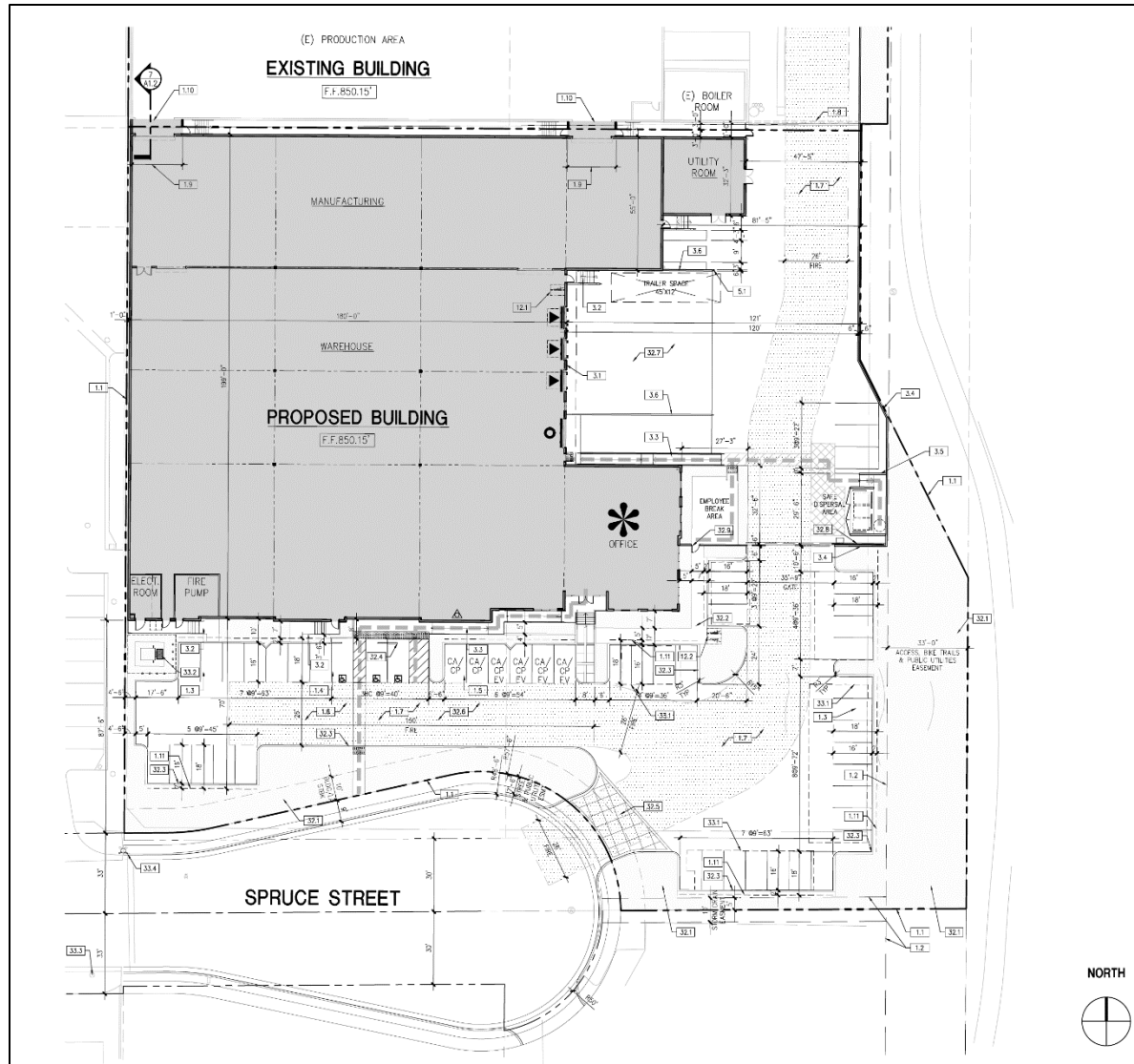
Development Advisory Board Chairman

**Exhibit A—PROJECT LOCATION MAP**





Exhibit B—SITE PLAN



**Exhibit C—ELEVATIONS**





**Exhibit C—ELEVATIONS (CONTINUED)**

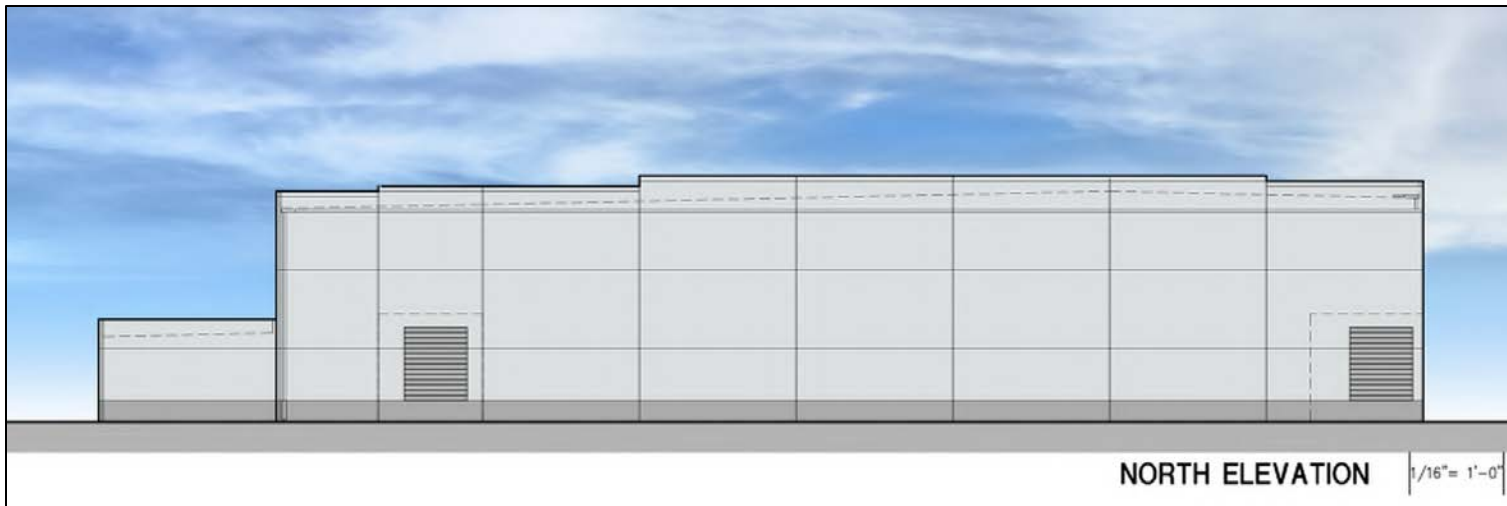
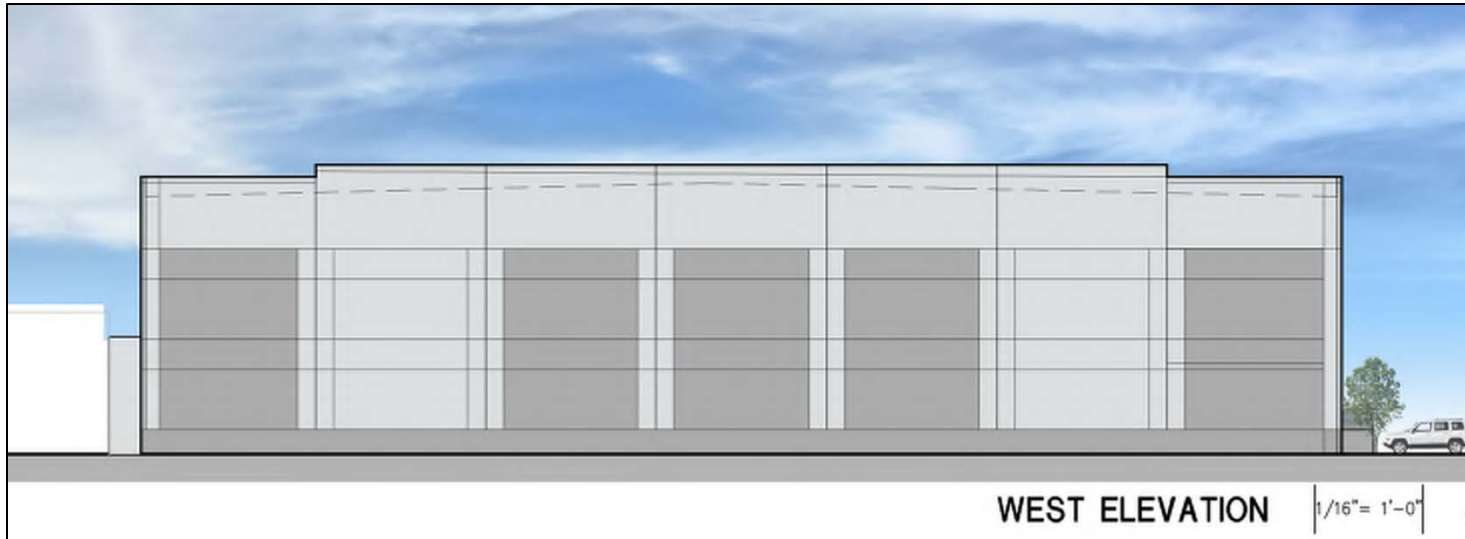
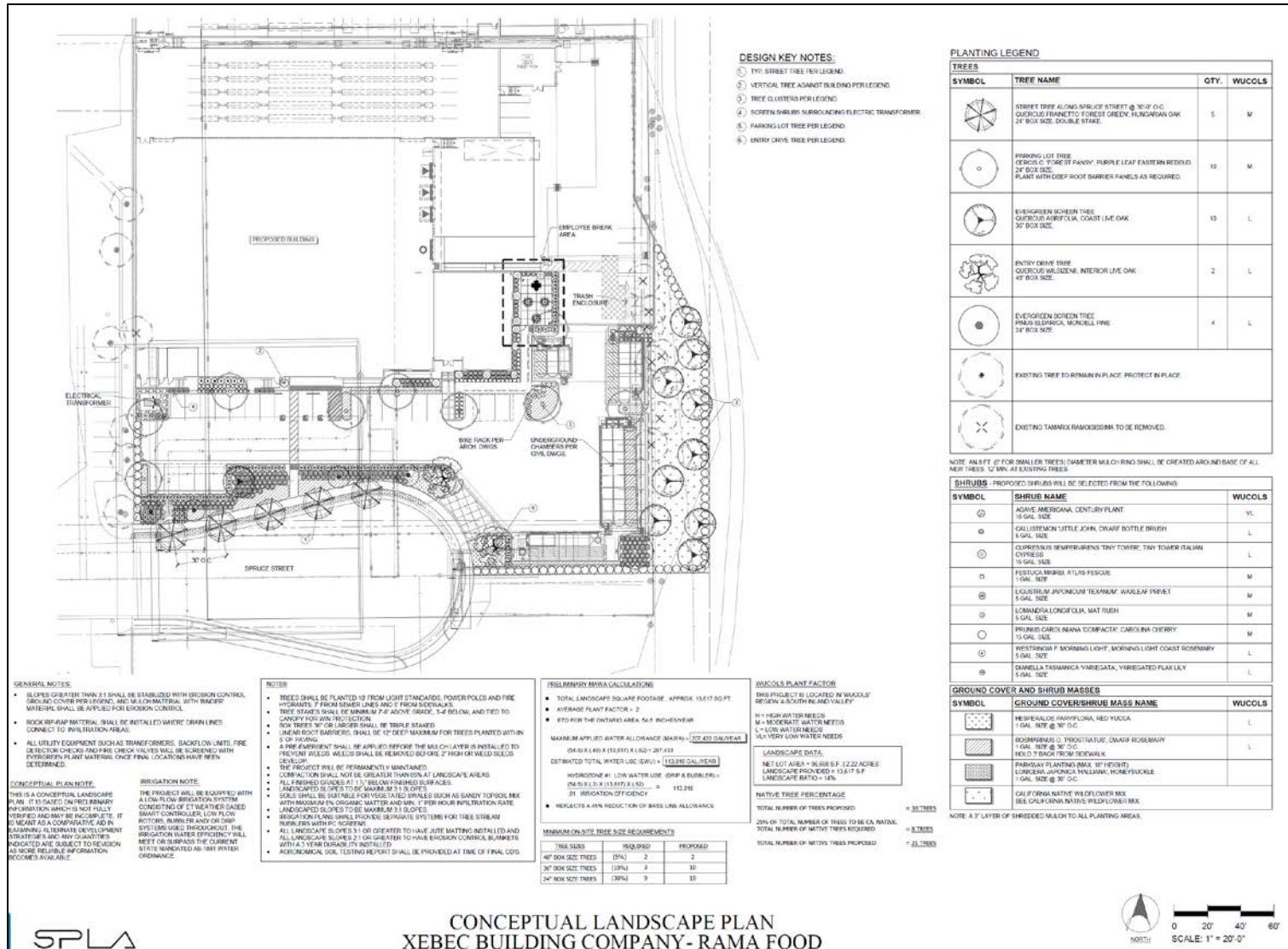


Exhibit D—LANDSCAPE PLAN



## 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*

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**Meeting Date:** June 15, 2020

**File No:** PDEV19-029

**Project Description:** A Development Plan to construct a 44,436 square foot industrial building on 2.29 acres of land located at 1485 and 1493 East Spruce Street, within the IG (General Industrial) zoning district, (APNs: 0113-462-10 and 0113-462-19). **Submitted by KCT Investment LLC.**

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

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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 1.0 above, the project shall comply with the following special conditions of approval:

**2.1** Time Limits

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

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

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

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

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

### **2.3**    Landscaping

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

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

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

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

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

### **2.5**    Parking, Circulation and Access

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

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

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

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

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

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

### **2.6**    Outdoor Loading and Storage Areas

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

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

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

**(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:

<i>Screen Wall Height</i>	<i>Minimum Gate Height</i>
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 - All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).



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

**2.12** Environmental Review

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

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

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

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

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

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

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

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

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

**2.14** Additional Fees

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

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



## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
<b>PROJECT FILE NO. <u>PDEV19-029</u></b>  <b>RELATED FILE NO(S). _____</b>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u>  </u> / <u>  </u> / <u>  </u>	

**CITY PROJECT ENGINEER & PHONE NO:**      Eric Woosley, P.E.    (909) 395-2134 EW

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

**DAB MEETING DATE:**                                  June 15, 2020

**PROJECT NAME / DESCRIPTION:**                  A Development Plan to construct a  
44,300-square foot industrial building  
on 5.05 acres of land

**LOCATION:**    1485 and 1493 East Spruce Street

**APPLICANT:**    Xebec Building Company

**REVIEWED BY:**    Bryan Lirley    5/28/20  
Bryan Lirley, P.E.    Date  
Principal Engineer

**APPROVED BY:**    Raymond Lee    6/2/20  
Raymond Lee, P.E.    Date  
Assistant City Engineer



**THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP 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): \_\_\_\_\_
- 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 Management Services Department at (909) 395-2124 regarding this requirement.   
(1) \_\_\_\_\_  
(2) \_\_\_\_\_
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: [www.ci.ontario.ca.us](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 three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments: 
  - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
  - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
  - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: \_\_\_\_\_

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

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

- 2.01 Record Parcel Map/Tract Map No. \_\_\_\_\_ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario Per Tract Map 2088, Map Book 30, Page 37 and Record of Survey, Book 81, Page 16.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of \_\_\_\_\_ .
- 2.05 **Apply for a:**  Certificate of Compliance with a Record of Survey;  **Lot Line Adjustment - to merge lots, APN 0113-462-10 and APN 0113-462-19 into one lot.**
- 2.06  Make a Dedication of Easement. 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)**
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA)
  - Other: \_\_\_\_\_
  
- 2.10 **Dedicate to the City of Ontario the right-of-way described below:** 

**The necessary right-of-way for the proposed cul-de-sac, easterly prolongation of Spruce Street in accordance with the City of Ontario Standard Drawing 1102. If procurement of the southerly right-of-way is not acquired, the full cul-de-sac shall be proposed as a modified design with additional dedication required from the applicant/developer's property. Any existing easements within the public right-of-way are to be vacated.**

Property line corner 'cut-back' required at the intersection of \_\_\_\_\_ and \_\_\_\_\_.
  
- 2.11 **Dedicate to the City of Ontario the following easement(s):** 

**The applicant/developer shall obtain and dedicate a Public Utility Easement from the property owner at 1493 E. Philadelphia Street (APN: 113-46-322) and APN:113-46-219, respectively for the proposed storm drain connection to the West Cucamonga Channel. The easement shall be overlaid on the existing storm drain easement (20 feet wide minimum) and provide the greatest amount of separation between the existing sewer and the proposed storm drain (4 feet minimum, wall to wall).**
  
- 2.12 **New Model Colony (NMC) Developments:** 
  - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
  - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
  - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a



maximum 3-foot high retaining wall.

- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**
  
- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
  
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$112,630.15, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
  
- 2.16 **Other conditions:**
  - 1. **As part of the precise grading plans submittal, provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.**





**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	Spruce Street	Street 2	Street 3	Street 4
<b>Curb and Gutter</b>	<input checked="" type="checkbox"/> New; 24ft. from C/L, continuing along cul-de-sac (Both Sides) <input type="checkbox"/> Replace damaged	<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>	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; full cul-de-sac street (easterly prolongation approximately 193-ft +/- along centerline)	<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 (Truck Route Only)</b>	<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 checked="" type="checkbox"/> New; two approaches (Second approach for 1493 E. Philadelphia property; contingent on dedication procurement) <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



Sidewalk	<input checked="" type="checkbox"/> <b>New (easterly prolongation curb adjacent, transition providing 4-ft parkway per SD No.1102 (Both sides))</b> <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> <b>Trees</b> <input checked="" type="checkbox"/> <b>Landscaping (w/irrigation)</b> <b>Commence from curve 2 of SD No.1102 transition, continue full street length (Both sides)</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)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> <b>New (Fire hydrant service to be placed at end of existing water main; in place of proposed blow off)</b> <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> <b>Lateral</b>	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> <b>Service</b>	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service



Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Streetlight (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input 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
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

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

- The applicant/developer shall install Spruce Street, full width per City of Ontario Standard Drawing 1102. The applicant/developer must dedicate the required right-of-way for the proposed cul-de-sac, easterly prolongation of Spruce Street. If procurement of the southerly right-of-way is not acquired, the full cul-de-sac shall be proposed as a modified design with additional dedication required from the applicant/developer's property.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): \_\_\_\_\_
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide  water service  sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately \_\_\_\_\_, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.



2.22 Other conditions: \_\_\_\_\_

**C. SEWER**

2.23 An 8-inch sewer main is available for connection by this project in Spruce Street (Ref: Sewer plan bar code: S13401)

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 developer/applicant shall construct a sewer lateral per City Standard Drawing Number 2003.
2. The developer/applicant shall construct a monitoring manhole onsite prior to the sewer lateral point of connection with the public sewer system.
3. The applicant shall apply for a Wastewater Discharge Permit and shall comply with all requirements of the Permit at: (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>).

**D. WATER**

2.27 An 8-inch water main is available for connection by this project in Spruce Street (Ref: Water plan bar code: W12570)

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. The applicant/developer shall construct proposed domestic water lateral with a meter and backflow device in accordance with the latest City of Ontario Design Standards.
2. The applicant/developer shall construct a fire service with a double check detector assembly (DCDA).
3. The applicant/developer shall construct a separate water service with a meter and backflow device for irrigation purposes only in accordance with the latest City of Ontario Design Standards.

**E. RECYCLED WATER**

2.30 A \_\_\_\_\_ inch recycled water main is available for connection by this project in \_\_\_\_\_. (Ref: Recycled Water plan bar code: \_\_\_\_\_)

2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.

2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.



- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

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

- 2.34 Other conditions: \_\_\_\_\_

#### 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 design and construct the full cul-de-sac on East Spruce Street per City of Ontario Standard Drawing Number 1102.**
  2. **Driveway shall be designed in accordance with City of Ontario Standard Drawing Number 1204.**
  3. **The Applicant/Developer shall be responsible to design and construct in-fill public streetlights along the property frontage of E Spruce Street. Streetlights shall be LED-type and in accordance with City's Traffic and Transportation Guidelines.**

#### G. DRAINAGE / HYDROLOGY

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





- 2.43 Other conditions: 
  1. The developer/applicant shall obtain a permit from the San Bernardino County Flood Control District (SBCFCD) for the storm drain connection to the existing stub-out of the West Cucamonga Channel, located north of Ely Basin No.1.
  2. The developer/applicant shall install the storm drain lateral in the existing 10-ft wide storm drain easement.
  3. The applicant/developer must provide an access path to the storm drain easement. Said easement must remain clear; free of obstructions.

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year-round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels. If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.  
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

- 2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.

- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.

- 2.47 Other conditions: 
  1. The applicant/developer shall include the street improvement portion into the WQMP.
  2. The applicant/developer shall install a lateral from the catch basin to a hydrodynamic separator to provide treatment of the runoff.

**J. SPECIAL DISTRICTS**

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum 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 the Financial Services Department at (909) 395-2353 to initiate the CFD application process.

- 2.49 Other conditions: \_\_\_\_\_





#### K. FIBER OPTIC

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

#### L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:  
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions: 
  1. Trash Enclosure (TE): Provide a three 4-cy bin TE.
  2. Final Solid Waste Handling Plan (SWHP): Prior to approval of any building permits, the Parking/Trash Analysis submitted on 9/12/2019 shall be revised into a SWHP and be submitted with the Precise Grading Plan for review and approval of Ontario Municipal Utility Company.



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

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

**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 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.**



## **EXHIBIT 'A'**

### **ENGINEERING DEPARTMENT First Plan Check Submittal Checklist**

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Project Number: PDEV19-029

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

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



- 22.  One (1) copy of approved Tentative Map
- 23.  **One (1) copy of Preliminary Title Report (current within 30 days)**
- 24.  One (1) copy of Traverse Closure Calculations
- 25.  **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
- 26.  Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 27.  Other: \_\_\_\_\_

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

<b>DAB CONDITIONS OF APPROVAL</b>	
<b>Sign Off</b>	
	04/22/2020
Jamie Richardson, Sr. Landscape Planner	Date

Reviewer's Name: <b>Jamie Richardson, Sr. Landscape Planner</b>	Phone: <b>(909) 395-2615</b>
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D.A.B. File No.: PDEV19-029	Case Planner: Jeanie Aguilo
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Project Name and Location:  
 Rama Foods Warehouse  
 1485 & 1493 E Spruce Street

Applicant/Representative:  
 Xebec Building Company, Brandi Smith  
 3010 Old Ranch Parkway, Suite 480  
 Seal Beach, CA 90740

**A Preliminary Landscape Plan (dated 5/26/2020) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**

**A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

**A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.**  
 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. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans. Adjust storm drain line south of driveway entry to allow for required street tree.

**Landscape Plans**

2. 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 on regular intervals.
3. 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).....	<del>\$278.00</del>
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](mailto:landscapeplancheck@ontarioca.gov)

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-029

Address: 1485 & 1439 East Spruce Street

APN: 0113-462-10 & 19

Existing Land Use: Vacant

Proposed Land Use: Development Plan to construct a 44,300 SF industrial building

Site Acreage: 5.05 acres Proposed Structure Height: 42 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 7/25/19

CD No.: 2019-039

PALU No.:

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

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

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: \_\_\_\_\_





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Associate Planner  
Planning Department

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

**DATE:** May 29, 2019

**SUBJECT:** PDEV19-029 - A Development Plan to construct a 44,300-square foot industrial building on 5.05 acres of land located at 1485 and 1493 East Spruce Street, within the IG (General Industrial) zoning district (APNs: 0113-462-10 and 0113-462-19).

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

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

- A. 2016 CBC Type of Construction: Not Listed, Type II - B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 44,300 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 44,300 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): M, 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](http://www.ontarioca.gov), click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

### **2.0 FIRE DEPARTMENT ACCESS**

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 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 2016 California Fire Code, Appendix B, is 2250 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

### 4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.1 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 Choose an item.. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 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.
- ☒ 5.6 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:** PLANNING DEPARTMENT, Jeanie Irene Aguilo  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** May 15, 2019  
**SUBJECT:** PDEV19-029

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

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### Conditions of Approval

1. The Site address for this project will be 1487 E Spruce St
2. Standard conditions of approval apply.

KS:lr



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Agulio, Associate Planner

**FROM:** Officer Emily Hernandez, Police Department

**DATE:** May 27, 2019

**SUBJECT:** PDEV19-029 – A DEVELOPMENT PLAN TO CONSTRUCT ONE INDUSTRIAL BUILDING TOTALING 44.300 SQUARE FEET LOACTED AT THE TERMINUS OF SPRUCE STREET, EAST OF PARCO 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 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.





# Development Advisory Board Decision

JUNE 15, 2020

**DECISION NO.:**

**FILE NO.:** PCUP19-010

**DESCRIPTION:** A Conditional Use Permit to establish retail commercial land uses (convenience store with fuel sales) and alcoholic beverage sales for consumption off the premises, limited to beer and wine (Type 20 ABC License), on one-acre of land located at 1401 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan (APN: 0113-361-54); **submitted by Virender Jain. Planning Commission action is required.**

## ***Part I—BACKGROUND & ANALYSIS***

MR. VIRENDER JAIN, (herein after referred to as “Applicant”) has filed an application requesting a Conditional Use Permit approval, File No. PCUP19-010, 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 one acre of land located at the southeast corner of Acacia Street and Grove Avenue, at 1401 South Grove Avenue, within the BP (Business Park) district of the Grove Avenue Specific Plan. The site is currently undeveloped and is bordered by Acacia Street to the north and Grove Avenue to the west, and industrial buildings & warehouses to the south and east, as 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:

	<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 Land	Business Park	SP (Grove Avenue Specific Plan)	Business Park
<i>North:</i>	Industrial and Commercial	Business Park	SP (Grove Avenue Specific Plan)	Business Park
<i>South:</i>	Industrial and Commercial	Business Park	SP (Grove Avenue Specific Plan)	Business Park
<i>East:</i>	Industrial	Business Park	SP (Grove Avenue Specific Plan)	Business Park
<i>West:</i>	Industrial	Business Park	SP (Grove Avenue Specific Plan)	Business Park

(2) **Project Description:**

(a) **Background** — On May 8, 2020, the Applicant submitted File No. PCUP19-010, a Conditional Use Permit to establish retail commercial land uses (convenience store with fuel sales) and alcoholic beverage sales for consumption off the premises, limited to beer and wine (Type 20 ABC License), in conjunction with a Development Plan, File No. PDEV19-026, to construct a 6,000 square foot convenience store with fuel sales on the Project site.

The project site is surrounded by a mix of industrial and commercial uses. Furthermore, there are no residentially zoned properties located in close proximity (within 600 feet) to the project location. If approved, the Project site would be the only convenience store with fuel sales serving the immediate area, with the next closest facilities being located one-half mile to the north (Arco) and to the south (Chevron).

(b) Conditional Use Permit for Certain Commercial Activities — Pursuant to the requirements of the Grove Avenue Specific Plan and the Ontario Development Code, a Conditional Use Permit (“CUP”) review is required for the establishment of commercial uses in the Business Park land use district of the Grove Avenue Specific Plan, as-well-as for the establishment of alcoholic beverage sales. The intent of a CUP application is to ensure that the proposed use will be operated in a matter consistent with all local regulations, and 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. Furthermore, the approval of a CUP requires that the Development Advisory Board and Planning Commission must establish certain facts and reasons which show that the proposed use is consistent with all City of Ontario development codes, surrounding land uses, and other applicable requirements, as discussed below:

- The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the Business Park zoning district of the Grove Avenue Specific Plan, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed convenience store with fuel sales will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the Business Park land use district of the Grove Avenue Specific Plan.
- The proposed convenience store will be located within the Business Park land use district of the Policy Plan Land Use Map, and the Business Park land use district of the Grove Avenue Specific Plan. The development standards and conditions of approval under which the proposed uses will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan. The proposed commercial activities will provide the surrounding area with an additional service, promoting a variety of land uses and building types in the area, as promoted by Policy LU1-6 (Complete Community) of the Policy Plan. Additionally, the project will be well landscaped, and will contribute to the overall streetscape along Acacia Street and Grove Avenue, as promoted by Policies CD2-9 (Landscape Design) and CD3-6 (Landscaping) of the Policy Plan.
- The proposed commercial activities have been thoroughly reviewed and properly conditioned to ensure the establishment, operation, and maintenance of the proposed convenience store with fuel sales are consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and the Grove Avenue Specific Plan.
- The Development Advisory Board has required certain safeguards and impose certain conditions of approval that have been established to ensure that: [i] the purposes of the Business Park zoning district of the Grove Avenue Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located. Furthermore, the Project site is located within the Grove Avenue Specific Plan, for which certain commercial activities, including the proposed convenience store with fuel sales, are conditionally permitted uses. The project has been adequately conditioned to ensure that it will operate and be properly maintained; therefore, the project will not be detrimental or injurious to surrounding property and improvements thereon.

(c) Conditional Use Permit for Alcoholic Beverage Sales — In addition to establishing the proposed convenience store and fuel sales, the applicant is requesting CUP approval to establish alcoholic beverage sales for consumption off the premises, limited to beer and wine (Type 20 ABC license), in conjunction with the convenience store. The applicant has applied for a Type 20 off-sale beer and wine ABC license. The applicant has been successfully operating similar convenience stores at two other locations in California since 2018.

The proposed 6,000 square foot convenience store will be divided into 3-units, ranging in size from 1,200 square feet to 2,800 square feet. Unit 2 will be occupied by a 7-Eleven convenience store, which is requesting the Type 20 (Off-Sale, Beer & Wine) ABC license. Unit 2 is comprised of a retail sales area, a cashier counter, an office with storage area, walk in coolers, and two restrooms (see Exhibit C—Floor Plan, attached). Units 1 and 3 include a retail area to accommodate future fast food restaurants, cashier area, and restrooms.

The service station will employ 9 full time employees that will work on a rotational basis. The proposed hours of operation are 24-hours per day, 7-days per week. Consistent with State law, the Police Department conditions of approval restrict the sales of alcoholic beverages to between the hours of 6:00 AM and 2:00 AM. The alcohol sales display area is proposed to be located towards the back of convenience store. In addition, in compliance with the Police Department conditions of approval, the Applicant will adopt extra security measures to ensure customers do not drink on site and will provide policy signs to enforce no consumption of alcohol beverages. Cooler doors containing alcoholic beverages will be locked from 2:00 AM to 6:00 AM to enforce sale hours. Employees engaged in the sales of beer and wine will be completing a training program approved by ABC and the City of Ontario Police Department.

The California Department of Alcoholic Beverage Control (“ABC”) is the controlling State entity with authority to grant, renew, and revoke all ABC licenses. ABC determines how many on-sale and off-sale alcoholic beverage license types should be issued per Census Tract, based upon their populations. The project site is located within Census Tract 18.03 which is over-concentrated with off-sale alcoholic beverage licenses. The Department of Alcoholic Beverage Control allows a total 2 off-sale alcoholic licenses, and there are currently 4 active off-sale alcohol licenses within Census Tract 18.03; however, Ontario Development Code Section 5.03.025.F.4 grants the Approving Authority (the Planning Commission in this case) the authority to make a determination of Public Convenience or Necessity (“PCN”), thereby allowing the issuance of an additional ABC license for off-premises alcoholic beverage sales in census tracts that have been determined to be over concentrated with such ABC licenses, if the following factors exist:

- The proposed retail alcohol license is not located within a high crime area, defined as an area characterized by a high ratio of Police Department calls for service to alcohol-related incidences, not to exceed 20 percent greater than the average number of alcohol-related incidences reported for the City as a whole, including, but not limited to, disturbing the peace, public intoxication, assault and battery, prostitution, vandalism, graffiti, loitering, pan-handling, all State Business and Professions Code violations, drug violations, and driving while intoxicated or under the influence.
- The proposed retail alcohol license is not located within close proximity (600 feet or less, as measured in a straight line from any point along the outer boundaries of the building gross floor area, GFA, containing the business) of an existing or proposed residential or sensitive land use (as provided in BPC Section 23789), including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.
- The anticipated amount (percentage) of retail sales to be derived from alcoholic beverages is clearly incidental to the primary land use, making-up no more than one-third of anticipated gross retail sales.

- No more than 10 percent of the retail business GFA shall be devoted to alcoholic beverage display and sale.
- At least 10 percent of the retail business GFA shall be devoted to food display and sales. (Note: Food preparation areas shall not be counted toward the food sales floor area calculation).
- The building or property wherein the proposed business is located has no outstanding building or health code violations, is not an active Code Enforcement Department case, and complies with applicable Development Code regulations, including, but not limited to, property maintenance, building improvements, off-street parking (design and number of spaces provided), and landscape and lighting improvements.

Within the preceding year, the City of Ontario had a total of 3,303 calls for service and alcohol-related reports, including, but not limited to, assault, driving while intoxicated or under the influence, alcohol violation, vandalism, drugs or narcotic violations, and disorderly conduct. With a total of 300 active on-sale and off-sale active ABC license existing throughout the City as of the preparation of this report, the average number of alcohol-related incidences attributable to the proposed off-sale ABC license location is 11. Within an over concentrated Census Tract, if a CUP to establish off-sale alcoholic beverage sales is proposed, the one-half mile radius area surrounding the proposed CUP location would be able to exceed the City's average number of alcohol-related incidences by 20 percent, which is equal to 2 additional alcohol-related incidences, for a maximum total of 13 alcohol-related incidences attributable to an area in which an off-sale ABC license is proposed. An area exceeding 13 alcohol-related incidences would be determined by the Development Code to be a high alcohol-related crime area, thereby prohibiting the approval of a CUP for the establishment of any additional off-sale ABC licensed facilities.

According to the Ontario Police Department, the one-half mile radius area surrounding the Project location had an average of three alcohol-related incidences in the past year, which does not exceed the maximum 20 percent increase allowed by the Ontario Development Code for alcohol-related incidences attributable to the area of the proposed CUP location. Therefore, the proposed retail ABC license is not located within a high crime area in this case, and the Approving Authority may make a PCN determination and may also approve the requested CUP.

(d) Land Use Compatibility — As mentioned above, a CUP is required for the establishment of commercial uses in the Business Park land use district of the Grove Avenue Specific Plan, as-well-as for the establishment of alcoholic beverage sales, whether intended for consumption on or off premises. A review is required to ensure the compatibility of adjacent uses by identifying potential nuisance activities and establishing measures for mitigation accordingly. The establishment of the proposed commercial uses and the introduction of the alcoholic beverage sales within a proposed convenience store, will provide further convenience to customers and will not intensify the land use. Therefore, staff believes that the recommended Conditions of Approval will sufficiently mitigate any potential impacts that may be associated with the proposed commercial use and alcoholic beverage sales. Additionally, it is Staff's belief that the nearby businesses within and surrounding the project site will not be exposed to any adverse impacts resulting from the proposed CUP.

## **Part II—RECITALS**

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (“DAB”) the responsibility and authority to review and 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 June 15, 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 recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA guidelines, which consists of projects characterized as infill development, and meets all of the following conditions:

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

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

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

**SECTION 2: 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 3: 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 Development Advisory Board, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

**SECTION 4: Concluding Facts and Reasons.** Based upon the substantial evidence presented to the 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 specific findings set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

(1) ***The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the Business Park zoning district of the Grove Avenue Specific Plan, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed convenience store with fuel and alcoholic beverage sales will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the Business Park zoning district of the Grove Avenue Specific Plan; and

(2) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed convenience store with fuel and alcoholic beverage sales will be located within the Business Park land use district of the Policy Plan Land Use Map, and the Business Park land use district of the Grove Avenue Specific Plan. The development standards and conditions of approval under which the proposed Project will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan. The proposed convenience store will provide the area with an additional service, promoting a variety



of land uses and building types in the area, as promoted by Policy LU1-6 (Complete Community) of the Policy Plan. Additionally, the project will be well landscaped, and will contribute to the overall streetscape along Acacia Street and Grove Avenue, as promoted by Policies CD2-9 (Landscape Design) and CD3-6 (Landscaping) of the Policy Plan; and

(3) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.*** The proposed convenience store with fuel and alcoholic beverage sales is located within the Business Park land use district of the Grove Avenue Specific Plan and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed service station and convenience store are consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and Grove Avenue Specific Plan; and

(4) ***The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*** The 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 Business Park zoning district of the Grove Avenue Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located.

**SECTION 5: Development Advisory Board Action.** Based on the findings and conclusions set forth in Sections 1 through 4, 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 6: Indemnification.** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

**SECTION 7: Custodian of Records.** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

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APPROVED AND ADOPTED this 15th day of June 2020.

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Development Advisory Board Chairman

Exhibit A—AERIAL PHOTOGRAPH

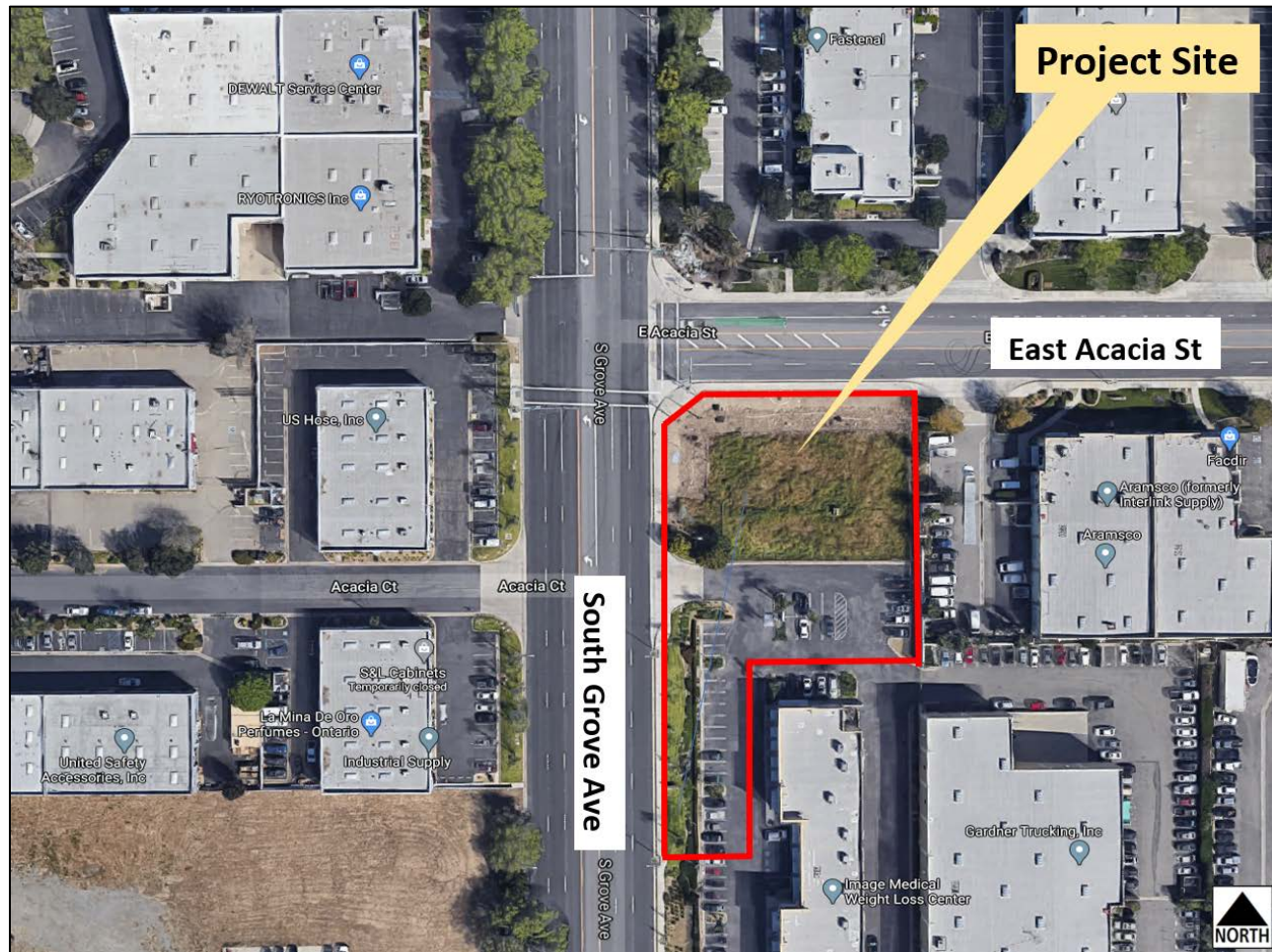


Exhibit B—SITE PLAN & CONCEPTUAL LANDSCAPE PLAN

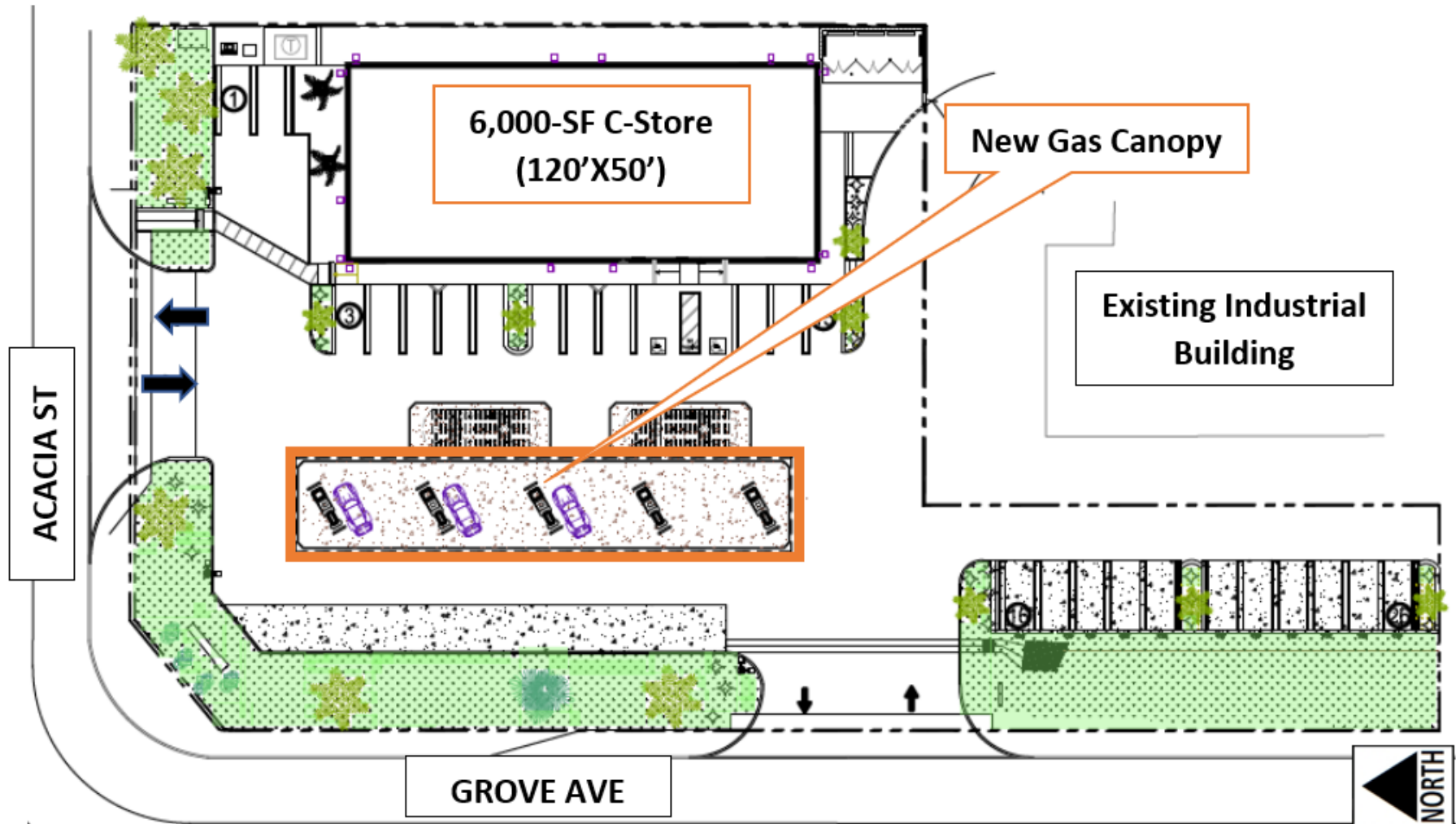
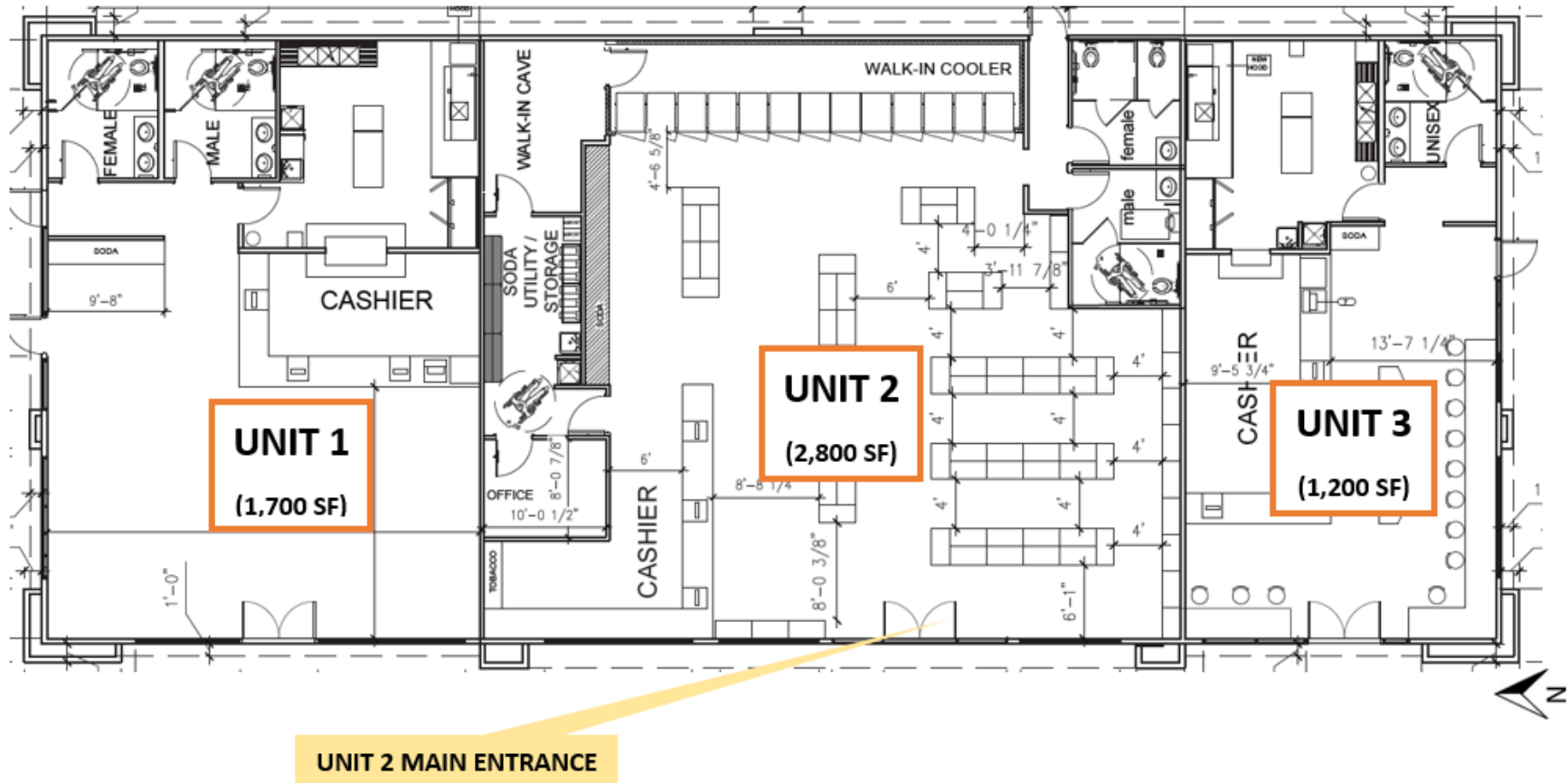
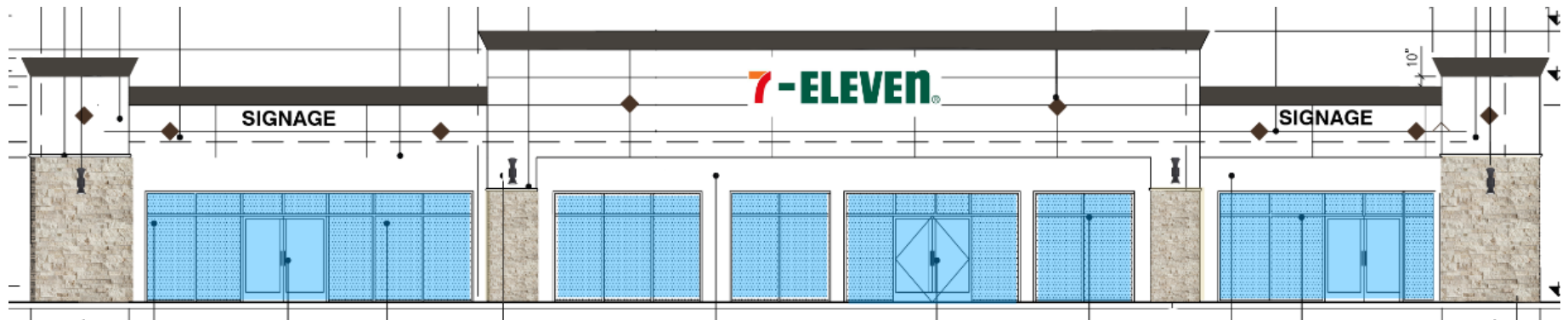


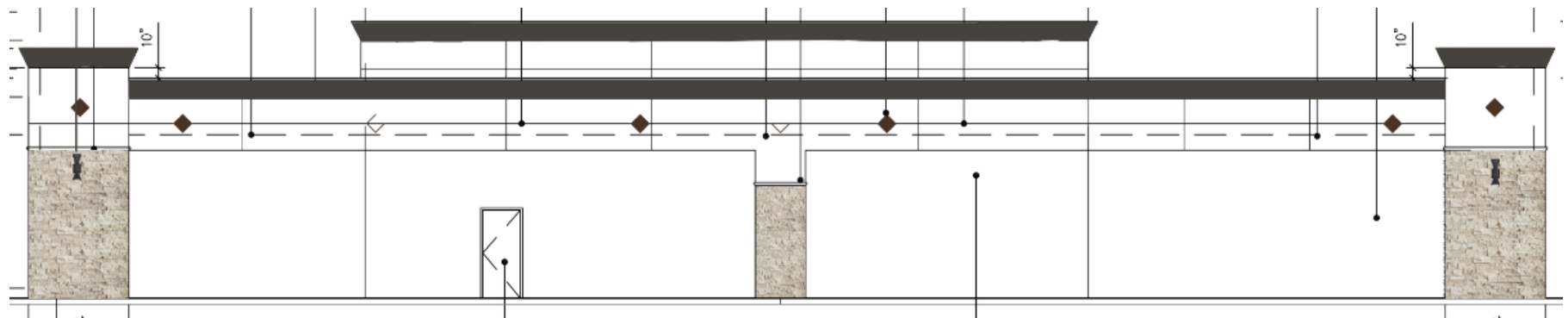
Exhibit C—FLOOR PLAN



**Exhibit D—ELEVATIONS**



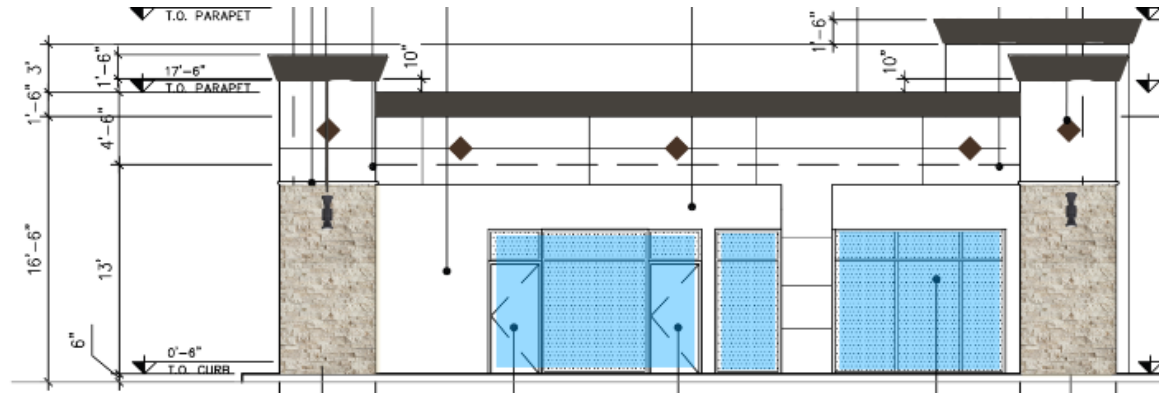
**FRONT (WEST) ELEVATION**



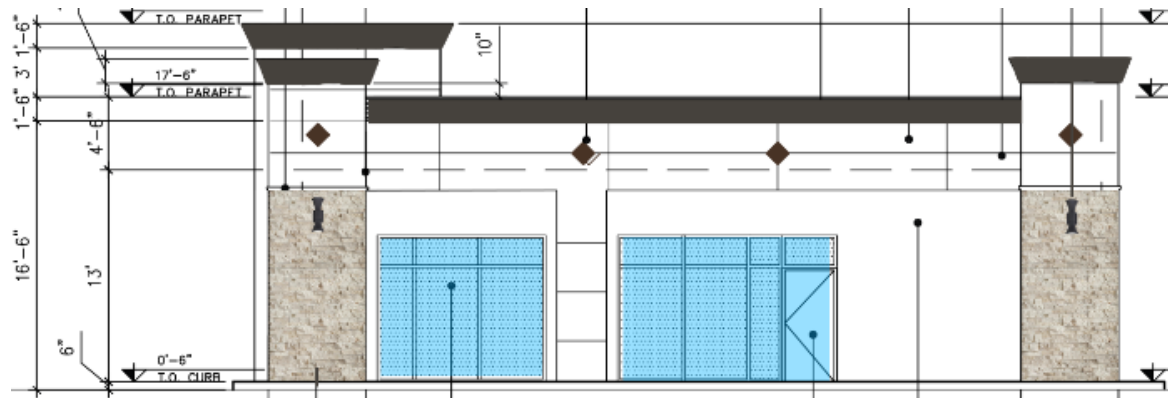
**REAR (EAST) ELEVATION**



**Exhibit E—ELEVATIONS**



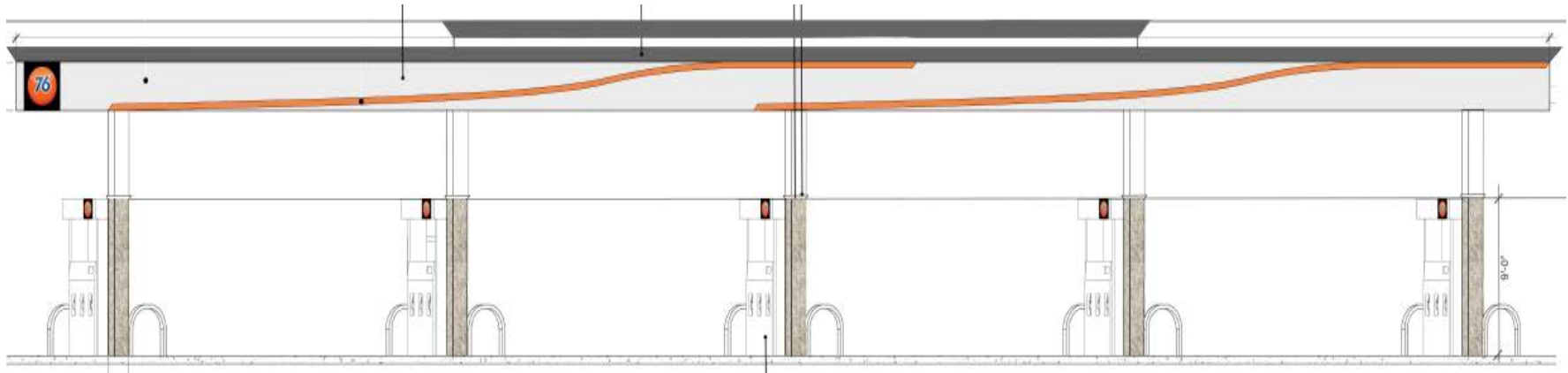
**LEFT SIDE (NORTH) ELEVATION**



**RIGHT SIDE (SOUTH) ELEVATION**



**Exhibit F—CANOPY ELEVATIONS**



**FRONT & REAR (WEST & EAST) ELEVATIONS**



**SIDE (NORTH & SOUTH) ELEVATIONS**

***Exhibit G—SITE PHOTOS***



**VIEW OF NORTHWEST CORNER OF PROJECT SITE**



**VIEW LOOKING SOUTH FROM ACACIA STREET**

**Exhibit H—SITE PHOTOS**



**VIEW LOOKING EAST FROM GROVE AVENUE**

## 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:** June 15, 2020

**File No:** PCUP19-010

**Related Files:** PDEV19-026

**Project Description:** A Conditional Use Permit request to establish alcoholic beverage sales, limited to off-sale beer and wine (Type 20 ABC License) for a new service station, on one-acre of land located at 1401 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan (APN: 0113-361-54); **submitted by Mr. Virender Jain. Planning Commission action is required.**

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

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

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

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

**2.1** Time Limits.

**(a)** Conditional Use Permit approval shall become null and void 1 year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

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

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

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

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

### **2.3** Environmental Review.

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

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

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

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

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

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

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

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

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

### **2.5** Additional Requirements.

(a) All new & proposed signage shall be reviewed and approved by the Planning Department and shall comply with the requirements of the Ontario Development Code – Sign Regulations (Division 8.1). A new Sign Program shall be submitted for the Planning Department’s review and approval.

(b) Sales of alcohol will occur between the hours of 06:00 a.m. to 02:00 a.m. daily.

(c) Temporary signage may cover no more than 25 percent of each window area, as determined by the Planning Director.

(d) The cashier must be visible from the parking lot.

(e) A final site inspection shall be performed by the Planning Department prior to Building Department’s final inspection.



**(f)** All tenant's occupying the convenience store (Units 1, 2, and 3) shall obtain and maintain an active City Business License.

**(g)** All applicable Conditions of Approval from other City departments shall be met and addressed by the applicant.

**(h)** The anticipated amount (percentage) of retail sales to be derived from alcoholic beverage is clearly incidental to the primary land use, making-up no more than one-third of anticipated gross retail sales.

**(i)** No more than 10 percent of the retail business GFA shall be devoted to alcoholic beverage display and sale.

**(j)** At least 10 percent of the retail business GFA shall be devoted to food display and sales. (Note: Food preparation areas shall not be counted toward the food sales floor area calculation).



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



**TO:** Denny Chen, Associate Planner

**FROM:** Erich Kemp, Police Officer, C.O.P.S. Unit

**DATE:** May 21<sup>st</sup>, 2019

**SUBJECT:** FILE NO. PCUP19-010 – C-Store & Gas Station – 1401 S. Grove Avenue

---

The Ontario Police Department has researched the request for an off-site type 20 (beer & wine) alcohol license for the C-Store & Gas Station located at 1401 S. Grove Avenue. The Ontario Police Department is currently recommending denial of this Conditional Use Permit (CUP) for the following reasons:

The requested license is within census tract 18.03 which is already over concentrated with off-sale alcohol licenses. The department of Alcohol Beverage Control authorizes two (2) off-sale alcohol licenses for this tract. There are currently four (4) active off-sale alcohol licenses within census tract 18.03.

In addition, the location does not meet the criteria for Personal Convenience and Necessity as defined by the Ontario City Council.

If a Conditional Use Permit is granted, the location must follow all Department of Alcohol Beverage Control regulations and laws. The Police Department is placing the following conditions:

**ABC CONDITIONS**

1. Sales of alcohol will occur between the hours of 06:00 a.m. to 02:00 a.m. daily.
2. Applicant will follow all conditions per Business and Professions Code 23790.5(d) - Concurrent sales of alcohol and gasoline.
3. No sales or service to minors.

4. No sales or service to intoxicated patrons.
5. No open alcohol beverages in the establishment.
6. No alcohol sales through any pass-through type windows.
7. No drug paraphernalia will be sold at any time.
8. No smoking is permitted inside of the establishment including any type of electronic delivery devices.
9. Single sale of beer, canned or bottles, will not be allowed.
10. Wine shall not be sold in containers less than 750ml.
11. Wine coolers must be sold in four packs.
12. The sale of distilled spirits is not permitted.
13. All alcohol sales must be placed in a plastic or paper bag before leaving the store.
14. No more than five (5) doors on the walk-in cooler shall be designated for beer and wine.
15. Employees engaged in the sales of alcohol must be 18 years of age or older.
16. No more than 25% of advertisements are allowed on the windows of the business.
17. The cashier must be visible from the parking lot.
18. No loitering shall be permitted on any property adjacent to the licensed premise, which is under the control of the applicant, and signs must be posted.
19. Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.
20. The applicant will be responsible for keeping the grounds of the business clean from debris and litter as much as possible.

21. The parking lot of the premises shall be equipped with a maintained lighting device capable of providing a minimum of one-foot candle of light at ground level.
22. Applicant shall not encourage or permit alcoholic beverages to be consumed on any property adjacent to the licensed premises under the control of the applicant, and signs must be posted.
23. The applicant shall modify or equip any public telephones inside or adjacent to the establishment to prevent incoming calls.
24. Applicant and all employees must attend an Alcohol Beverage Control (ABC) L.E.A.D.'s training class or a certified responsible beverage service class, which has been approved by ABC and Ontario Police Department, within six months of this dated conditional use permit. Proof of re-certification is required every 3 years. New employees must attend a training class within six months of their hire date.
25. The business shall maintain a security camera surveillance system in proper working order. A minimum of one camera will record the main entrance, to monitor patrons entering and exiting. A minimum of one camera will record the parking lot. Each camera will record at least 640x480 recording resolution levels, and at least fifteen (15) frames per second. The field of view for each camera will be to maximize the coverage of patrons. Recorded video will be stored for a minimum of 30 days and made available to the Police Department upon request.

### **TOBACCO CONDITIONS**

1. No tobacco sales to anyone under 21 years of age.
2. Retailers must post age of sale warning signs at each cash register.
3. Retailers must post Stake Act Stickers at each point of sale.
4. Customers may not help themselves to cigarettes.
5. Tobacco products must be stored behind the counter.
6. Sales of individual cigarettes are prohibited.
7. Single cigarettes and roll-your-own tobacco in the packaging containing less than 0.6 ounces are prohibited.
8. The distribution of free or normal-cost tobacco products or coupons is prohibited.
9. Outdoor and storefront signs advertising tobacco may not exceed 14 square feet.

If alcohol related crimes at this location are higher than four other similar establishments in the overall City during any quarter, the CUP will automatically be referred to the zoning administrator for review and re-conditioning or revocation of the permit. The Police Department may, at their sole discretion, request a revocation hearing if they determine that the establishment is being operated in the violation of this CUP or has violated the laws of the State or City are the intent of this action.

A copy of the listed conditions of approval must be posted with your ABC license at all times in the prominent place in the interior of the premises.

The Ontario Police Department and the Ontario Planning Department will conduct an inspection before the location will be allowed to sell alcoholic beverages with the conditional use permit.

The Police Department will conduct a review in six months to determine whether additional conditions will be needed.

**Please contact Officer Erich Kemp at (909) 408-1922 with any questions regarding the listed police conditions.**

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Denny Chen  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** May 15, 2019  
**SUBJECT:** PCUP19-010

---

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

KS:lr





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Denny Chen, Associate Planner  
Planning Department

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

**DATE:** May 21, 2019

**SUBJECT:** PCUP19-010 - A Conditional Use Permit to establish alcoholic beverage sales, including beer and wine, for off-premise consumption in conjunction with an a proposed 6,000 square foot gas station with convenience store on 1 acre of land located at the southeast corner of Acacia Street and Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan (APN(s): 0113-361-54). Related File: PDEV19-026

- 
- 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: Denny Chen, Associate Planner

REVISION NO. 5

DATE: April 20, 2020

SUBJECT: FILE #: PCUP19-010

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 Conditional Use Permit to establish alcoholic beverage sales (Type 20 ABC License), limited to beer and wine, for off-premises consumption in conjunction with a proposed 6,000-square foot gas station and convenience store on one acre of land located at the southeast corner of Acacia Street and Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan (APN: 0113-361-54). Related File: PDEV19-026.

The plan does adequately address the departmental concerns at this time.

- No comments
- See previous report for Conditions
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Landscape Planning  
Department

*Denny Chen*  
Signature

Associate Landscape Planner  
Title

5/21/20  
Date



# CITY OF ONTARIO MEMORANDUM

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

FROM: Denny Chen, Associate Planner

DATE: May 14, 2019

SUBJECT: FILE #: PCUP19-010 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 **Tuesday, May 28, 2019**.

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

**PROJECT DESCRIPTION:** A Conditional Use Permit to establish alcoholic beverage sales, including beer and wine, for off-premise consumption in conjunction with an a proposed 6,000 square foot gas station with convenience store on 1 acre of land located at the southeast corner of Acacia Street and Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan (APN(s): 0113-361-54). Related File: PDEV19-026

- 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.

Community Imp. Joe Super 5/14/19  
 Department Signature Title Date



# Development Advisory Board Decision

June 15, 2020

**DECISION NO.:**

**FILE NO.:** PDEV19-026

**DESCRIPTION:** A Development Plan to construct a 6,000 square foot convenience store with fuel sales on one-acre of land located at 1401 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan (APN: 0113-361-54); **submitted by Virender Jain. Planning Commission action is required.**

### **Part I—BACKGROUND & ANALYSIS**

VIRENDER JAIN, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-026, 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 one acre of land located at the southeast corner of Acacia Street and Grove Avenue, at 1401 South Grove Avenue, within the BP (Business Park) land use district of the Grove Avenue Specific Plan. The site is currently undeveloped and is bordered by Acacia Street to the north and Grove Avenue to the west, and industrial buildings to the south and east, as depicted in Exhibit A—Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>	<b>Specific Plan Land Use</b>
<i>Site:</i>	Vacant Land	Business Park	SP (Grove Avenue Specific Plan)	Business Park
<i>North:</i>	Industrial and Commercial	Business Park	SP (Grove Avenue Specific Plan)	Business Park
<i>South:</i>	Industrial and Commercial	Business Park	SP (Grove Avenue Specific Plan)	Business Park
<i>East:</i>	Industrial	Business Park	SP (Grove Avenue Specific Plan)	Business Park
<i>West:</i>	Industrial	Business Park	SP (Grove Avenue Specific Plan)	Business Park

(2) **Project Description:**

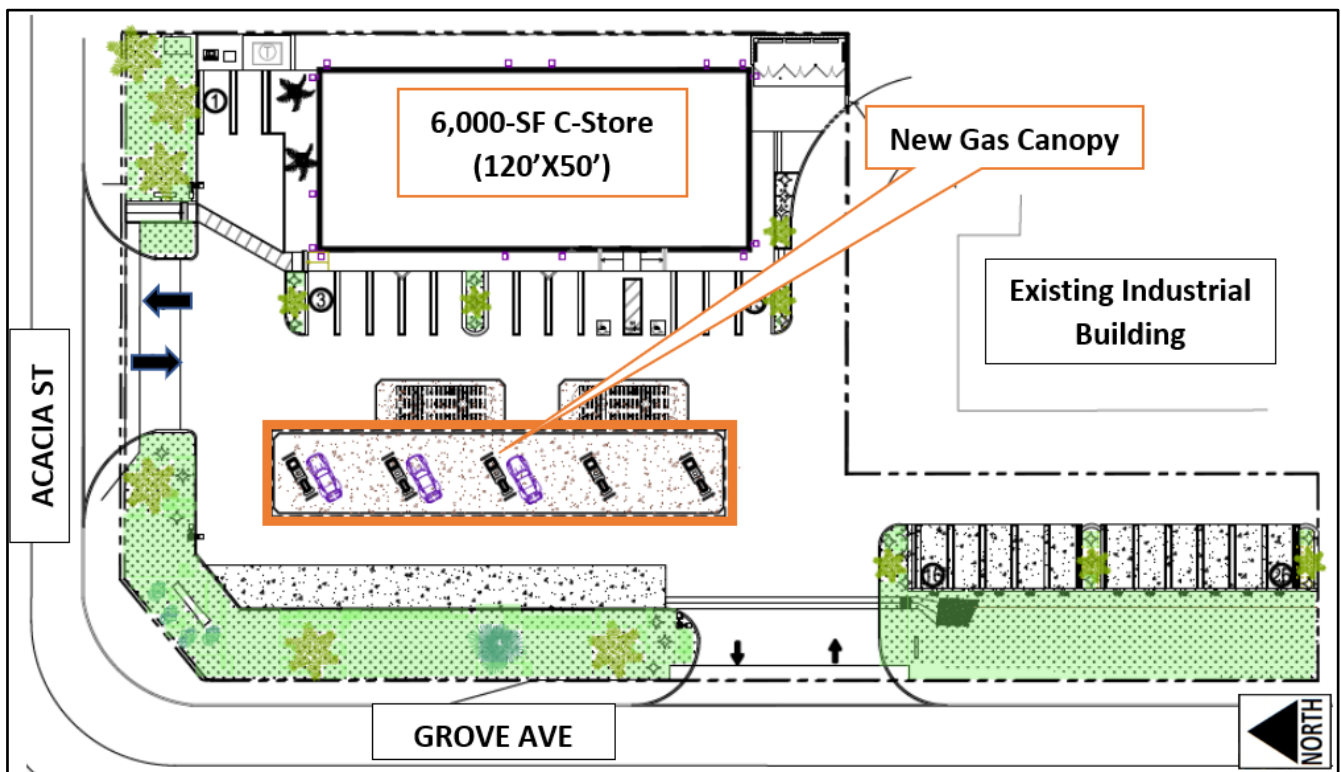
(a) **Background** — On May 8, 2020, the Applicant submitted File No. PDEV19-026, a Development Plan to construct a service station with a 6,000 square foot convenience store, in conjunction with File No. PCUP19-010, a Conditional Use Permit to establish retail commercial land uses (convenience store with fuel sales) and alcoholic beverage sales for consumption off the premises, limited to beer and wine (Type 20 ABC License), on the Project site.



(b) Site Design/Layout — The proposed service station is composed of a new 6,000 square foot convenience store and 2,750 square foot freestanding canopy covering a fuel dispenser area. The convenience store is located on the northeast corner of the property, approximately 54-feet from the Acacia Street property line to the north, and 120-feet from the Grove Avenue property line to the west. Employee and patron parking will be located in front of the convenience store and at the southwest corner of the site, fronting Grove Avenue.

The convenience store is divided into three separate units to allow for two additional tenants to occupy the building. The units will range in size from 1,274 square feet to 2,842 square feet. Unit 1 consists of a customer retail area, cashier, and two restrooms. Unit 2 consists of a cashier area, an office with storage, merchandise display area, utility room, walk-in-cooler, and two restrooms. Unit 3 consists of a cashier, restaurant customer seating area, and a single unisex restroom (see Exhibit C—Convenience Store Floor Plan, attached).

The proposed canopy, which covers ten fuel dispensers, is located along the northwest portion of the property, approximately 45 feet from the north property line (Acacia Street) and 50 feet from the west property line (Grove Avenue). Primary vehicular access is provided along Grove Avenue, by way of a 50-foot wide driveway shared with an existing industrial development located to the southeast of the Project site. Secondary vehicular access is provided by a 47-foot wide driveway along the Project's Acacia Street frontage (see Figure 2: Site Plan, right). Both access points have been restricted to right-in/right-out only.



**Figure 2: Site Plan**

(c) **Parking** — The Project is required to provide a minimum of 27 off-street parking spaces pursuant to the parking standards specified in the Development Code, and 36 parking spaces will be provided, exceeding the minimum parking requirements. The Project will provide off-street parking pursuant to the type of use and parking ratio specified in the Ontario Development Code, and as shown on Table 1 – Parking Summary Analysis, below.

<b>Table 1 - Parking Summary Analysis</b>				
<b>Type of Use</b>	<b>Building Area</b>	<b>Parking Ratio</b>	<b>Spaces Required</b>	<b>Spaces Provided</b>
Fueling Station	2,750 SF	3 spaces minimum. Fueling stations operating in conjunction with other uses may be granted shared parking credit at a rate of one space for each fuel dispenser.	3	10
Convenience Store	6,000 SF	4 spaces per 1,000 SF of Gross Floor Area	24	26
<b>TOTAL</b>	<b>8,750 SF</b>		<b>27</b>	<b>36</b>

(d) **Architecture** — The convenience store and fuel canopy feature a contemporary architecture style that exemplifies the high-quality architecture promoted by the Grove Avenue Specific Plan, Ontario Development Code and The Ontario Plan (“TOP”). Special attention has been given to the use of color, massing, building form, materials, and architectural details (see Exhibit D—Elevations, attached).

This is exemplified through the use of:

- Stucco walls
- Extensive use of glazing on the front and side elevations of the convenience store
- Stone veneers on all sides of the convenience store and canopy columns
- Horizontal and vertical reveal lines
- Decorative sconce lighting fixture at key locations
- Decorative diamond tile inserts on all sides of the building
- Horizontal changes in building the footprint
- Vertical changes in the parapet height on the building and canopy
- Incorporation of a decorative cornice treatment on the building and canopy

(e) **Landscaping** — The Grove Avenue Specific Plan requires the Project to provide a minimum 15 percent landscape coverage, which has been provided. In addition, the Specific Plan requires parcels fronting Grove Avenue, located south of Belmont Avenue, to provide a substantial front landscape buffer, having a 25-foot average depth and 20-foot minimum depth. The Project is proposing a 20-foot landscape buffer along Grove Avenue and Acacia Street. No landscape buffer is required within the east and south interior property lines. The landscape plan proposes a variety of new trees and drought tolerant grass and shrubs throughout the site, including 10-gallon, 15-gallon, and 25-gallon trees, such as Boxwood Hedge, Chinese Elm, and Queen Palm (see Exhibit B—Site Plan & Conceptual Landscape Plan).

(f) **Utilities (Drainage, Sewer)** — Public utilities (water and sewer) are available to serve the Project. Additionally, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the Project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizing low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes a swale and pervious concrete surfaces on selected parking areas, designed to accept runoff from building roofs, parking lots, and Project roadways. Any overflow drainage will be conveyed to the surrounding streets.



**Part II—RECITALS**

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("DAB") the responsibility and authority to review and 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 June 15, 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 recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA guidelines, which consists of projects characterized as infill development that meets all of the following conditions:

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

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

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

**SECTION 2: *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 3: *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.

**SECTION 4: *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 specific findings set forth in Sections 1 through 3, 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 Business Park land use district of the Policy Plan Land Use Map, and the Business Park land use district of the Grove Avenue Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained are consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed service station with convenience store will provide the area with an additional service, promoting a variety of land uses and building types in the area, per TOP Policy Plan policy LU1-6 (Complete Community). Additionally,

the Project will be well landscaped, and will contribute to the overall streetscape along Acacia Street and Grove Avenue, per TOP Policy Plan policies CD2-9 (Landscape Design) and CD3-6 (Landscaping); 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 applicable requirements of the City of Ontario Development Code and the Business Park land use district of the Grove Avenue Specific Plan, including standards relative to the particular land use proposed (service station and convenience store), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The Project site is bordered by industrial uses to the north, east, south, and west; therefore, the proposed service station and convenience store will not impose any privacy or view issues; 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 (DAB) has required certain safeguards, and imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the Business Park land use district of the Grove Avenue Specific Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

(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 Business Park land use district of the Grove Avenue Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed. The Project, as proposed, meets all design guidelines, including parking, landscaping, setbacks, FAR, fencing, noise and debris attenuation, and circulation. As a result of this review, the DAB 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 Business Park land use district of the Grove Avenue Specific Plan and the City's Development Code.

**SECTION 5: *Development Advisory Board Action.*** Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVE 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 6: *Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

**SECTION 7: *Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

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APPROVED AND ADOPTED this 15th day of June 2020.

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Development Advisory Board Chairman

**Exhibit A—AERIAL PHOTOGRAPH**

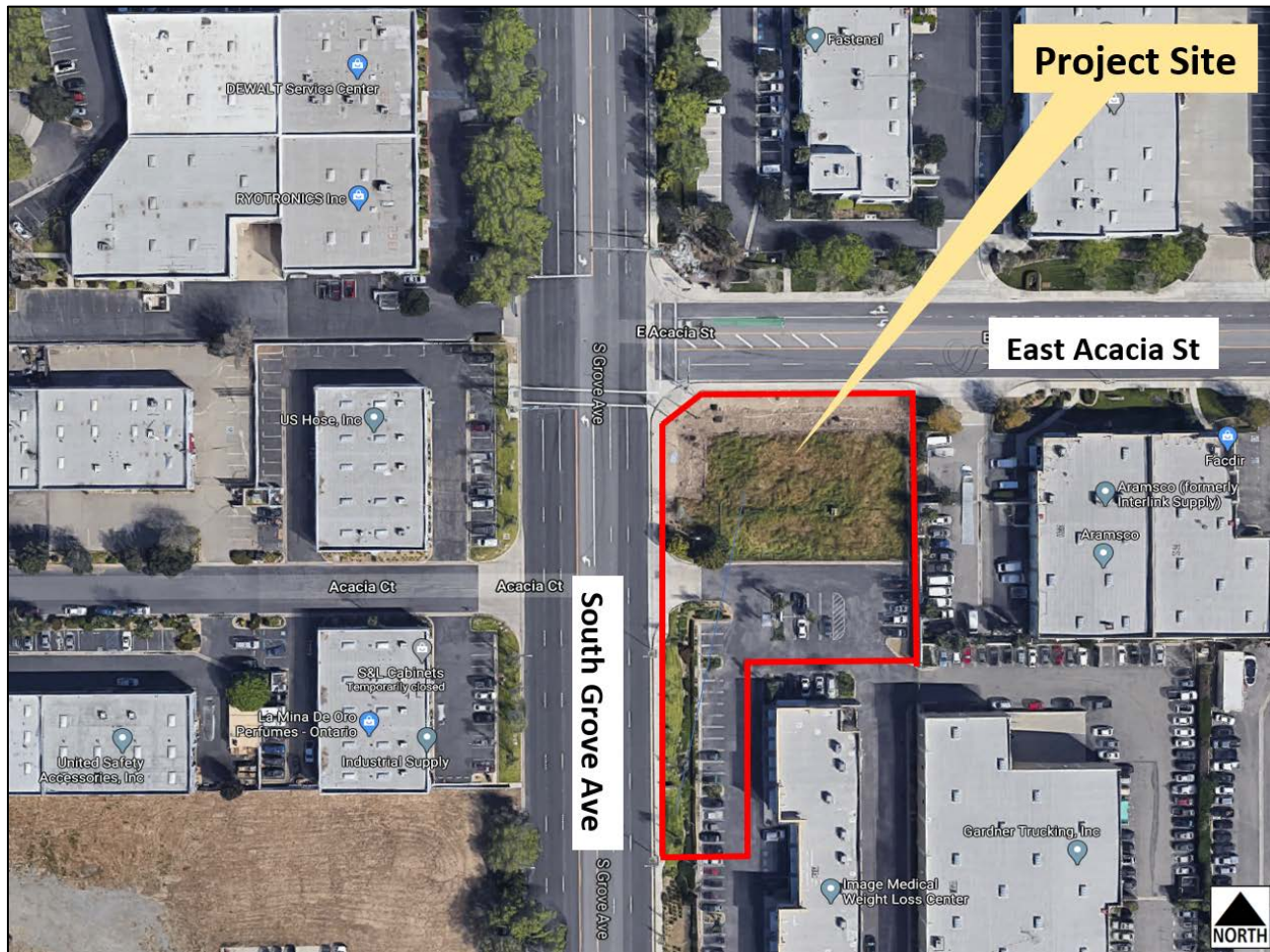


Exhibit B—SITE PLAN & CONCEPTUAL LANDSCAPE PLAN

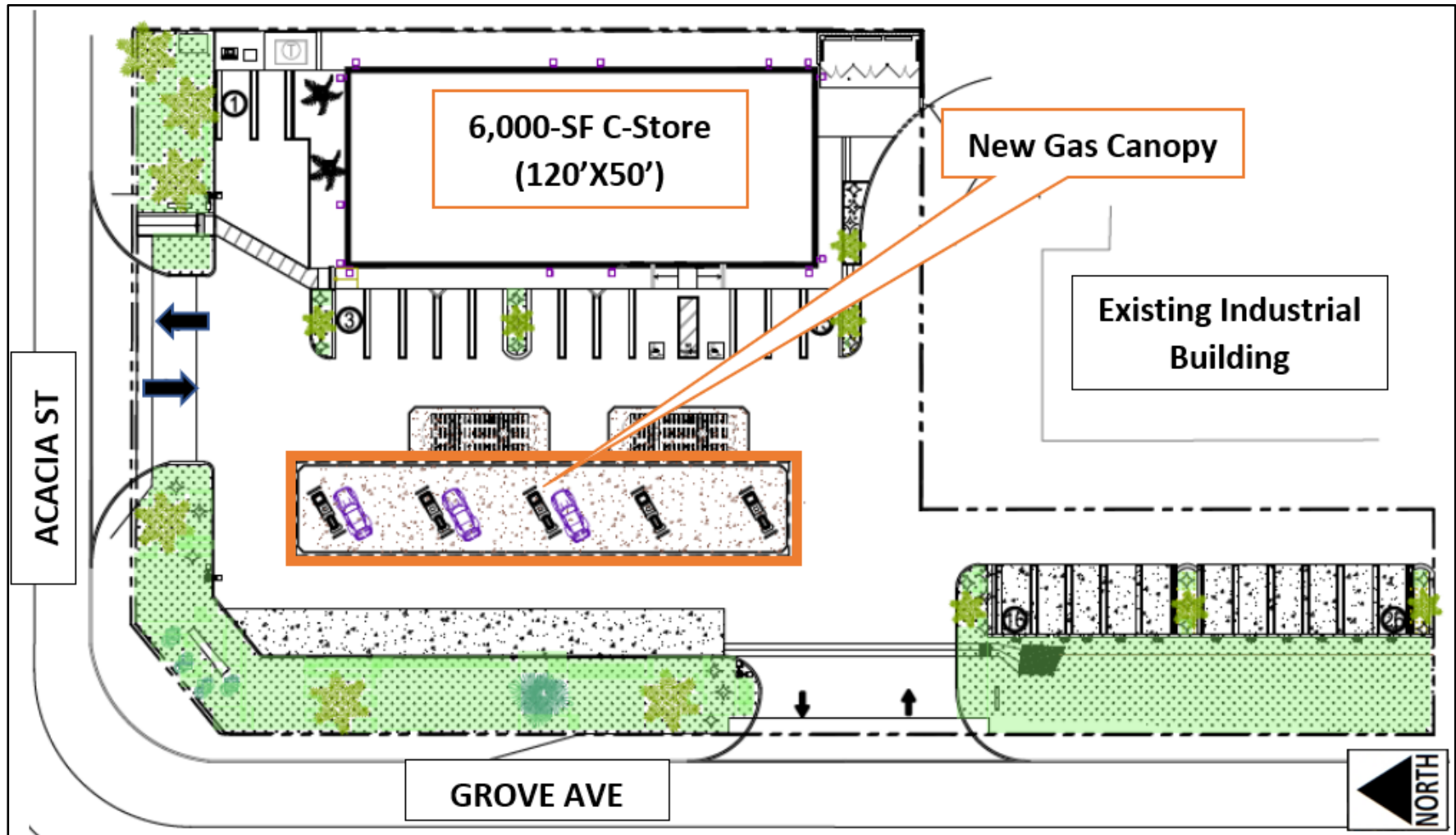
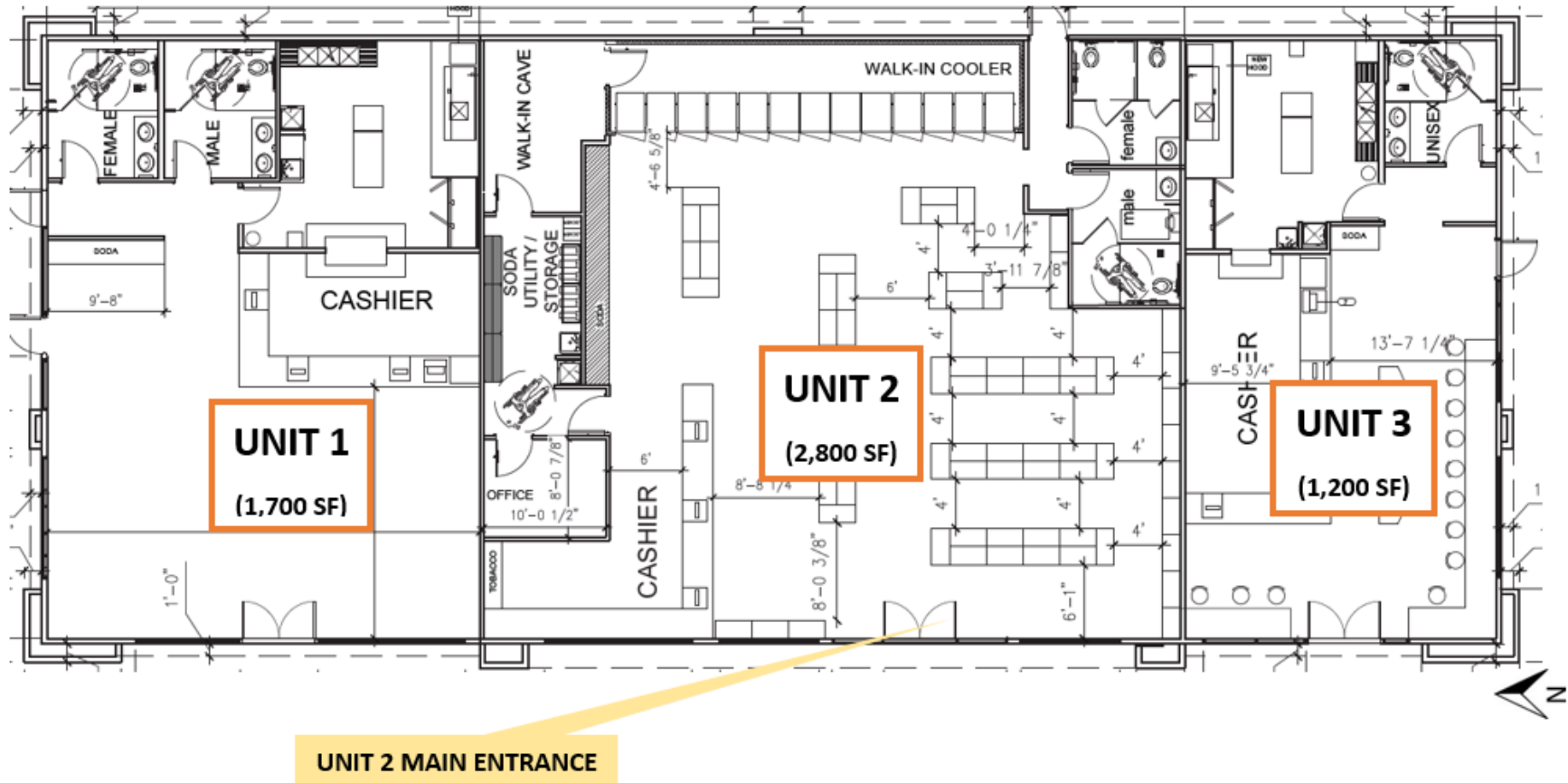
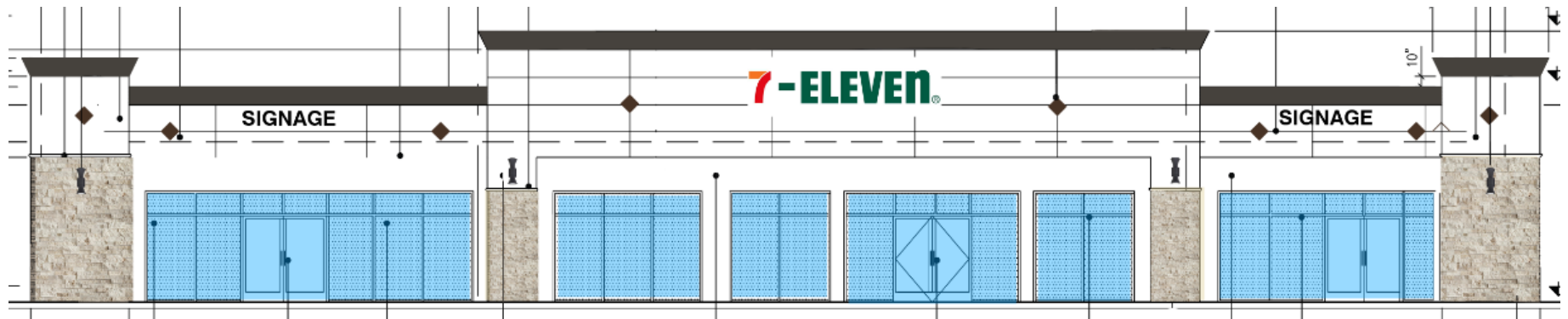




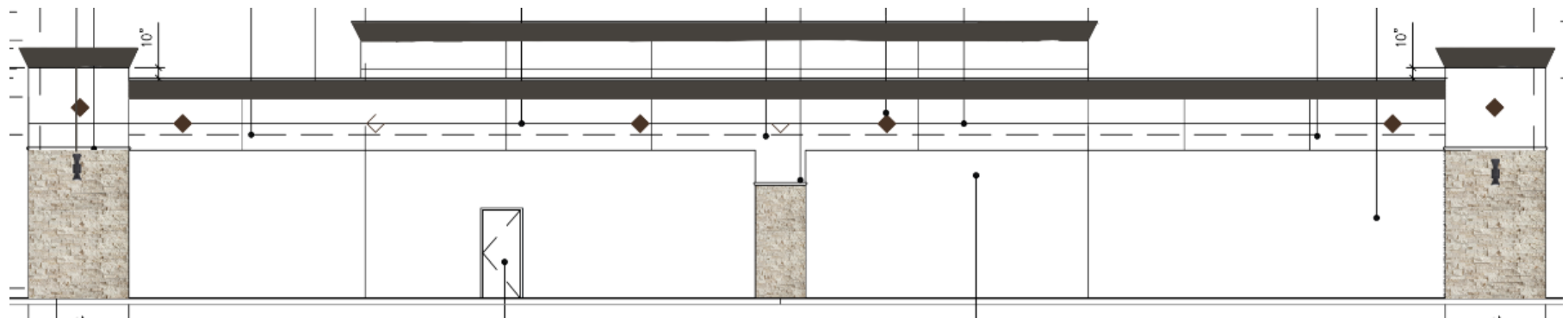
Exhibit C—FLOOR PLAN



**Exhibit D—ELEVATIONS**

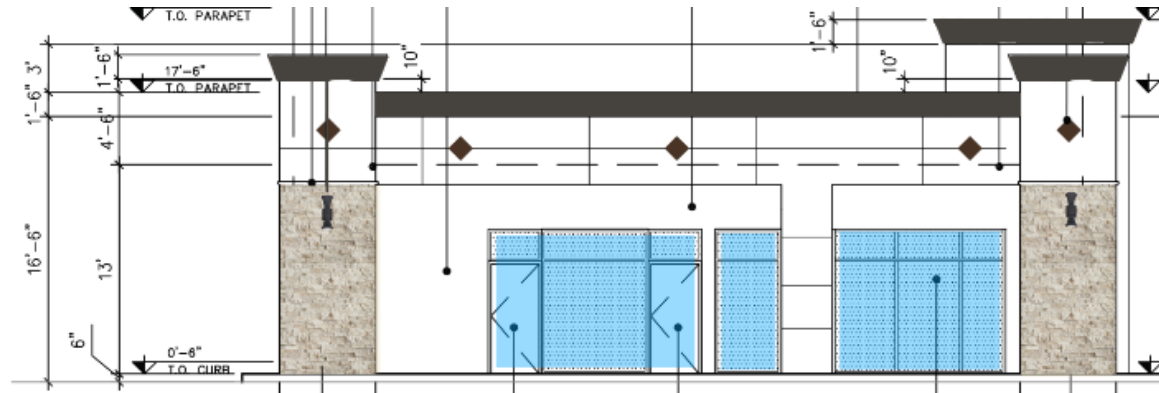


**FRONT (WEST) ELEVATION**

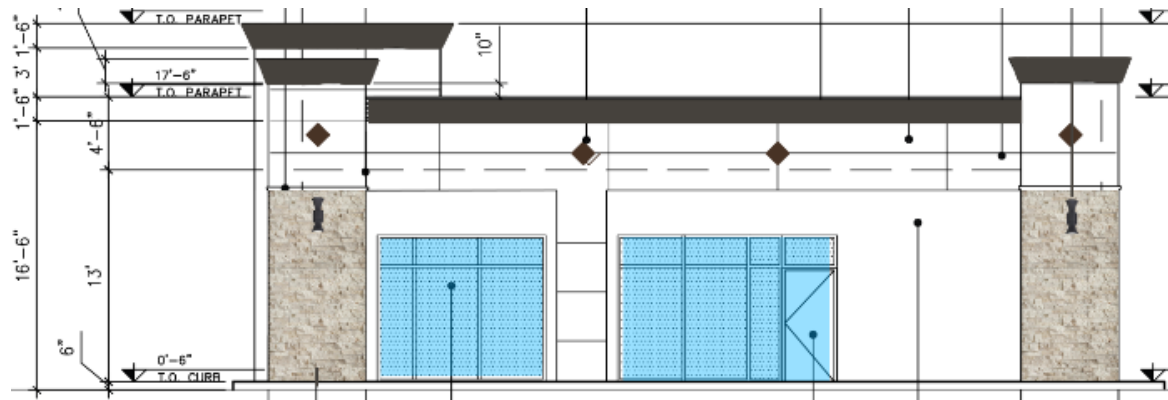


**REAR (EAST) ELEVATION**

**Exhibit E—ELEVATIONS**

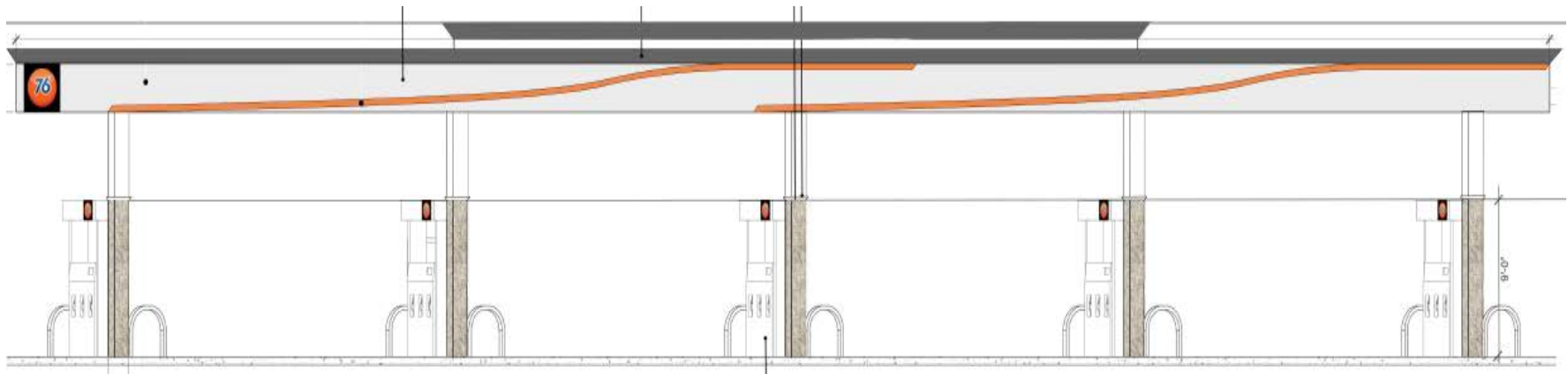


**LEFT SIDE (NORTH) ELEVATION**



**RIGHT SIDE (SOUTH) ELEVATION**

**Exhibit F—CANOPY ELEVATIONS**



**FRONT & REAR (WEST & EAST) ELEVATIONS**



**SIDE (NORTH & SOUTH) ELEVATIONS**

**Exhibit G—SITE PHOTOS**



**VIEW OF NORTHWEST CORNER OF PROJECT SITE**



**VIEW LOOKING SOUTH FROM ACACIA STREET**



**Exhibit H—SITE PHOTOS**



**VIEW LOOKING EAST FROM GROVE AVENUE**



## 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***

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**Meeting Date:** June 15, 2020

**File No:** PDEV19-026

**Related Files:** PCUP19-010

**Project Description:** A Development Plan (File No. PDEV19-026) to construct a service station with a 6,000 square foot convenience store on one-acre of land located at 1401 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. (APN: 0113-361-54); **submitted by Mr. Virender Jain. Planning Commission action is required.**

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

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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 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).

### 2.5 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.

**2.6** 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.

**2.7** Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations). All proposed signage requires a separate sign permit review and approval.

**2.8** A Sign Program must be submitted and approved for this project.

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

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

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

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

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

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

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

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

**2.11** 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) Applicant shall work with Planning Department staff during the plan check process, to ensure that all building elevations & architectural treatments are consistent with the approved building elevations.

(b) Provide decorative (enhanced) paving on all drive approaches, along Acacia Street and Grove Avenue. The decorative paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Decorative paving shall be provided along the exterior front entrances of Units 1, 2, and 3 and also along the pedestrian walkway areas located on the north and south sides of the convenience store.

(d) All tenants occupying the convenience store shall obtain and maintain a City Business License.

(e) Applicant shall work with the Landscape Division staff, during the plan check process, to finalize the Landscape Pallet & update the final landscape plans.

(f) Remove parking spaces in front of the convenience store (7-Eleven) main entrance and provide an additional landscape finger and decorative paving along the front of the store, as shown on **Figure 1: Site Plan** (attached below).



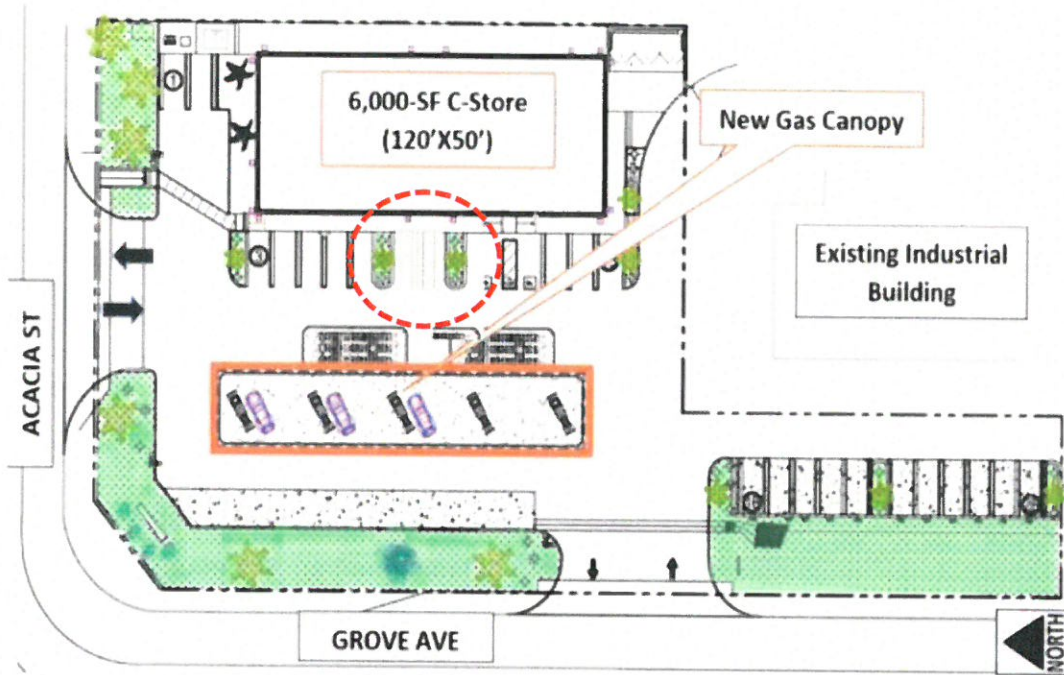


Figure 1: Site Plan



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

**PRELIMINARY PLAN CORRECTIONS**

Sign Off

*Philip Marino*  
 Philip Marino, Associate Landscape Planner

05/21/2020  
 Date

Reviewer's Name:  
**Philip Marino, Associate Landscape Planner**

Phone:  
**(909) 395-2237**

D.A.B. File No.:  
 PDEV19-026

Case Planner:  
 Denny Chen

Project Name and Location:  
 Gas Station/Convenience Store  
 NW Corner of Grove Ave and Acacia Street

Applicant/Representative:  
 Virender Jain  
 338 Bell Canyon Road  
 Bell Canyon, CA 91307

- |                                     |   |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <b>A Preliminary Landscape Plan (5/21/20) meets the Standard Conditions for New Development. It is approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.</b> |
| <input type="checkbox"/>            | <b>A Preliminary Landscape Plan () has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>  |

**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**

- Stormwater infiltration devices located in landscape areas shall be reviewed, and plans approved by the Landscape Planning Division before permit issuance. Any stormwater devices in parkway areas shall not displace street trees.
- Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
- Adjust parking spaces at entry; omit the diamond planters to provide an entry walkway with 2 - 5' wide planter spaces with accent shrubs and groundcover with a 4' entry walkway in between. Increase the width of end island planters to 10' (Plant Quercus ilex or virginiana).

**Landscape Plans**

- Hardscape materials such as boulders, cobble and DG shall be limited to 5% of the landscape area; 360 square feet based on preliminary MAWA calculations.
- Replace Nassella (invasive), Mulhenbergia and Bouteloua (wild and rangy with age, poor winter appearance when planted in mass, use as accent only).
- 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
<b>Total.....</b>	<b>\$1,579.00</b>
Inspection—Field – any additional.....	\$83.00

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







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): \_\_\_\_\_
- 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, 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 Management Services Department at (909) 395-2124 regarding this requirement.   
 (1) \_\_\_\_\_  
 (2) \_\_\_\_\_
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.



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

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

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

- 2.01 Record \_\_\_\_\_ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario per Tract Map Number 16552; parcel 4.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of \_\_\_\_\_
- 2.05 Apply for a:  Certificate of Compliance with a Record of Survey;  Lot Line Adjustment 
  - Make a Dedication of Easement.
- 2.06 **Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, cross-lot drainage, 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)
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA)
  - Other: \_\_\_\_\_
  
- 2.10 Dedicate to the City of Ontario the right-of-way described below: 

\_\_\_\_\_ 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. **Public Utility Easement for Sidewalk Purposes to be used only for sidewalk located in private property (behind the proposed driveway approach).**
  
- 2.12 New Model Colony (NMC) Developments: 
  - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
  - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
  - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
  
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.



- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$22,000, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
- 2.16 Other conditions: \_\_\_\_\_





**B. PUBLIC IMPROVEMENTS**  
 (See attached Exhibit 'A' for plan check submittal requirements.)

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

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



<b>Sewer</b> (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> <b>New lateral w/ clean-outs &amp; monitoring man-hole</b>	<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 type="checkbox"/> Service	<input checked="" type="checkbox"/> <b>New service for domestic use only w/ meter &amp; backflow device</b> <input checked="" type="checkbox"/> <b>New service for irrigation use only w/ meter &amp; backflow device</b> <input checked="" type="checkbox"/> <b>New service for fire use only w/ DCDA</b>	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input type="checkbox"/> New / Upgrade	<input type="checkbox"/> New / Upgrade	<input type="checkbox"/> New / Upgrade	<input type="checkbox"/> New / Upgrade
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input 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 checked="" type="checkbox"/> <b>Conduit / Appurtenances</b>	<input checked="" type="checkbox"/> <b>Conduit / Appurtenances</b>	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
<b>Removal of Improvements</b> (see Sec. 2.F)	<input checked="" type="checkbox"/> <b>Abandon existing utilities no longer to be used</b>	<input checked="" type="checkbox"/> <b>Abandon existing utilities no longer to be used</b>	_____	_____
Other Improvements	_____	_____	_____	_____





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

1. If there is a conflict with existing improvements (utility devices, utility lines/poles, etc.) during construction. Ultimate location of these improvements shall be in accordance with City Standard Drawing Numbers 1216 and 1217.
2. Existing improvements no longer to be used shall be abandoned or removed per the latest City Design Guidelines/Standard Drawings. All services/laterals shall be abandoned by shutting off the corporation stops at the existing main and removing the service pipe at the point of connection with the main.
3. The applicant/developer shall submit delta revisions to approved Potable Water, Recycled Water, and Sewer Improvement plans which reflect the installation of the proposed service laterals, and/or abandonment of unused existing service laterals. Delta revisions shall be submitted to the City for review and approval.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide  water service  sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately \_\_\_\_\_, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: \_\_\_\_\_

**C. SEWER**

- 2.23 **An 8-inch sewer main is available for connection by this project in Acacia Street. (Ref: Sewer plan bar code: S13503)**
- 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 applicant/developer shall install one (1) sewer laterals to the existing 8-inch sewer main in Acacia Street and equip each lateral with a monitoring manhole and clean-outs behind the property line per the latest City Design Guidelines/Standard Drawings.
  2. The applicant/developer or occupant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>).

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

Michael Birmelin, Environmental Programs Manager  
[omucenvironmental@ontarioca.gov](mailto:omucenvironmental@ontarioca.gov)  
 Phone: (909) 395-2661



**D. WATER**

- 2.27 A 12-inch water main is available for connection by this project in Acacia Street. (Ref: Water Drawing Number: W12880)
- 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. The applicant/developer shall install at minimum one (1) fire hydrant along Acacia Street property frontage per City Standard Drawing Number 4101.
  - 2. The applicant/developer shall install one (1) domestic water service to the existing 12-inch domestic water main in Acacia Street and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
  - 3. The applicant/developer shall install at minimum one (1) separate water service (for irrigation purposes only) to the existing 12-inch domestic water main in Acacia Street and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
  - 4. The applicant/developer shall install at minimum one (1) fire service to the existing 12-inch domestic water main in Acacia Street and equip the service with a DCDA behind the property line per the latest City Design Guidelines/Standard Drawings.

**E. RECYCLED WATER**

- 2.30 A recycled water main is not available for connection by this project. (Ref: Recycled Water Drawing Number: None)
  - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
  - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
  - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: \_\_\_\_\_

**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 construct all new driveway approaches per City Standard Drawing Number 1203.
  - 2. The applicant/developer shall replace any sidewalk panels currently damaged or damaged during construction per City Standard Drawing Number 1210.





3. The applicant/developer shall install parkway trees/landscaping along Acacia Street property frontage per the Landscape Planning Division Requirements.
4. All landscaping, block walls and other obstructions in the parkway shall be compatible with the stopping sight distance requirements per City Standard Drawing Number 1309.

**G. DRAINAGE / HYDROLOGY**

- 2.38 A storm drain main is available to accept flows from this project in Acacia Street. (Ref: Storm Drain Drawing Number: D10197)
- 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: \_\_\_\_\_

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

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





**J. SPECIAL DISTRICTS**

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum 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 the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand-hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Generally located along Grove Avenue and Acacia Street property frontage, see Fiber Optic Exhibit herein for reference.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.

**L. Solid Waste**

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:  
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions: 
  - 1. The applicant/developer shall construct a new trash enclosure with a solid roof per the Refuse & Recycling Planning Manual. The following are additional requirements:  
Prior to Building Permits
    - a. Submit a SWHP with the Precise Grading Plan for review and approval of Ontario Municipal Utilities Company.
      - i. Include on the SWHP how Organics separation and collections shall be handled in addition to refuse and recycling collections. This site shall comply with the Requirements of State Assembly Bill AM1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.
    - b. Size the trash enclosure for three (3) 4CY bins (one 4CY bin for refuse, one 4CY bin for recycling, and one 4CY bin for organics).

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

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02 Complete all requirements for recycled water usage. 
  - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
  - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
  - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.





- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06 Submit electronic copies (PDF & 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 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.



**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

**Project Number: PDEV19-026**

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

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

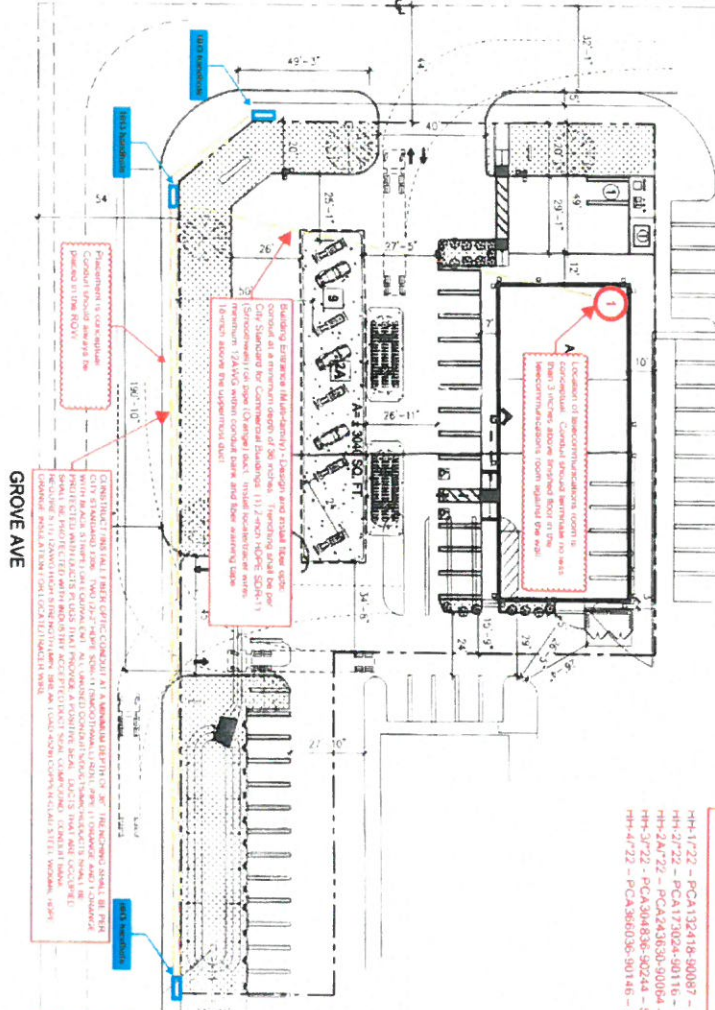


- 22.  One (1) copy of approved Tentative Map
- 23.  One (1) copy of Preliminary Title Report (current within 30 days)
- 24.  One (1) copy of Traverse Closure Calculations
- 25.  One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.
- 26.  Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 27.  **Other:**
  - 1. **Three (3) copies of the Public Easement Dedication Form (include all items in the Public Easement Dedication Application Checklist)**



FIBER OPTIC EXHIBIT  
 LAND FILE NO. PDEV19-026  
 1401 SOUTH GROVE AVENUE

ACACIA STREET



- One (1) 7-way Micro Duct (Duraline) - 16mm Tubes or Equivalent
- One (1) 2-inch HDPE SDR-11 Smoothwall Orange Conduit
- One (1) 13x24x18 Composite Polymer Concrete Hand Hole (HH1)
- One (1) 24x36x30 Composite Polymer Concrete Hand Hole (HH2A)
- One (1) 30x48x36 Composite Polymer Concrete Hand Hole (HH3)
- One (1) 36x60x36 Composite Polymer Concrete Hand Hole (HH4)

- HH-17-22 - PCA132418-90087 - Size 13" x 24" x 18"
- HH-27-22 - PCA172024-90116 - Size 17" x 30" x 24"
- HH-24-22 - PCA243636-90064 - Size 24" x 36" x 30"
- HH-37-22 - PCA304836-90244 - Size 30" x 48" x 36"
- HH-47-22 - PCA366036-90148 - Size 36" x 60" x 36"

GROVE AVE

LANDSCAPE PLAN  
 L-1.0  
 SCALE: 1"=20'

# CITY OF ONTARIO MEMORANDUM

**TO:** PLANNING DEPARTMENT, Denny Chen  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** May 15, 2019  
**SUBJECT:** PDEV19-026

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

---

#### Conditions of Approval

1. The Site address for this project will be 1401 S Grove Ave
2. Standard conditions of approval apply.

KS:lr





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Deny Chen, Associate Planner  
Planning Department

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

**DATE:** Date

**SUBJECT:** PDEV19-026 - A Development Plan to construct 6,000 square foot gas station with convenience store on 1 acre of land located at the southeast corner of Acacia Street and Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan (APN(s): 0113-361-54).  
Related File: PCUP19-010

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

### SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V - B
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 6,000 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 6,000 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): 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](http://www.ontarioca.gov), click on "Fire Department" and then on "Standards and Forms."
- 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

### 2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-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 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

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

#### 4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.8 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

#### 5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.6 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.
- 6.3 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:** Denny Chen, Associate Planner

**FROM:** Officer Emily Hernandez, Police Department

**DATE:** May 22, 2019

**SUBJECT:** PDEV19-026 – A DEVELOPMENT PLAN TO CONSTRUCT A 6,000 SQUARE FOOT GAS STION AND CONVIENCE STORE AT THE NORTHWEST CORNER OF GROVE AVENUE AND ACACIA STREET.

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

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

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

- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, and all cash registers. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.



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

The Applicant is invited to contact Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.



CITY OF ONTARIO  
MEMORANDUM

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

FROM: Denny Chen, Associate Planner

DATE: May 14, 2019

SUBJECT: FILE #: PDEV19-026

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 **Tuesday, May 28, 2019**.

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

**PROJECT DESCRIPTION:** A Development Plan to construct 6,000 square foot gas station with convenience store on 1 acre of land located at the northwest corner of Grove Avenue and Acacia Street, within the Business Park land use district of the Grove Avenue Specific Plan (APN(s): 0113-361-54).  
Related File: PCUP19-010

- 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.

Community Imp Dept      Signature      Title      Date 5/16/19

# AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-026 & PCUP19-010

Address: Southeast corner of Acacia Street & Grove Avenue

APN: 0113-361-54

Existing Land Use: Vacant/parking lot

Proposed Land Use: Development Plan to construct a 6,000 SF gas station & CUP to establish ancillary ABC Type 41 License

Site Acreage: 1 acres Proposed Structure Height: 23 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By  
Lorena Mejia

Contact Info:  
909-395-2276

Project Planner:  
Denny Chen

Date: 7/25/19

CD No.: 2019-036

PALU No.:

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input checked="" type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input checked="" type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 180 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: \_\_\_\_\_





# Development Advisory Board Decision

June 15, 2020

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

**FILE NO.:** PVAR19-005

**DESCRIPTION:** A Variance to deviate from certain minimum Development Code standards to facilitate the demolition of an existing drive-thru restaurant and the construction of a new 2,291 square foot In-N-Out Burger drive-thru restaurant, including a reduction in the minimum building and drive aisle setback from an arterial street (Vineyard Avenue) property line, from 25 feet to 15 feet, and for a reduction in the minimum drive aisle (drive-thru lane) setback from a local/collector street (G Street) property line, from 20 feet to 15 feet, on 1.571 acres of land located at the northwest corner of G Street and Vineyard Avenue, at 1891 East G Street, within the CCS (Convention Center Support Commercial) zoning district; (APNs: 0110-241-50 and 0110-241-54) **submitted by In-N-Out Burger. Planning Commission action is required.**

## ***Part I—BACKGROUND & ANALYSIS***

IN-N-OUT BURGER, (herein after referred to as “Applicant”) has filed an application requesting Variance request approval, File No. PVAR19-005, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site consists of two existing parcels of land that will be combined by Lot Line Adjustment (see Exhibit A—Aerial Photograph, attached), and includes the following:

- A 0.54-acre triangular-shaped parcel located at the northwest corner of G Street and Vineyard Avenue, at 1891 East G Street, which is currently developed with a 1,128 square foot In-N-Out Burger drive-thru restaurant and associated vehicle circulation, off-street parking, and landscaping improvements; and
- A trapezoidal-shaped one-acre vacant parcel located at 1885 East G Street, which abuts the existing developed parcel on the west side.

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>	Drive-thru restaurant	HOS (Hospitality, 1.0 FAR)	CCS (Convention Center Support Commercial)	N/A
<i>North:</i>	I-10 Freeway, Drive-thru Restaurant	HOS (Hospitality, 1.0 FAR)	CCS (Convention Center Support Commercial)	N/A
<i>South:</i>	Hotel, drive-thru restaurant	HOS (Hospitality, 1.0 FAR)	CCS (Convention Center Support Commercial)	N/A
<i>East:</i>	Gas station	HOS (Hospitality, 1.0 FAR)	CCS (Convention Center Support Commercial)	N/A
<i>West:</i>	Vacant	HOS (Hospitality, 1.0 FAR)	CCS (Convention Center Support Commercial)	N/A

(2) **Project Description:**

(a) Background — On June 24, 2019, the Applicant filed the subject Variance application and a related Development Plan application (File No. PDEV19-034) to facilitate the demolition of an existing In-N-Out Burger drive-thru restaurant and the construction of a new In-N-Out Burger drive-thru restaurant. The Applicant has proposed to replace the existing drive-thru restaurant with a new 2,291 square foot drive-thru restaurant, with dual queuing lanes and a large outdoor seating area. The Variance application requests a reduction in the minimum building and drive aisle setback required from an arterial street (Vineyard Avenue) property line, from 25 feet to 15 feet, and a reduction in the minimum required drive aisle (drive-thru lane) setback from a local/collector street (G Street) property line, from 20 feet to 15 feet. The Ontario Development Code requires Planning Commission review and approval of the Variance request.

The Project site is currently developed with an In-N-Out Burger drive-thru restaurant, which was built in the 1980s. Since the 1980s, Development Code standards have been updated, and the strict application of the drive aisle and building setbacks and minimum landscape setback standards would not allow the applicant to feasibly reconstruct the restaurant in order to provide a safer and more efficient ADA-accessible site plan and drive-thru. The current drive-thru is set back approximately 11 feet from the property line along Vineyard Avenue, and approval of the Variance request would allow the applicant to improve and expand the setback to 15 feet. Given the irregular shape of the Project site, the location of the adjacent I-10 freeway and off-ramp to the north and east, as well as the intersection of Vineyard Avenue and G Street to the southeast of the project site, the Variance application is necessary to facilitate the related Development Plan application and various related site improvements, such as additional on-site queuing space to eliminate on-street vehicle queuing that has occurred in the past, compliance with building and parking setbacks, landscaping and trash enclosure standards, provision of sufficient parking, and safer and more efficient site circulation, drive-thru, ingress, and egress. For these reasons, staff is recommending approval of the Variances requested.

**Part II—RECITALS**

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("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 (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on June 15, 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 recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines, which consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including the replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.

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

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

**SECTION 2: *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 3: *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.

**SECTION 4: 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 specific findings set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

(1) ***The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code.*** The 1.57-acre site is currently developed with an In-N-Out Burger drive-thru restaurant, which was built in the 1980s. Since the 1980s, Development Code standards have been updated, and the strict application of the drive aisle and building setbacks and minimum landscape setback standards would not allow the applicant to feasibly reconstruct the restaurant in order to provide a safer and more efficient ADA-accessible site plan and drive-thru. The current drive-thru is set back approximately 11 feet from the property line along Vineyard Avenue, and approval of the Variance request would allow the applicant to improve and expand the setback to 15 feet. Given the odd shape of the lot and the adjacent I-10 freeway and off-ramp to the north and east, as well as the intersection of Vineyard Avenue and G Street to the southeast of the project site, the Variance application is necessary to facilitate the related Development Plan application and various site improvements, such as additional on-site queuing space to eliminate on-street vehicle queuing that has occurred in the past, compliance with building and parking setbacks, landscaping and trash enclosure standards, provision of sufficient parking, and safer and more efficient site circulation, drive-thru, ingress, and egress. Additionally, the applicant will be providing a large outdoor patio for customer dining. The TOP land use designation for the project site is Hospitality, which allows for a 1.0 FAR; therefore, the project as proposed with an FAR of 0.03 does not maximize the use of the site. Strict interpretation and enforcement of the Development Plan's drive aisle and landscape setbacks would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Ontario Development Code. Further, TOP Goal LU3 allows for flexible response to conditions and circumstances in order to achieve the Vision; and

(2) ***There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district.*** Due to the odd parcel configurations and project location adjacent I-10 freeway and Vineyard Avenue and G Street intersection, the Variance application is necessary to facilitate the related Development Plan application. Requiring enforcement of the current Development Code standards would result in a project which is not economically feasible or which does not have efficient site circulation, as the current drive-thru facility was developed in the 1980s, which current setback and landscaping standards were not applicable to the site. Further, the requested relief from the minimum parking standards and drive aisle setbacks will allow for greater design flexibility and assist the Applicant in providing a project that will better serve its customers, will provide a safer site circulation and ample drive-thru queueing, and improve upon the streetscape in the neighborhood; and

(3) ***The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district.*** The requested relief from the minimum arterial street drive building and aisle setbacks along Vineyard Avenue, and from the minimum drive aisle setback along G Street, will allow for greater design flexibility and will serve to equalize development rights between the applicant and owners of property in the same zoning district, located within the area of the project site. In addition, the setback deviations will

provide the applicant the ability to comply with other Development Code regulations, such as landscaping percentage, adequate parking, building setbacks, safe and effective site circulation, and a new trash enclosure. Therefore, the strict or literal interpretation and enforcement of the specified regulations would deprive the applicant of privileges enjoyed by owners of other properties in the same zoning district and reduce the applicant's ability to create a well-designed project; and

(4) **The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.** A thorough review and analysis of the proposed Variance and its potential to adversely impact properties surrounding the subject site was completed by staff. As a result of this review, certain design considerations will be incorporated into the project as conditions of approval, to mitigate identified impacts to an acceptable level, including the use of upgraded materials, the inclusion of certain architectural design elements on building exteriors, intensified landscape elements, and decorative paving. The building is proposed to be sited at approximately the same location as the existing building, and additional queueing lane space will be provided in order to minimize potential impacts to the surrounding developments. Therefore, the granting of the Variance will not be detrimental to the public health, safety, or welfare, and will not be materially injurious to properties or improvements in the vicinity; and

(5) **The proposed Variance 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 the purposes of any applicable specific plan or planned unit development, and the purposes of this Development Code.** The proposed Project is located with the Hospitality (1.0 FAR) land use district of the Policy Plan Land Use Map, and the CCS (Convention Center Support Commercial) 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.

**SECTION 5: Development Advisory Board Action.** Based on the findings and conclusions set forth in Sections 1 through 4, 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 6: Indemnification.** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

**SECTION 7: Custodian of Records.** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

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APPROVED AND ADOPTED this 15th day of June 2020.

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Development Advisory Board Chairman

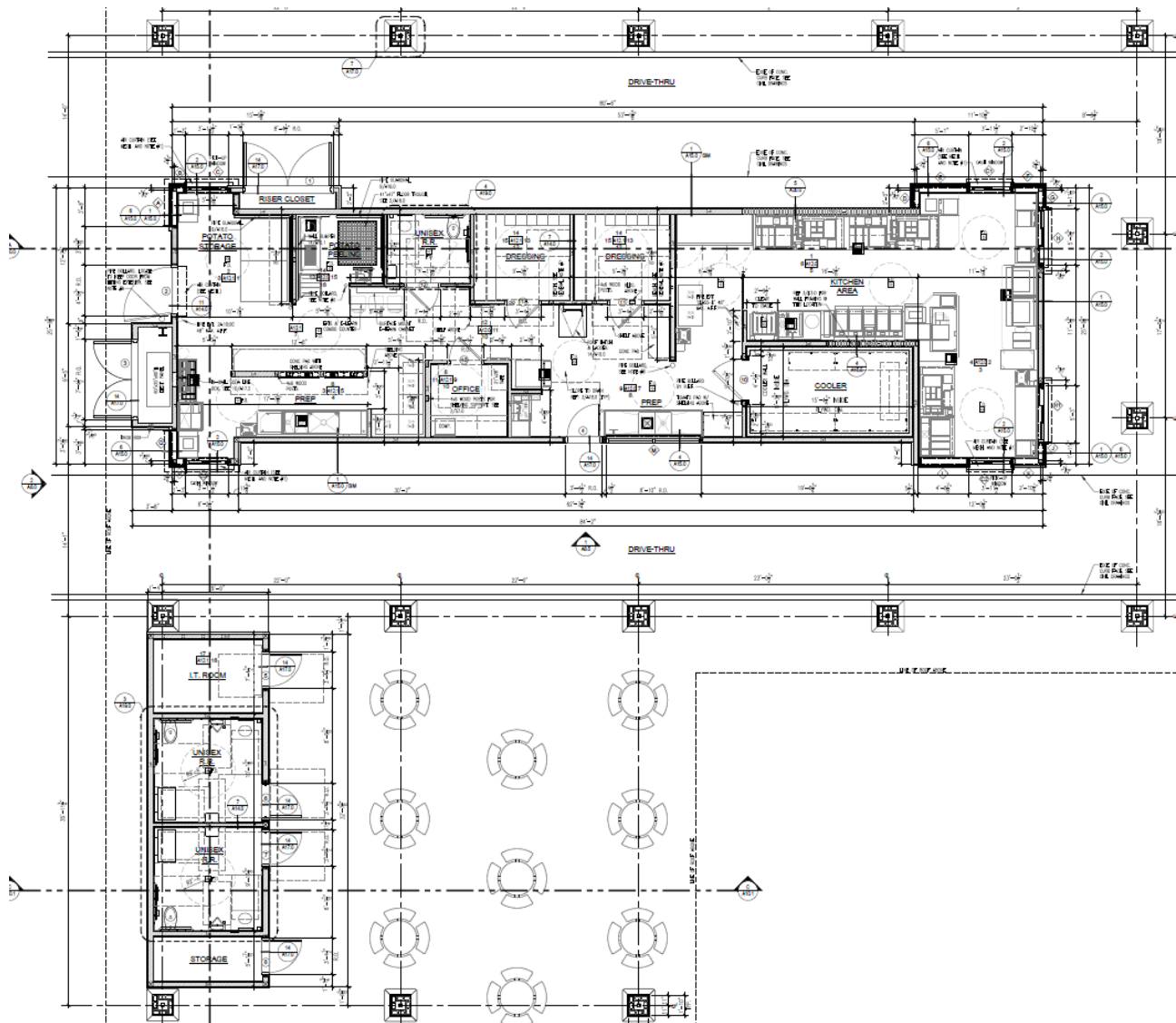
Exhibit A—PROJECT LOCATION MAP

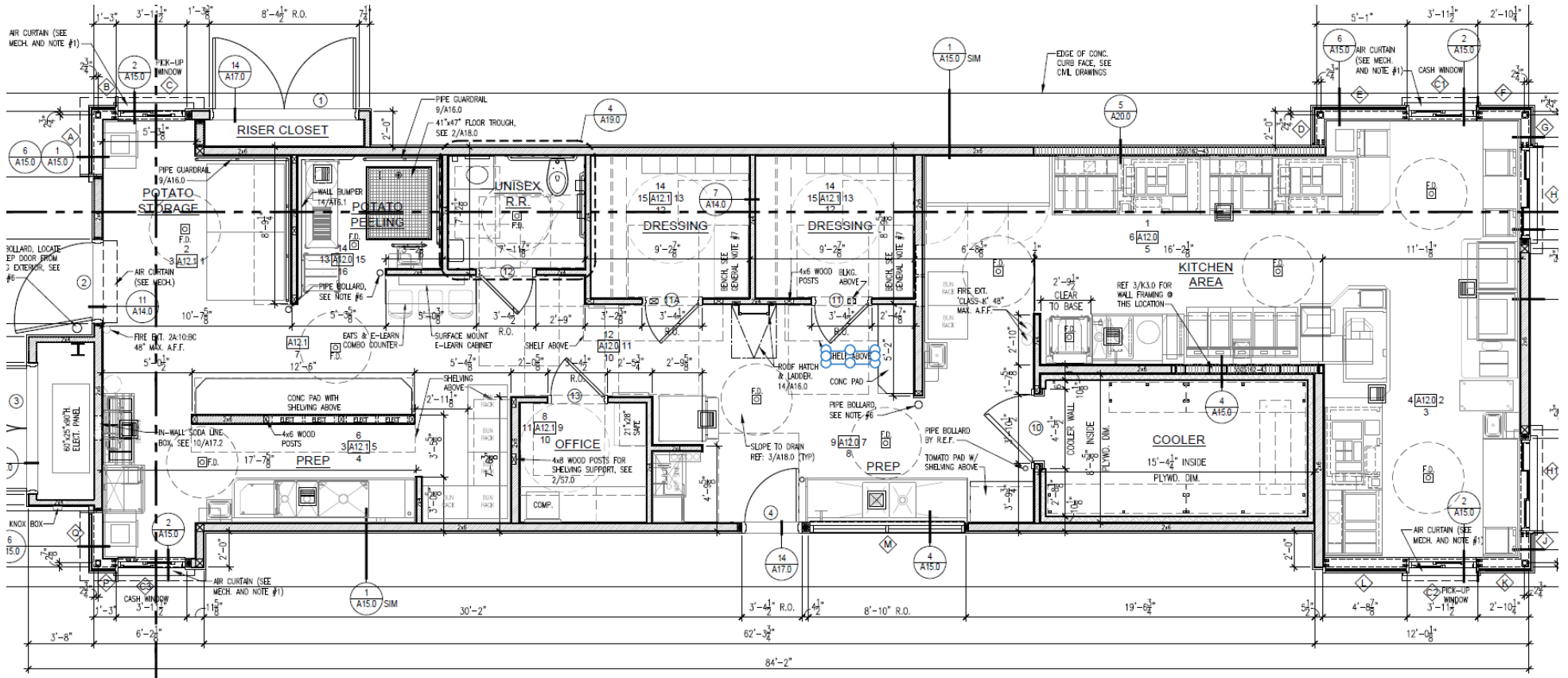






**Exhibit C—FLOOR PLAN/ENLARGED FLOOR PLAN**





**Exhibit D—ELEVATIONS**

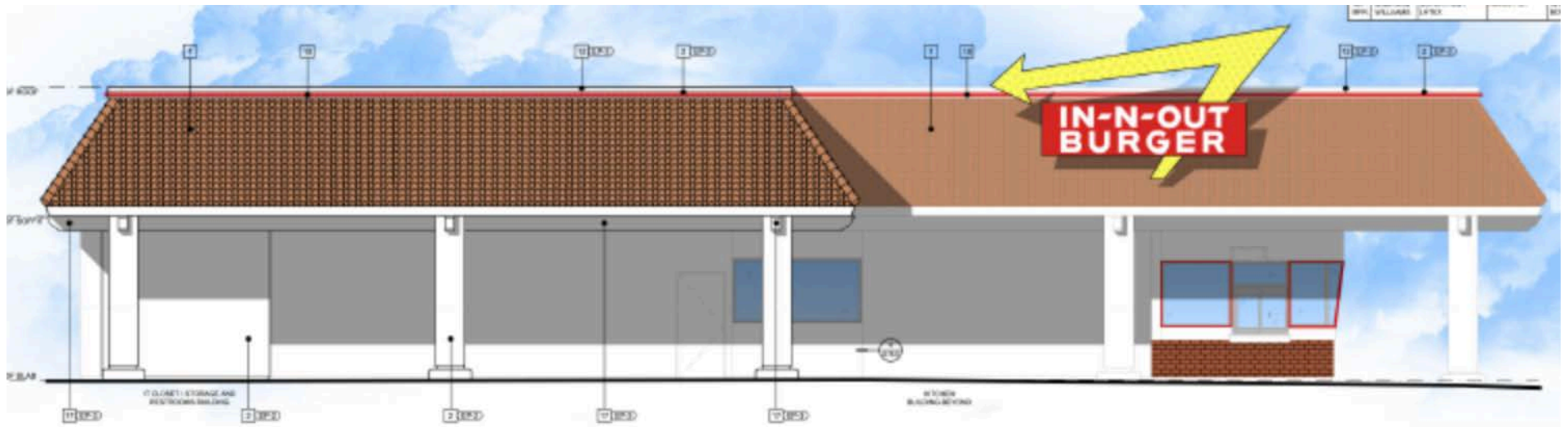






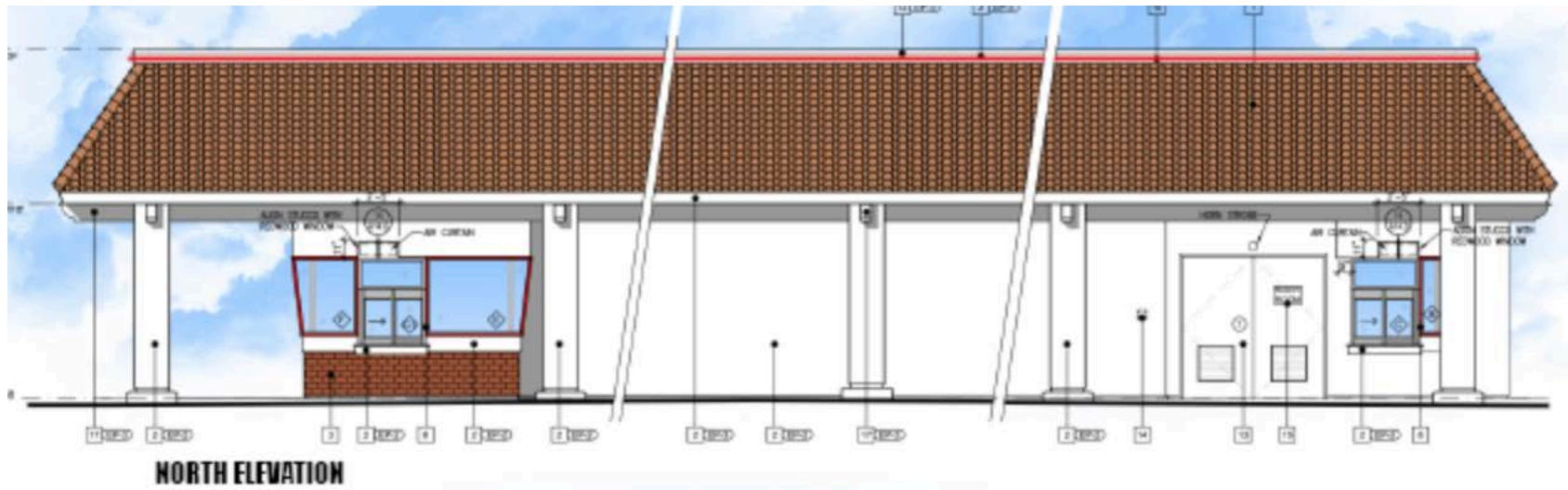


**EAST ELEVATION**



**SOUTH ELEVATION**







## 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:** June 15, 2020

**File No:** PVAR19-005

**Related Files:** PDEV19-034

**Project Description:** A Variance to deviate from certain minimum Development Code standards to facilitate the demolition of an existing In-N-Out Burger drive-thru restaurant and the construction of a new and expanded 2,291 square foot In-N-Out Burger drive-thru restaurant, including a reduction in the minimum building and drive aisle setback from an arterial street (Vineyard Avenue) property line, from 25 feet to 15 feet, and for a reduction in the minimum drive aisle (drive-thru lane) setback from a local/collector street (G Street) property line, from 20 feet to 15 feet, on 1.571 acres of land located at the northwest corner of G Street and Vineyard Avenue, at 1891 East G Street, within the CCS (Convention Center Support Commercial) zoning district; (APNs: 0110-241-50 and 0110-241-54) **submitted by In-N-Out Burger.**

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

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

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

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

**2.1 Time Limits.**

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

**2.2 Environmental Review.**

**(a)** The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15302 (Class 2, Replacement or Reconstruction) of the CEQA Guidelines.

**2.3** 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.

**2.4** Additional Requirements.

**(a)** Approval of File No. PVAR19-005 is contingent upon approval of related File No. PDEV19-034.

**(b)** The following Variances have been granted:

**(i)** A reduction in the minimum building setback from an arterial street (Vineyard Avenue) property line, from 25 feet to 15 feet; and

**(ii)** A reduction in the minimum drive aisle (drive-thru lane) setback from an arterial street (Vineyard Avenue) property line, from 25 feet to 15 feet; and

**(iii)** A reduction in the minimum drive aisle (drive-thru lane) setback from a local/collector street (G Street) property line, from 20 feet to 15 feet.





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Alexis Vaughn, Assistant Planner  
Planning Department

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

**DATE:** July 2, 2019

**SUBJECT:** PDEV19-034 - A Development Plan to Demolish an existing In-N-Out and construct a new 4,071 SF restaurant building with drive thru with 2 lanes and outdoor seating on 1.571 acres, located on the northwest corner of G street and Vineyard Avenue, within the CCS (Convention Center Support Commercial) zoning district. APNs: 0110-241-50, 0110-241-54. Related Record: PVAR19-005

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

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

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 4,071 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 4,071 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): A-2

## **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](http://www.ontarioca.gov), click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

### **2.0 FIRE DEPARTMENT ACCESS**

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-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 2016 California Fire Code, Appendix B, is 1750 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

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

#### **4.0 FIRE PROTECTION SYSTEMS**

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

#### **5.0 BUILDING CONSTRUCTION FEATURES**

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.

- ☒ 5.6 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.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Alexis Vaughn, Assistant Planner

**FROM:** Officer Emily Hernandez, Police Department

**DATE:** July 10, 2019

**SUBJECT:** PDEV19-034 – A DEVELOPMENT PLAN TO DEMOLISH AN EXISTING IN-N-OUT AND CONSTRUCT A NEW IN-N-OUT RESTAURANT WITH DRIVE-THRU AT THE NORTHWEST CORNER OF G STREET AND VINEYARD 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 listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. Photometrics shall be provided to the Police Department. Photometrics shall 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 building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions.

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

- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, all cash registers, and at least one camera shall capture any vehicle utilizing the drive-thru. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.



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

The Applicant is invited to contact Officer Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Alexis Vaughn  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** July 1, 2019  
**SUBJECT:** PDEV19-034

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

KS:lr

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-034 & PVAR19-005

Address: 1891 East G Street

APN: 0110-241-50 & 54

Existing Land Use: Fast Food Restaurant (In-N-Out)

Proposed Land Use: Development Plan to demo and construct a new 4,701 SF fast food restaurant & Variance to reduce the setback from 20 to 15 feet

Site Acreage: 1.5 acres Proposed Structure Height: 30 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Alexis Vaughn

Date: 7/25/19

CD No.: 2019-046

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

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>90 FT</u>	
<input type="radio"/> Zone 5			

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: \_\_\_\_\_

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

**PRELIMINARY PLAN CORRECTIONS**

Sign Off	
	4/14/20
Jamie Richardson, Sr. Landscape Planner	Date

Reviewer's Name: <b>Jamie Richardson</b>	Phone: <b>(909)395-2615</b>
<b>Jamie Richardson, Sr. Landscape Planner</b>	

D.A.B. File No.: PDEV19-034	Case Planner: Alexis Vaughn
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Project Name and Location:  
 In N Out Burger  
 NW corner of Vineyard Ave and G Street

Applicant/Representative:  
 In N Out Burger – Keli Burton  
 942 Calle Amanecer, Suite D  
 San Clemente, CA

<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan (dated ) 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.</b>
<input type="checkbox"/>	<b>A Preliminary Landscape Plan (dated 4/01/20) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>

**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. Locate utilities including light standards and storm drains out of landscape planters to not conflict with required tree locations. Coordinate civil plans with landscape plans. Locate the 18" storm drain located near the southern most parking island (only 2 spaces) 6' to the west to allow for required tree.
2. Add notes to civil plans: Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
3. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb. Plans show a 6" curb and a 12" step out for a total of 18". Change to a 12" total monolithically poured curb at row ends. Provide detail.

**Landscape Plans**

- ~~4. Do not have the dry stream bed/cobble die out and end at abrupt edges such as the curb, sidewalks, signs, etc.; enclose the stream bed prior to the edge of the planter space for a more natural, organic look.~~
5. Provide additional broad canopy shade trees;
  - Replace Crape Myrtle that is located behind the transformer with a Chinese Pistache or another broad canopy tree;
  - Provide a Chinese Pistache or another broad canopy tree at drive-thru entry (east side, across from the "Cooling Station");
  - Provide a Chinese Pistache or another broad canopy tree just north of the cooling station (where planter space widens and in between the proposed Cercidium's)
  - Provide a Chinese Pistache or another broad canopy tree along the northern drive-thru lane spaced equally between the proposed Cercidium and the proposed Acacia.
- ~~6. Remove the row of boulders at the utilities located to the east of the exit drive; above ground utilities are to be screened with landscape. To protect the utilities boulders may be used; cluster boulders in varying sizes at points of concern and provide enhanced landscape screening.~~

7. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations; coordinate with civil plans see comment #4.
8. Provide plant Latin and common names in legend with plant symbol.
9. Street trees for this project are: Cercis c. 'Forest Pansy' on G Street per the Master Street Tree Plan. Use evergreen background trees to contrast with deciduous street trees (or the opposite) and triangularly space between them.
10. Show and note 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
11. Tree irrigation (stream spray bubblers such as RainBird 5HB QBs ok in areas where overspray may occur) shall be on a separate valve, 2 heads per tree per 24" box size. Drip line shall be outside of trunk flare 8' square or diameter. Tree bubblers shall be installed on each side of the rootball for consistent wetting, 3' from tree trunk. Tree bubblers shall not overspray onto paving or spray tree stakes. Provide appropriate PC screen to reduce throw. RWS OK for palm trees.
12. Root barriers if required shall be maximum 12" deep linear application only.
- ~~13. Euphorbia tirucalli is poisonous; if owner chooses to use make sure the plants are set back in the planter spaces away from public spaces.~~
14. Provide preliminary MAWA calcs. Proposed water use must meet water budget.
15. 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.
16. Shrubs shall be five gallons, one gallon containers may be used for larger groundcover areas.
17. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
18. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:
 

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

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





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

Plan Check Sheet	
Sign Off	
Broadband Operations	7/25/19

Reviewer's Name: <b>Anna Vaca, Sr. Systems Analyst</b>	Phone: <b>909-395-2XXX</b>
D.A.B. File No.: PDEV19-034	Plan check #:
Project Name and Location: Development plan to demolish existing In-N-Out and construct a new restaurant building with drive thru, located at NWC of G Street and Vineyard Avenue	
Sent to: Antonio Alejos, Assistant Engineer	
<input checked="" type="checkbox"/>	Plan does adequately address the departmental concerns at this time.
<input type="checkbox"/>	Plan does not adequately address the departmental concerns at this time.
<input checked="" type="checkbox"/>	<b>It is recommended that the following conditions be incorporated into the Project's conditions of approval.</b>

CONDITIONS OF APPROVAL – PDEV19-034		
<input checked="" type="checkbox"/>	1.	The City of Ontario is developing a fiber-optic telecommunications system throughout the city commonly known as OntarioNet. The fiber-optic telecommunications system is capable of providing advanced Internet/data services to homes and businesses in feasible areas within the city. OntarioNet will provide community related services including: traffic management; online civic services; meter reading; educational services; and a variety of other community services. OntarioNet and the high-speed data services it provides will keep the city on par with the modern workforce and ever changing lifestyles of the people and the community.
<input checked="" type="checkbox"/>	2.	Communication systems proposed on-site facilities will be placed underground within a duct and structure system to be installed by the developer, as illustrated in Exhibit A, "Fiber Optics Plan". Maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not that of the developer, private homeowners association or private homeowners. Development of the project requires the installation by the developer of all fiber optic infrastructure necessary to service the project as a standalone development.
<input checked="" type="checkbox"/>	3.	The City requires public utility easement for fiber optics on all private aisles/alley ways.
<input checked="" type="checkbox"/>	4.	Trenching, joint trenching, and boring shall be used to install the fiber-optic conduits. Fiber-optic conduit placement will generally be in a joint trench with Street Light conduits or in a separate trench/bore and in the Right-of-Way (ROW) generally placed behind the sidewalk. Resulting conduit placement will be on the north side of street and the east side of street based on the direction of the street. Properly sized handholes shall be placed along the conduit path no greater than 500-feet apart in major streets and no greater than 300-feet apart within in-tract community streets. Handholes shall be strategically placed to allow for efficient entrance into commercial buildings, and residential properties and multi-dwelling units.
<input checked="" type="checkbox"/>	5.	Structured Wiring – An integrated structured wiring system (low-voltage wiring) provides infrastructure for today's technology applications and the framework for the future technology advances. Requirements and benefits of a structured wiring system include: <ul style="list-style-type: none"> <li>Residential (single-family and multi-family), commercial and industrial developments shall adhere to the City's Structured Wiring ordinance</li> </ul>

**CONDITIONS OF APPROVAL – PDEV19-034**

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



**GENERAL NOTES**

- IN-N-OUT BURGER GROSS SITE AREA = 68,421 S.F. OR 1.571 ACRES.
- ASSESSOR'S PARCEL NUMBER: 0110-241-50-0-000 (NOB STORE) AND 0110-241-54-0-000 (VACANT).
- CITY ZONE: CCS (CONVENTION CENTER SUPPORT COMMERCIAL).
- CITY GENERAL PLAN: HOSPITALITY.
- BUILDING AREA: 204 S.F. EXISTING, 2,291 S.F. PROPOSED.
- SEATING: 0 SEATS INDOOR IN EXISTING BUILDING, 0 SEATS INDOOR IN PROPOSED BUILDING, 64 SEATS OUTDOOR (16 TABLES).
- CITY REQUIRED PARKING:
  - 31 - FROM 13.3 SPACES PER 1,000 S.F. GROSS BUILDING AREA (2,291 S.F.).
  - 14 - FROM 13.3 SPACES PER 1,000 S.F. OF OUTDOOR SEATING AREA (16 TABLES x 64 S.F. PER TABLE = 1,024 S.F.) WITH A MAXIMUM VALUE OF 50% OF (1).
  - 25 - FROM CREDIT OF 1 SPACE PER 24' OF DRIVE-THRU LANE QUEUE BEHIND EACH PICK-UP WINDOW (25 VEHICLES).
  - 20 - TOTAL REQUIRED.
- PROPOSED PARKING:
  - 42 STANDARD 9'x18' SPACES.
  - 1 ACCESSIBLE 17'x18' SPACE.
  - 1 ACCESSIBLE 14'x18' SPACE.
  - 1 ACCESSIBLE EV 17'x18' SPACE.
  - 1 EV 9'x18' SPACE.
  - 1 FUEL EFFICIENT/CARPPOOL 9'x18' SPACE.
  - 1 LOADING 12'x18' SPACE.
  - 47 TOTAL SPACES.
- DRIVE-THRU LANE VEHICLE QUEUE: 6'-24" LONG VEHICLES CITY REQUIRED BEFORE THE PICK-UP WINDOW, 12 AND 13'-24" LONG VEHICLES PROPOSED.
- ONSITE STORMWATER RUNOFF WILL BE TREATED BY AN UNDERGROUND INFILTRATION SYSTEM WITH A BUBBLE-UP DRAIN BOX OVERFLOW INTO THE STREET THROUGH A NEW UNDERSIDEWALK PARKWAY DRAIN. THE PROPOSED UNDERGROUND INFILTRATION SYSTEM WILL CONSIST OF 36" DIAMETER PERFORATED HDPE BASED ON AN ADEQUATE SOIL PERCOLATION RATE.

**PARTIAL LEGEND**

- NEW 24"x36" CONCRETE DRAIN BOX INLET WITH A FLO-RAD PLUS FOSSIL FILTER INSERT FOR THE PRE-TREATMENT OF STORMWATER RUNOFF.
- APPROXIMATE LOCATION OF PROPOSED 22'-6" TALL FIXTURE HEIGHT LIGHT POLE ON TOP OF A 30" TALL 24" DIAMETER CONCRETE BASE FOR A TOTAL HEIGHT OF 25' TALL.
- PROPOSED INOB INSTALLED AND MAINTAINED DROUGHT TOLERANT LANDSCAPED PLANTER AND IRRIGATION SYSTEM ON-SITE CONSISTING OF APPROXIMATELY 18,984 SQUARE FEET (27.7%).
- PROPOSED INOB INSTALLED AND MAINTAINED DROUGHT TOLERANT LANDSCAPED PLANTER AND IRRIGATION SYSTEM OFF-SITE IN THE PUBLIC STREETS CONSISTING OF APPROXIMATELY 3,600 SQUARE FEET.
- EXISTING CLOSED COWBOY BURGER RESTAURANT LANDSCAPED PLANTER AND IRRIGATION SYSTEM CONSISTING OF APPROXIMATELY 5,040 SQUARE FEET.
- YELLOW TRUNCATED DOMES DETECTABLE WARNING STRIP.
- VEHICLE DETECTOR LOOP.
- OUTDOOR SEATING PATIO TABLE WITH NO UMBRELLA.
- OUTDOOR SEATING PATIO TABLE WITH AN UMBRELLA.
- FUTURE EV (ELECTRIC VEHICLE) CHARGEPOINT EXPRESS 250 CHARGING STATION (OR EQUIVALENT), PROPOSED 4" DIAMETER ELECTRIC PULL BOX AND CLEAR FLOOR SPACE.
- PROPOSED INOB INSTALLED AND MAINTAINED DROUGHT TOLERANT LANDSCAPED PLANTER AND IRRIGATION SYSTEM OFF-SITE ON THE CLOSED COWBOY BURGER RESTAURANT CONSISTING OF APPROXIMATELY 681 SQUARE FEET.
- NEW 3' TALL 18"x24" UT "DRIVE THRU" DIRECTIONAL SIGN.
- NEW 3' TALL 18"x24" UT "THANK YOU, DO NOT ENTER" DIRECTIONAL SIGN.
- NEW PEDESTRIAN CROSSWALK SIGN.
- ACCESSIBILITY ENTRY SIGN.
- ADA ACCESSIBLE PATH OF TRAVEL.
- NEW SCE ELECTRIC PAD MOUNT TRANSFORMER WITH BOLLARDS.
- PORTABLE TRASH RECEPTACLE ON A MINIMUM 24"x24"x4" CONCRETE PAD.
- PROPERTY LINE TO BE REMOVED.
- INOB LIMITS OF CONSTRUCTION.
- PROPOSED 18" TO 27" TALL 22" WIDE STUCCO COVERED CMU SEAT WALL WITH A PRECAST CONCRETE CAP.
- PROPOSED 46" TALL TUBE STEEL FENCE (TSF).
- PROPOSED 3' MAXIMUM TALL STACKED WALL.
- HEIGHT OF PROPOSED RETAINING WALL IN FEET.
- IN-N-OUT BURGER.
- PROPERTY LINE.
- NEW CONCRETE SIDEWALK.

- One (1) 7-way Micro Duct (Duraline) - 16mm Tubes or Equivalent
- One (1) 2-inch HDPE SDR-11 Smoothwall Orange Conduit
- One (1) 13x24x18 Composite Polymer Concrete Hand Hole (HH1)
- One (1) 24x36x30 Composite Polymer Concrete Hand Hole (HH2A)
- One (1) 30x48x36 Composite Polymer Concrete Hand Hole (HH3)
- One (1) 36x60x36 Composite Polymer Concrete Hand Hole (HH4)

- HH-1/\*22 - PCA132418-90087 - Size 13" x 24" x 18"
- HH-2/\*22 - PCA173024-90116 - Size 17" x 30" x 24"
- HH-2A/\*22 - PCA243630-90064 - Size 24" x 36" x 30"
- HH-3/\*22 - PCA304836-90244 - Size 30" x 48" x 36"
- HH-4/\*22 - PCA366036-90146 - Size 36" x 60" x 36"

CONSTRUCT/INSTALL FIBER OPTIC CONDUIT AT A MINIMUM DEPTH OF 36", TRENCHING SHALL BE PER CITY STANDARD 1306. TWO (2)-2" HDPE SDR-11 (SMOOTHWALL) ROLL PIPE (1 ORANGE AND 1-ORANGE WITH BLACK STRIPE) OR EQUIVALENT. ALL UNUSED CONDUITS/DUCTS/MICRODUCTS SHALL BE PROTECTED WITH DUCTS PLUGS THAT PROVIDE A POSITIVE SEAL. DUCTS THAT ARE OCCUPIED SHALL BE PROTECTED WITH INDUSTRY ACCEPTED DUCT SEAL COMPOUND. CONDUIT BANK REQUIRES (1) 12AWG HIGH STRENGTH (MIN. BREAK LOAD 452#) COPPER-CLAD STEEL W/30MIL HDPE ORANGE INSULATION FOR LOCATE/TRACER WIRE.

Placement is conceptual. Conduit should always be placed in the ROW

INSTALL FIBER OPTIC HANDHOLE HH-3/22 (PCA304836-90244) NEWBASIS; LESS THAN OR EQUAL TO 432 STRANDS. PER CITY STANDARD 1316 CONDUITS SWEEPING INTO HANDHOLES SHALL ENTER IN FLUSH WITH THE CUT OUT MOUSE HOLES ALIGNED PARALLEL TO THE BOTTOM OF THE BOX AND COME IN PERPENDICULAR TO THE WALL OF THE BOX. CONDUITS SHALL NOT ENTER AT ANY ANGLE OTHER THAN PARALLEL PROVIDE 5' MIN CLEARANCE FROM EXISTING/PROPOSED UTILITIES. ALL HANDHOLES WILL HAVE 1/4" INCH GALVANIZED WIRE BETWEEN THE HANDHOLES AND THE GRAVEL ITS PLACED ON.

- SIMPLIFIED EASEMENTS**
- RELINQUISHMENT OF ABUTTERS RIGHTS OF ACCESS TO THE FREEWAY PER O.R. 2866-106 AND O.R. 2938-546.
  - 13' WIDE CITY SEWER EASEMENT PER O.R. 7658-980, P.M. NO. 8348, AND R.S. 99-1040.
  - 10' WIDE CITY SEWER EASEMENT PER O.R. 7658-980, P.M. NO. 8348, AND R.S. 99-1040 TO BE QUITCLAIMED.
  - 8' WIDE SCE EASEMENT PER INST. NO. 84-229109 REC. 09-24-1984 TO BE QUITCLAIMED.
  - 15' WIDE CITY WATER EASEMENT PER INST. NO. 19990501514 REC. 12-07-1999 TO BE QUITCLAIMED.
  - CITY STREET AND SIDEWALK EASEMENT PER INST. NO. 20000425902 REC. 11-21-2000.
  - PROPOSED 15' WIDE CITY SEWER EASEMENT.
  - PROPOSED 5' WIDE CITY SEWER EASEMENT.

**SHEET INDEX OF CITY ENTITLEMENT DRAWINGS**

NO.	SHEET TITLE
C30	CITY ENTITLEMENT NEW SITE PLAN
C31	CITY ENTITLEMENT DEMOLITION PLAN
C32	CITY ENTITLEMENT GRADING AND DRAINAGE PLAN
C33	CITY ENTITLEMENT SITE CROSS SECTIONS
C34	CITY ENTITLEMENT STORM DRAIN AND UTILITY PLAN
C35	CITY ENTITLEMENT CONCEPTUAL WQMP COMPLIANCE PLAN
C36	CITY ENTITLEMENT EXISTING SITE PLAN
C37	CITY ENTITLEMENT SITE UTILIZATION MAP
C38	CITY ENTITLEMENT TOPOGRAPHY SURVEY MAP
LPP.1	CITY ENTITLEMENT LANDSCAPE PLANTING PLAN
LPP.2	CITY ENTITLEMENT LANDSCAPE COLORED RENDERING
LPP.3	CITY ENTITLEMENT LANDSCAPE PLANT BOARD

**IN-N-OUT BURGER**

DEVELOPER:  
IN-N-OUT BURGER  
13502 HAMBURGER LANE  
BALDWIN PARK, CA 91706  
CONTACT: KATIE SANCHEZ  
PHONE: 626 813-8279

**Underground Service Alert**

Call: Toll Free  
**811**  
TWO WORKING DAYS BEFORE YOU DIG

**REVISIONS**


GHA PROJECT NO. ---

**GHA**  
Architecture/Development  
14901 Quorum Drive  
Suite 300  
Dallas Texas 75254  
Ph: (972) 239-8864  
Fax: (972) 239-5054

CIVIL ENGINEER:  
**MSI ENGINEERING, INC.**  
CIVIL ENGINEERS AND LAND SURVEYORS SPECIALIZING IN SITE DEVELOPMENT  
402 WEST ARROW HWY., SUITE 4, SAN DIMAS, CA 91773  
(909) 305-2395 FAX (909) 305-2397

Mark S. Lamoureux  
MARK S. LAMOUREUX

06-10-19  
DATE

**IN-N-OUT BURGER**  
STORE #34  
1885 AND 1891 E. G STREET  
ONTARIO, CA 91764

**CITY ENTITLEMENT NEW SITE PLAN**

**C30**

Item E - 31 of 100





# CITY OF ONTARIO MEMORANDUM

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

FROM: Alexis Vaughn, Assistant Planner

DATE: June 26, 2019

SUBJECT: FILE #: PVAR19-005

Finance Acct#:

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

- 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 Variance to deviate from the minimum Development Code standard for landscape setback, from 20 feet to 15 feet, in conjunction with the construction of an a new 4,071 SF restaurant building (In N Out) with drive thru with 2 lanes and outdoor seating on 1.571 acres, located on the northwest corner of G street and Vineyard Avenue, within the CCS (Convention Center Support Commercial) zoning district. APNs: 0110-241-50, 0110-241-54. Related File: PDEV19-034

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

Broadband Operations	Anna Vaca	Sr. Systems Analyst	07/25/2019
Department	Signature	Title	Date





**ENGINEERING DEPARTMENT  
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> <b>DEVELOPMENT PLAN</b> <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
<b>PROJECT FILE NO. <u>PDEV19-034</u></b>  <b>RELATED FILE NO(S). <u>PVAR19-005</u></b>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

**CITY PROJECT ENGINEER & PHONE NO:** Antonio Alejos *A.A.* (909) 395-2384

**CITY PROJECT PLANNER & PHONE NO:** Alexis Vaughn (909) 395-2416

**DAB MEETING DATE:** June 15<sup>th</sup>, 2020

**PROJECT NAME / DESCRIPTION:** PDEV19-034, a Development Plan to demolish an existing drive-thru structure and construct a new 4,071-square foot restaurant with two drive-thru lanes and outdoor seating (In-N-Out) on 1.57 acres of land.

**LOCATION:** 1885 & 1891 E 'G' Street

**APPLICANT:** In-N-Out

**REVIEWED BY:** *for Raymond Lee* 6/10/20  
Bryan Lirley, P.E. Date

**APPROVED BY:** *Raymond Lee* 6/10/20  
Raymond Lee, P.E. Date  
Assistant City Engineer







- 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 three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments: 
  - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
  - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
  - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: \_\_\_\_\_

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

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

- 2.01 Record Parcel Map/Tract Map No. \_\_\_\_\_ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario per Parcel Map No. 8348; Parcel 1.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of \_\_\_\_\_ .
- 2.05 **Apply for a:**  **Certificate of Compliance with a Record of Survey;**  **Lot Line Adjustment (to merge two parcels, APNs 0110-241-50 & 0110-241-54).**
- 2.06  Make a Dedication of Easement.  
 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)
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA)
  - Other: \_\_\_\_\_
- 2.10 Dedicate to the City of Ontario the right-of-way described below: 

\_\_\_\_\_ 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 20-FT Public Utility Easement for Sewer Purposes to be centered on the new portion of sewer main that runs in the private property (within shared drive aisle).**
- 2.12 **New Model Colony (NMC) Developments:** 
  - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
  - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
  - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**





- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
  
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$33,000, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
  
- 2.16 Other conditions:
  - 1. Provide a copy of an executed reciprocal access easement to be used for the shared driveway approach, between the westerly parcel (APN 0110-241-55) and the center parcel (APN 0110-241-54).





**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	"G" St	Vineyard Av	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify Existing Shared Drive Approach <input checked="" type="checkbox"/> In-fill existing drive approach no longer to be used	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk (see Sec. 2.F)	<input checked="" type="checkbox"/> Replaced damaged	<input checked="" type="checkbox"/> Replaced damaged	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway (see Sec. 2.F)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant (see Sec. 2.D)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade	<input type="checkbox"/> New / Upgrade



<b>Sewer</b> (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> New lateral w/ clean-outs & monitoring man-hole	<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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> New service w/ meter & backflow device <input checked="" type="checkbox"/> New service for fire use only w/ DCDA	<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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> New service w/ meter (for irrigation purposes only)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Street Light</b> (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade	<input type="checkbox"/> New / Upgrade
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Storm Drain</b> (see Sec. 2G)	<input checked="" type="checkbox"/> Under sidewalk drain <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 checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
<b>Removal of Improvements</b>	<input checked="" type="checkbox"/> Abandon existing utilities no longer to be used	_____	_____	_____





Other Improvements				
--------------------	--	--	--	--

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

1. If there is a conflict with existing improvements (utility devices, utility lines/poles, etc.) during the construction of the proposed improvements, then the ultimate location of these improvements shall be in accordance with City Standard Drawing Numbers 1216 and 1217.
2. Existing utility mains/services no longer to be used shall be abandoned or removed per the current City procedure. All services/laterals shall be abandoned by shutting off the corporation stops at the existing main and removing the service pipe at the point of connection with the main.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): 
  1. 'G' Street - Minimum limits of construction shall be along the entire property frontage, from the north side curb to the south side curb.
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide  water service  sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately \_\_\_\_\_, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: \_\_\_\_\_

**C. SEWER**

- 2.23 A \_\_\_\_\_ inch sewer main is available for connection by this project in \_\_\_\_\_   
 (Ref: Sewer plan bar code: \_\_\_\_\_)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 700 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 following sewer system improvements shall be installed:
    - a. Install a minimum 12-inch sewer main starting and connecting to the northeasterly most existing Public Sewer Manhole within the Project Site and then extending westerly to G Street and then extending southeasterly in G Street to connect to the existing Sewer main in Vineyard Avenue. Once this new sewer main is installed and active the existing Public Sewer Main that runs through the Project Site and to Vineyard Avenue shall be abandoned to City Requirements and all existing services connected to it shall be replaced with a new service connected to the new main.
  2. The applicant/developer shall install one (1) sewer laterals to the new sewer main in "G" Street and equip each lateral with a monitoring manhole and clean-outs behind the property line per the latest City Design Guidelines/Standard Drawings.



3. The applicant/developer or occupant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply will all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>)

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

Michael Birmelin, Environmental Programs Manager  
[omucenvironmental@ontarioca.gov](mailto:omucenvironmental@ontarioca.gov)  
 Phone: (909) 395-2661

#### D. WATER

- 2.27 A \_\_\_\_\_ inch water main is available for connection by this project in \_\_\_\_\_ (Ref: Water plan bar code: \_\_\_\_\_)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately 700 feet away.
- 2.29 Other conditions: 
  1. The following domestic water system improvements shall be installed:
    - a. An 18-inch 1212PZ Potable Water main in G Street connecting from the existing 18-inch 1212PZ main at the westerly Project Boundary and extending easterly in G Street to connect both the 18-inch and 12-inch 1212PZ Potable Water mains in Vineyard Avenue. Once This main is installed and active, the existing 18-inch 1212PZ Potable water main running through the Project site shall be abandoned to City Requirements and all existing services connected to it shall be replaced with new services connected to the new main.
  2. The applicant/developer shall install at minimum one (1) fire hydrant along “G” Street property frontage per City Standard Drawing Number 4101.
  3. The applicant/developer shall install one (1) domestic water service to the new domestic water main in “G” Street and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
  4. The applicant/developer shall install at minimum one (1) separate water service (for irrigation purposes only) to the existing 12-inch domestic water main in Acacia Street and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
  5. The applicant/developer shall install at minimum one (1) fire service to the existing 12-inch domestic water main in Acacia Street and equip the service with a DCDA behind the property line per the latest City Design Guidelines/Standard Drawings.

#### E. RECYCLED WATER

- 2.30 A \_\_\_\_\_ inch recycled water main is available for connection by this project in \_\_\_\_\_ (Ref: Recycled Water plan bar code: \_\_\_\_\_)
- 2.31 Design and construct a recycled water main extension. A water main is not available for direct connection. The closest main is approximately 1,100 feet away.
- 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. The following recycled water system improvements shall be installed:
  - a. An 8-inch 1299PZ Recycled Water main in G Street connecting from the existing 1299PZ main in G Street at Corona Avenue extending easterly in G Street to Vineyard Avenue.
  - b. This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses.
2. The applicant/developer shall install at minimum one (1) recycled water service (for irrigation purposes only) to the new recycled water main in "G" Street per the latest City Design Guidelines/Standard Drawings.
3. Prior to issuance of any permits, the following shall be submitted for approval:
  - a. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
  - b. Submit an Engineering Report (ER) to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.  
For ER application questions, please contact:  
  
Cynthia Heredia-Torres  
P (909) 395-2647  
F (909) 395-2608  
[ctorres@ontarioca.gov](mailto:ctorres@ontarioca.gov)
4. Prior to Occupancy Release/Finalizing:
  - a. Pass start-up and cross-connection test successfully.
  - b. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.

#### 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 construct all new driveway approaches per City Standard Drawing Number 1203.
2. The applicant/developer shall modify the existing shared driveway approach between the proposed project site and the adjacent site (previously Cowboy Burger Restaurant) to meet current ADA requirements.
3. The applicant/developer shall in-fill all existing driveway approaches no longer to be used with full height curb, sidewalk and parkway landscaping per the latest City Guidelines/Standard Drawings.





4. The applicant/developer shall replace any sidewalk panels currently damaged or damaged during construction per City Standard Drawing Number 1210.
5. The applicant/developer shall install parkway trees/landscaping along "G" Street property frontage per the Landscape Planning Division Requirements.
6. All landscaping, block walls and other obstructions in the parkway shall be compatible with the stopping sight distance requirements per City Standard Drawing Number 1309.
7. The applicant/developer shall be responsible to design and construct an in-fill public street light along 'G' Street property frontage. Street lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines.
  - a. The new street light shall be located 160-ft (+/- 15-ft) away from the existing street light located in the adjacent site's property frontage.
8. The applicant/developer shall convert the existing street lights along the properties frontage at Vineyard Avenue and 'G' Street with LED cobra heads in accordance with the City's Traffic and Transportation Design Guidelines.

**G. DRAINAGE / HYDROLOGY**

- |                                     |      |  |                          |
|-------------------------------------|------|--|--------------------------|
| <input checked="" type="checkbox"/> | 2.38 | A storm drain main is not available to accept flows from this project. (Ref: Storm Drain plan bar code: <u>None</u> )  | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 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. | <input type="checkbox"/> |
| <input type="checkbox"/>            | 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.  | <input type="checkbox"/> |
| <input type="checkbox"/>            | 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.   | <input type="checkbox"/> |
| <input type="checkbox"/>            | 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.   | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 2.43 | <b>Other conditions:</b> <ol style="list-style-type: none"> <li>1. The applicant/developer shall install an under sidewalk drain along 'G' Street property frontage to direct overflow run-off onto the street per the latest City Design Guidelines/Standard Drawings.</li> </ol>   | <input type="checkbox"/> |

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

- |                          |      |  |                          |
|--------------------------|------|--|--------------------------|
| <input type="checkbox"/> | 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.<br>If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.<br>Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130. | <input type="checkbox"/> |
|--------------------------|------|--|--------------------------|





- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: \_\_\_\_\_

**J. SPECIAL DISTRICTS**

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum 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 the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

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

**L. Solid Waste**

- 2.52 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>**
- 2.53 **Other conditions:** 
  - 1. **Prior to issuance of any permits, the following shall be submitted for approval:**
    - a. **A Final Solid Waste Handling Plan (SWHP) to be accompanied with the Precise Grading Plan Submittal. See SWHP Requirements document for details.**
    - b. **A Final Integrated Waste Management Report (IWMR) to be accompanied with the Precise Grading Plan Submittal. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.). The IWMR shall demonstrate compliance with the "Integrated Waste Management Report Requirements" document.**



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

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

**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 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.**





## **EXHIBIT 'A'**

### **ENGINEERING DEPARTMENT First Plan Check Submittal Checklist**

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**Project Number: PDEV19-034**

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

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



- 22.  One (1) copy of approved Tentative Map
- 23.  One (1) copy of Preliminary Title Report (current within 30 days)
- 24.  One (1) copy of Traverse Closure Calculations
- 25.  One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.
- 26.  Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 27.  **Other:**
  - 1. **Three (3) copies of the Lot Line Adjustment Form (include all items in the Lot Line Adjustment Application Checklist)**
  - 2. **Three (3) copies of the Public Easement Dedication Form (include all items in the Public Utility Easement Application Checklist)**









# Development Advisory Board Decision

June 15, 2020

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

**FILE NO.:** PDEV19-034

**DESCRIPTION:** A Development Plan to raze an existing drive-thru restaurant and construct a new 2,291 square-foot drive-thru restaurant (In-N-Out Burger) on 1.57 acres of land located at the northwest corner of G Street and Vineyard Avenue, at 1891 East G Street, within the CCS (Convention Center Support Commercial) zoning district; (APNs: 0110-241-50 and 0110-241-54) **submitted by In-N-Out Burger. Planning Commission action is required.**

## ***Part I—BACKGROUND & ANALYSIS***

IN-N-OUT BURGER, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-034, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site consists of two existing parcels of land that will be combined by Lot Line Adjustment (see Exhibit A—Aerial Photograph, attached), and includes the following:

- A 0.54-acre triangular-shaped parcel located at the northwest corner of G Street and Vineyard Avenue, at 1891 East G Street, which is currently developed with a 1,128 square foot In-N-Out Burger drive-thru restaurant and associated vehicle circulation, off-street parking, and landscaping improvements; and
- A trapezoidal-shaped one-acre vacant parcel located at 1885 East G Street, which abuts the existing developed parcel on the west side.

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>	Drive-thru restaurant	HOS (Hospitality, 1.0 FAR)	CCS (Convention Center Support Commercial)	N/A
<i>North:</i>	I-10 Freeway, Drive-thru Restaurant	HOS (Hospitality, 1.0 FAR)	CCS (Convention Center Support Commercial)	N/A
<i>South:</i>	Hotel, drive-thru restaurant	HOS (Hospitality, 1.0 FAR)	CCS (Convention Center Support Commercial)	N/A
<i>East:</i>	Gas station	HOS (Hospitality, 1.0 FAR)	CCS (Convention Center Support Commercial)	N/A
<i>West:</i>	Vacant	HOS (Hospitality, 1.0 FAR)	CCS (Convention Center Support Commercial)	N/A

(2) **Project Description:**

(a) Background — On June 24, 2019, the applicant submitted File No. PDEV19-034, a Development Plan, and File No. PVAR19-005, a related Variance, to facilitate the demolition of an existing In-N-Out drive-thru restaurant and the construction of a new and expanded 2,291 square foot In-N-Out drive-thru restaurant, with dual queuing lanes and outdoor seating. The Variance application requests a reduction in the minimum building and drive aisle setback required from an arterial street (Vineyard Avenue) property line, from 25 feet to 15 feet, and a reduction in the minimum required drive aisle (drive-thru lane) setback from a local/collector street (G Street) property line, from 20 feet to 15 feet. The Ontario Development Code requires Planning Commission review and approval for Development Plans filed in conjunction with Variance requests.

(b) Site Design/Building Layout — The Project proposes the demolition of an existing drive-thru restaurant building and the construction of a new expanded facility, which is oriented in a north-south configuration, located near the eastern edge of the project site. The building consists of one main kitchen, prep, and staff/service building, and one smaller customer restroom/utility closet building, which are connected by the drive-thru porte-cochere and covered patio (see Exhibit D: Elevations). The building will be set back 120.6 feet from the northerly (I-10 Freeway) property line, 26 feet from the easterly (Vineyard Avenue) property line, 68 feet from the southerly (G Street) property line, and 201.4 feet from the westerly interior property line (see Exhibit B—Proposed Site Plan, attached). The Project expands the queue lane and parking area into the adjacent property to the west, to provide ample parking and queuing areas for restaurant patrons and staff.

(c) Site Access/Circulation — The proposed parking lot, drive-thru, and drive aisles will be accessed from G Street. No ingress or egress is provided along the Project's Vineyard Avenue frontage due to the site's proximity to the I-10 Freeway offramp to the north and the intersection with G Street to the south. The Project is provided three vehicular accesses along the site's G Street frontage, including one 16-foot wide egress-only driveway that intersects with the end of the drive-thru lane, one 25-foot wide ingress-egress driveway that provides direct access to the drive-thru lane, and one 25-foot wide ingress-egress driveway that is shared with the abutting property to the northwest. The drive-thru is entered near the northeast corner of the Project site, runs parallel to the site's northerly (I-10 Freeway), easterly (Vineyard Avenue), and southerly (G Street) property lines, and exits into the parking lot midway along the southerly property line.

(d) Parking — As verified in the Parking Summary Table, below, the Project is required to provide a minimum of 20 off-street parking spaces pursuant to the off-street parking standards specified in the City's Development Code. The Project proposes to provide a total of 47 off-street parking spaces and space for 25 cars within the drive-thru lanes, exceeding the minimum off-street parking requirements by 135 percent. The Ontario Development Code requires approval by the Planning Commission when parking in excess of 10 percent above the required number is proposed. The applicant has stated a desire for extra parking and queuing, as the restaurant employs 10-15 associates per shift. Additionally, the restaurant frequently generates automobile traffic above and beyond a typical fast food location, especially during peak hours. The Applicant's experience has been that parking and queuing lanes at many In-N-Out locations in similar areas in and around Ontario are insufficient to serve their customer base, resulting in cars queuing/stacking on adjacent roadways, which can cause traffic impacts. By providing parking and queuing/stacking area above and beyond the Ontario Development Code requirement, the applicant is anticipating the elimination of the potentially hazardous overflow of customers into the adjacent roadway.

Parking Summary Table				
Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
Fast Food Restaurants	2,291 SF	13.3 spaces per 1,000 SF of GFA.	20	45
	600 LF of drive-thru lane	One space for each 24 lineal feet of drive-thru lane behind the pickup window	0	25
<b>TOTAL</b>			<b>20</b>	<b>70</b>

(e) Architecture — The Project features a simple and clean architectural style which will serve to pay homage to historic In-N-Out locations from the 1940s and 1950s. The Project will utilize the following treatments (see Exhibit D: Elevations):

- White-painted stucco body with fine sand float finish
- Signature terra cotta tile mansard roof
- Brick veneer wainscot at the pedestrian pick-up window
- Decorative wood corbels
- Angled red window trim at the customer pick-up windows
- LED cove lighting along the top of the roof
- Canopy with white stucco columns above the drive-thru lanes and outdoor seating area
- Enhanced In-N-Out logo signage to provide additional visual interest

(f) Landscaping — A 15-foot wide landscaped area has been provided along the Project's Vineyard Avenue and G Street frontages. The Development Code requires that a minimum 13 percent landscape coverage must be provided for corner lots located in the CCS (Convention Center Support Commercial) zoning district. The Project is providing approximately 35 percent landscape coverage, which exceeds the minimum requirement (see Exhibit E—Conceptual Landscape Plan, attached). A variety of trees will be planted on-site, including In-N-Out's signature Washingtonia Filifera "cross palms," olive, Chinese pistache, and acacia trees. The site will also be planted with an assortment of shrubs, grasses, and ground covers, such as a variety of agave and aloe, century plant, flax lily, blue chalksticks, and blue grama grass.

The applicant is proposing outdoor seating in front of the restaurant, along the west elevation of the building. The outdoor seating area will be delineated from the drive-thru by a low seat wall and landscape buffer. A portion of the tables will be under a canopy integrated with the drive-thru service and restroom buildings, with the remaining tables utilizing umbrellas for shade.

(g) Signage — The Project will be required to submit a sign plan application prior to installation of any signage at the site. All signage will follow all Ontario Development Code standards related to signage for drive-thru retail facilities. In addition to a reface of the existing legal non-conforming freeway sign (which is allowed to remain), the applicant has proposed a conceptual sign package to refresh the site's monument sign with a more vintage look, and to provide a decorative wall-mounted logo sign in addition to the wall-mounted standard signage.

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

use of an underground stormwater infiltration system for the Project. Any overflow drainage will be conveyed to the public street by way of parkway culverts.

### **Part II—RECITALS**

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("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 (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on June 15, 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 recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:



(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines, which consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including the replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.

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

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

**SECTION 2: 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 3: 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.

**SECTION 4: 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 specific findings set forth in Sections 1 through 3, 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 Hospitality (HOS, 1.0 FAR) land use district of the Policy Plan Land Use Map, and the CCS (Convention Center Support Commercial) 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. With approval of the related Variance File No. PVAR19-005, the proposed demolition and redevelopment of an existing drive-thru restaurant (In-N-Out Burger) will continue to provide the neighborhood with the retail convenience, per Policy Plan LU-6 (Complete Community), while greatly improving the site in terms of traffic and pedestrian safety, as well as aesthetics in terms of landscaping and streetscape, per policies CD2-9 (Landscape Design) and CD3-6 (Landscaping) of the Policy Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** With approval of the related Variance File No. PVAR19-005, the Project has been designed consistent with the requirements of the City of Ontario Development Code and the CCS (Convention Center Support) zoning district, including standards relative to the particular land use proposed (drive-thru retail), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The Project site is currently partially developed with a drive-thru restaurant (In-N-Out Burger), which will be expanding into the adjacent vacant lot to provide for safer and more efficient vehicular and pedestrian circulation and an expanded outdoor seating area. The vacant portion of the Project site is thus underutilized. The proposed Project will be constructed to be consistent with the Development Code and The Ontario Plan (TOP) and will blend in with the surrounding commercial uses; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The 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 Development Code 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 Hospitality Land Use Designation of The Ontario Plan. The proposed project is complementary to the surrounding in terms of use, massing, and architecture, will revitalize the existing drive-thru restaurant and adjacent vacant site, and will install extensive landscaping along G Street and Vineyard Avenue to soften the use and appearance of the building and associated drive-thru. Moreover, conditions of approval have been imposed on the Project that will ensure appropriate site lighting of the Project site for purposes of public safety; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (drive-thru retail). The Project proposes to redevelop an existing In-N-Out drive-thru restaurant in order to improve vehicular and pedestrian safety and to provide additional outdoor seating for customers and requires a Variance to optimize these goals. As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the Project conditions of approval and related Variance File No. PVAR19-005 to reduce certain required building and drive aisle setbacks from the street, will be consistent with the development standards and guidelines described in the Development Code.

**SECTION 5: Development Advisory Board Action.** Based on the findings and conclusions set forth in Sections 1 through 4, 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 6: Indemnification.** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this

approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: **Custodian of Records.** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

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APPROVED AND ADOPTED this 15th day of June 2020.

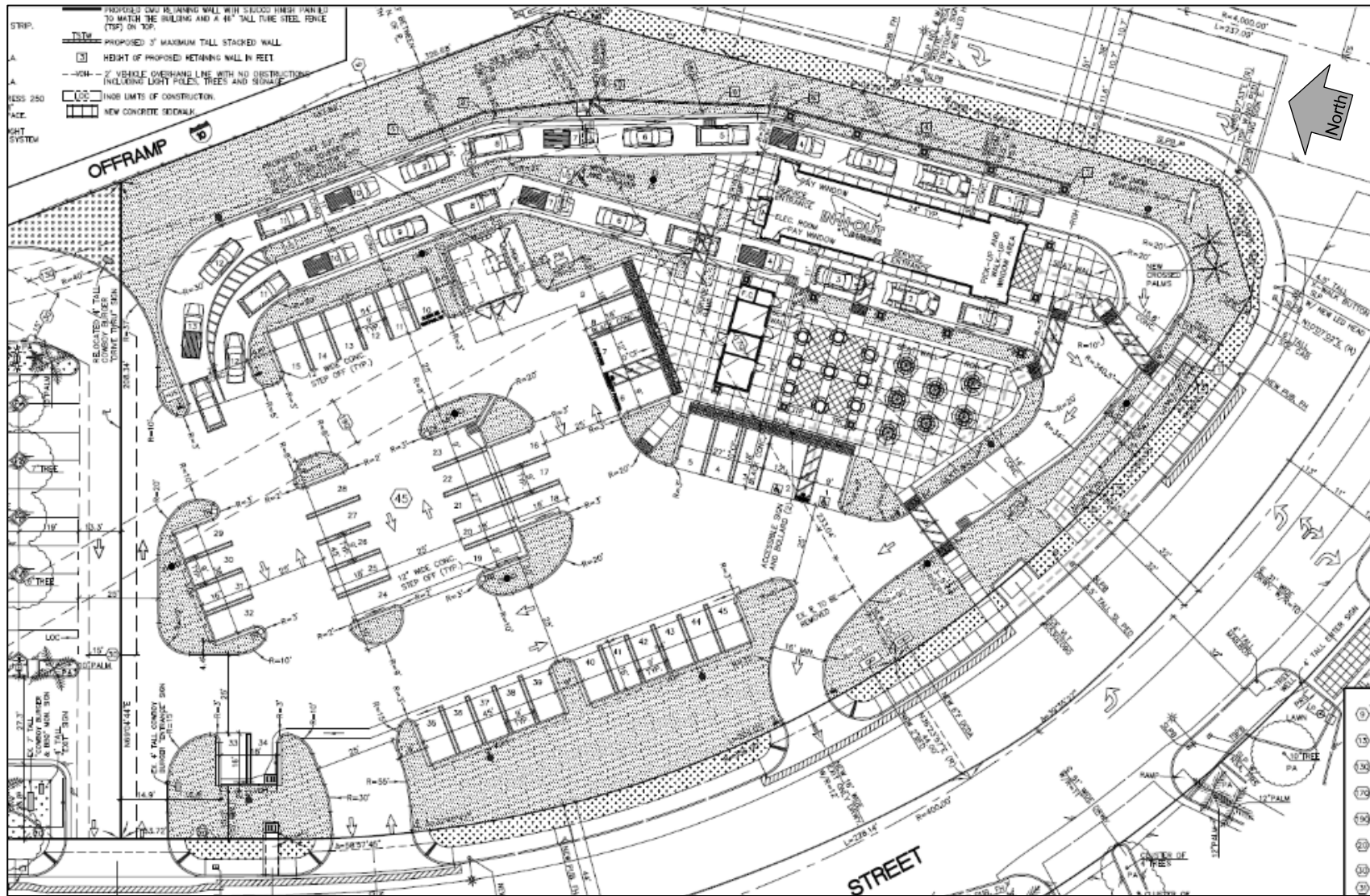
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Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

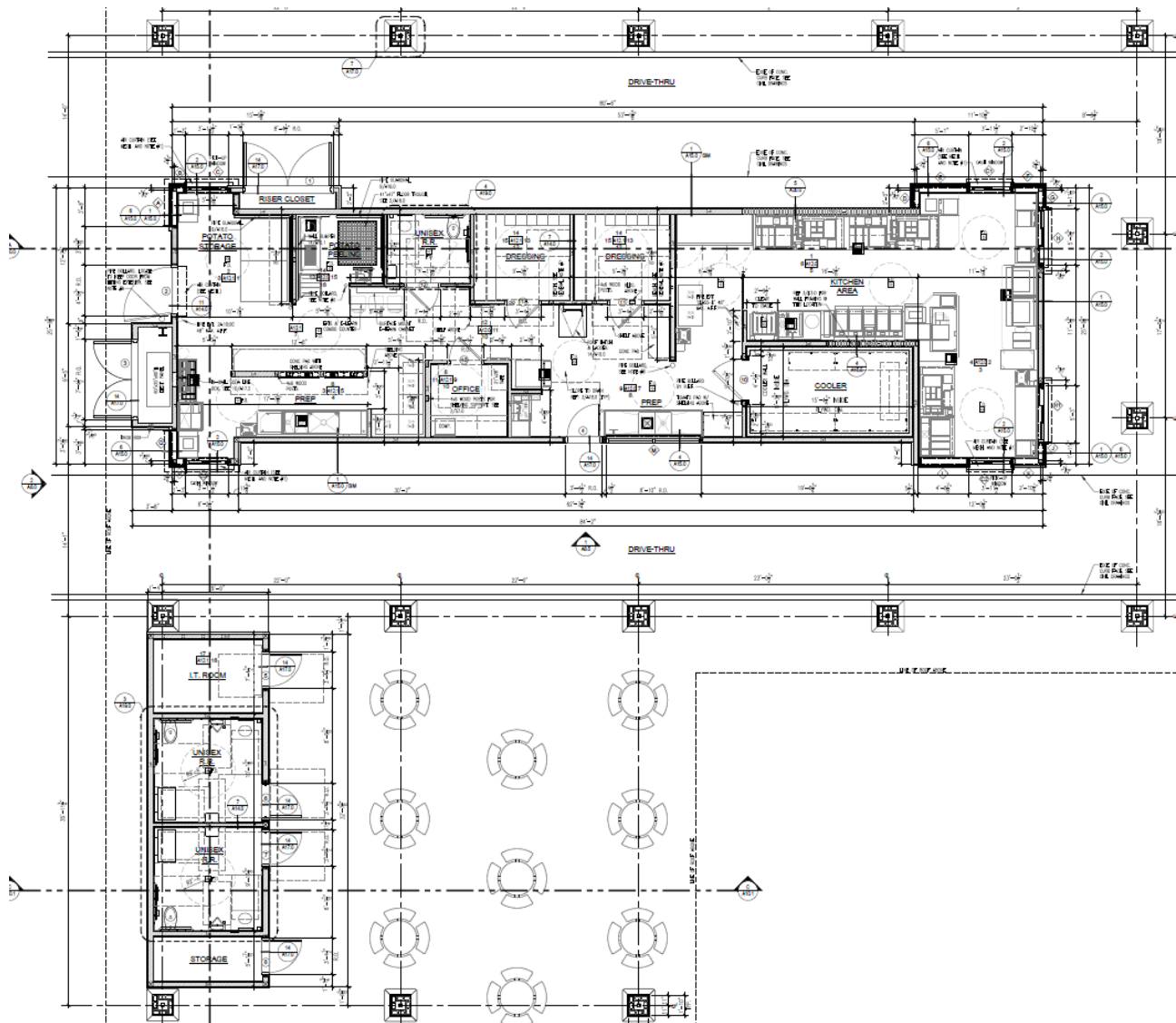


Exhibit B—SITE PLAN





**Exhibit C—FLOOR PLAN/ENLARGED FLOOR PLAN**





**Exhibit D—ELEVATIONS**

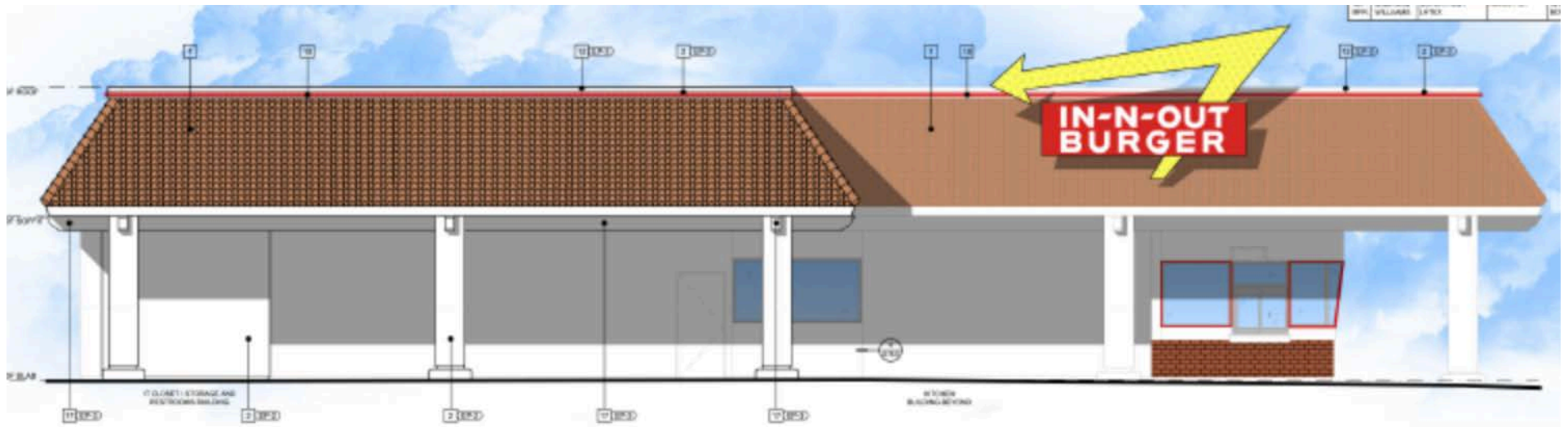






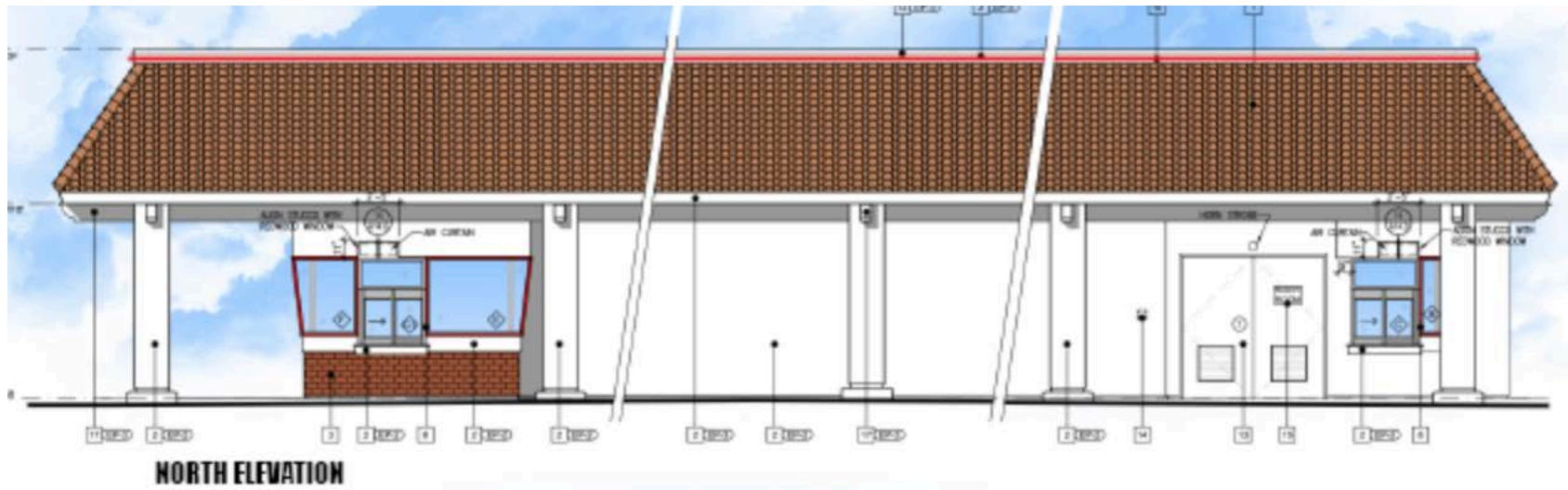


**EAST ELEVATION**

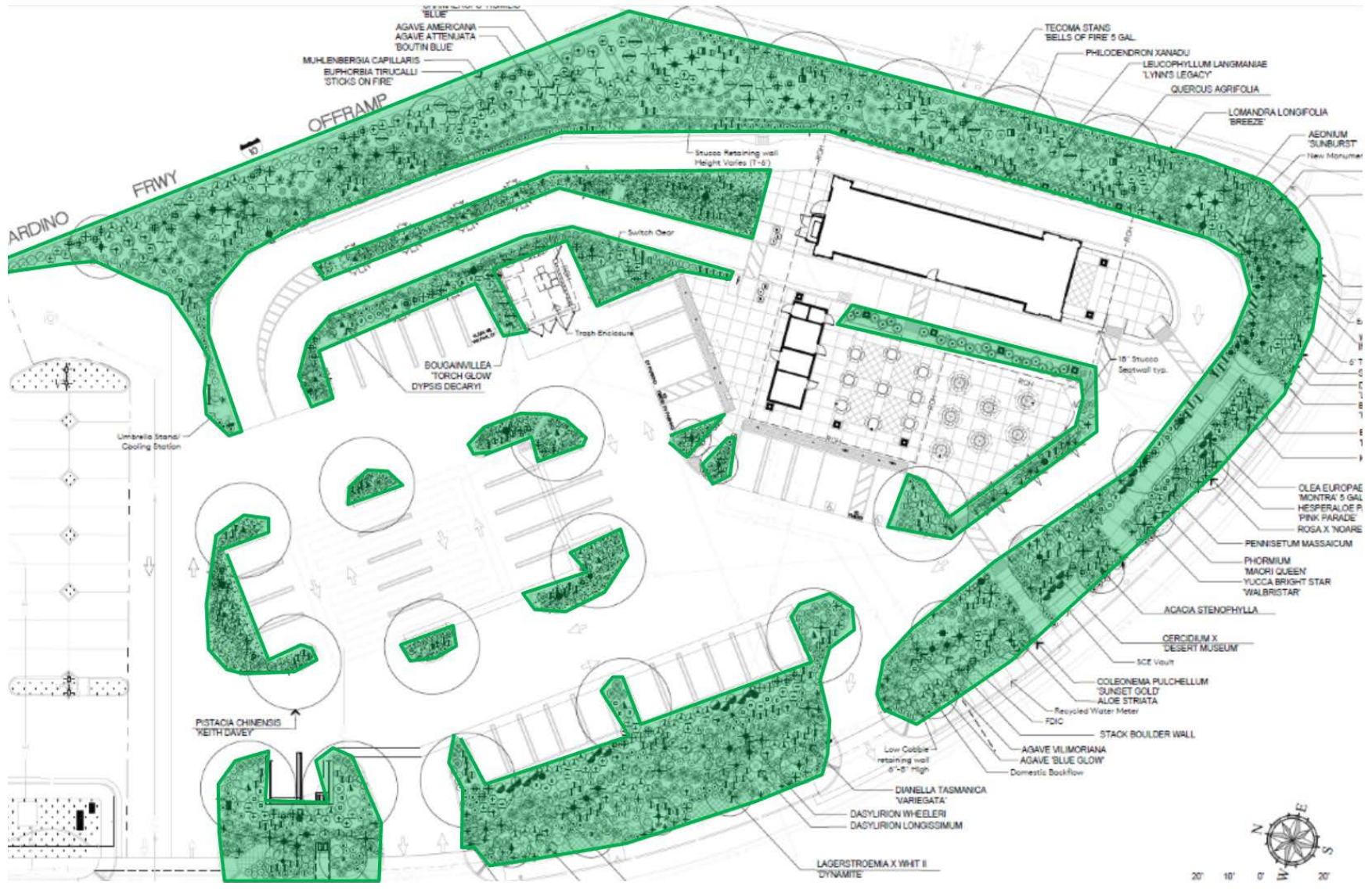


**SOUTH ELEVATION**





**Exhibit E—LANDSCAPE PLAN**



## 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:** June 15, 2020

**File No:** PDEV19-034

**Related Files:** PVAR19-005

**Project Description:** A Development Plan to raze an existing drive-thru restaurant and construct a new 2,291 square-foot drive-thru restaurant (In-N-Out Burger) on 1.57 acres of land located at the northwest corner of G Street and Vineyard Avenue, at 1891 East G Street, within the CCS (Convention Center Support Commercial) zoning district; (APNs: 0110-241-50 and 0110-241-54) **submitted by In-N-Out Burger.**

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

---

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

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

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

**2.1** Time Limits.

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

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

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

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

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

### **2.3** Landscaping.

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

(b) Comply with all 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 to the satisfaction of the Planning Director. 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** Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations). Project signage shall be reviewed and approved through the Sign Plan Application process prior to tenant occupancy.

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

**2.11** Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15302 (Class 2, Replacement or Reconstruction) of the CEQA Guidelines.

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

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

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

**2.13** Additional Fees. 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.

**2.14** Additional Requirements.

**(a)** Approval of File No. PDEV19-034 is contingent upon approval of related File No. PVAR19-005.

**(b)** The applicant shall work with Planning Department staff during the plan check process to finalize all site plan, exterior elevations, and signage details.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Alexis Vaughn, Assistant Planner  
Planning Department

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

**DATE:** July 2, 2019

**SUBJECT:** PDEV19-034 - A Development Plan to Demolish an existing In-N-Out and construct a new 4,071 SF restaurant building with drive thru with 2 lanes and outdoor seating on 1.571 acres, located on the northwest corner of G street and Vineyard Avenue, within the CCS (Convention Center Support Commercial) zoning district. APNs: 0110-241-50, 0110-241-54. Related Record: PVAR19-005

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

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

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 4,071 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 4,071 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): A-2

## **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](http://www.ontarioca.gov), click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

### **2.0 FIRE DEPARTMENT ACCESS**

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-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 2016 California Fire Code, Appendix B, is 1750 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

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

#### **4.0 FIRE PROTECTION SYSTEMS**

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

#### **5.0 BUILDING CONSTRUCTION FEATURES**

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.



- ☒ 5.6 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.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Alexis Vaughn, Assistant Planner

**FROM:** Officer Emily Hernandez, Police Department

**DATE:** July 10, 2019

**SUBJECT:** PDEV19-034 – A DEVELOPMENT PLAN TO DEMOLISH AN EXISTING IN-N-OUT AND CONSTRUCT A NEW IN-N-OUT RESTAURANT WITH DRIVE-THRU AT THE NORTHWEST CORNER OF G STREET AND VINEYARD 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 listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. Photometrics shall be provided to the Police Department. Photometrics shall 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 building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions.

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

- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, all cash registers, and at least one camera shall capture any vehicle utilizing the drive-thru. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.

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

The Applicant is invited to contact Officer Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Alexis Vaughn  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** July 1, 2019  
**SUBJECT:** PDEV19-034

---

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

KS:lr

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-034 & PVAR19-005

Address: 1891 East G Street

APN: 0110-241-50 & 54

Existing Land Use: Fast Food Restaurant (In-N-Out)

Proposed Land Use: Development Plan to demo and construct a new 4,701 SF fast food restaurant & Variance to reduce the setback from 20 to 15 feet

Site Acreage: 1.5 acres Proposed Structure Height: 30 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Alexis Vaughn

Date: 7/25/19

CD No.: 2019-046

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

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>90 FT</u>	
<input type="radio"/> Zone 5			

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: \_\_\_\_\_



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

**PRELIMINARY PLAN CORRECTIONS**

Sign Off



4/14/20

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

**Jamie Richardson** Jamie Richardson, Sr. Landscape Planner

Phone:

**(909)395-2615**

D.A.B. File No.:

PDEV19-034

Case Planner:

Alexis Vaughn

Project Name and Location:

In N Out Burger  
 NW corner of Vineyard Ave and G Street

Applicant/Representative:

In N Out Burger – Keli Burton  
 942 Calle Amanecer, Suite D  
 San Clemente, CA

<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan (dated ) 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.</b>
<input type="checkbox"/>	<b>A Preliminary Landscape Plan (dated 4/01/20) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>

**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. Locate utilities including light standards and storm drains out of landscape planters to not conflict with required tree locations. Coordinate civil plans with landscape plans. Locate the 18" storm drain located near the southern most parking island (only 2 spaces) 6' to the west to allow for required tree.
2. Add notes to civil plans: 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.
3. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb. Plans show a 6" curb and a 12" step out for a total of 18". Change to a 12" total monolithically poured curb at row ends. Provide detail.

**Landscape Plans**

- ~~4. Do not have the dry stream bed/cobble die out and end at abrupt edges such as the curb, sidewalks, signs, etc.; enclose the stream bed prior to the edge of the planter space for a more natural, organic look.~~
5. Provide additional broad canopy shade trees;
  - Replace Crape Myrtle that is located behind the transformer with a Chinese Pistache or another broad canopy tree;
  - Provide a Chinese Pistache or another broad canopy tree at drive-thru entry (east side, across from the "Cooling Station");
  - Provide a Chinese Pistache or another broad canopy tree just north of the cooling station (where planter space widens and in between the proposed Cercidium's'
  - Provide a Chinese Pistache or another broad canopy tree along the northern drive-thru lane spaced equally between the proposed Cercidium and the proposed Acacia.
- ~~6. Remove the row of boulders at the utilities located to the east of the exit drive; above ground utilities are to be screened with landscape. To protect the utilities boulders may be used; cluster boulders in varying sizes at points of concern and provide enhanced landscape screening.~~

7. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations; coordinate with civil plans see comment #4.
8. Provide plant Latin and common names in legend with plant symbol.
9. Street trees for this project are: Cercis c. 'Forest Pansy' on G Street per the Master Street Tree Plan. Use evergreen background trees to contrast with deciduous street trees (or the opposite) and triangularly space between them.
10. Show and note 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
11. Tree irrigation (stream spray bubblers such as RainBird 5HB QBs ok in areas where overspray may occur) shall be on a separate valve, 2 heads per tree per 24" box size. Drip line shall be outside of trunk flare 8' square or diameter. Tree bubblers shall be installed on each side of the rootball for consistent wetting, 3' from tree trunk. Tree bubblers shall not overspray onto paving or spray tree stakes. Provide appropriate PC screen to reduce throw. RWS OK for palm trees.
12. Root barriers if required shall be maximum 12" deep linear application only.
- ~~13. Euphorbia tirucalli is poisonous; if owner chooses to use make sure the plants are set back in the planter spaces away from public spaces.~~
14. Provide preliminary MAWA calcs. Proposed water use must meet water budget.
15. 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.
16. Shrubs shall be five gallons, one gallon containers may be used for larger groundcover areas.
17. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
18. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:
 

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

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



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

Plan Check Sheet	
Sign Off	
Broadband Operations	7/25/19

Reviewer's Name: <b>Anna Vaca, Sr. Systems Analyst</b>		Phone: <b>909-395-2XXX</b>
D.A.B. File No.: <b>PDEV19-034</b>	Plan check #:	Project Engineer:
Project Name and Location: <b>Development plan to demolish existing In-N-Out and construct a new restaurant building with drive thru, located at NWC of G Street and Vineyard Avenue</b>		
Sent to: <b>Antonio Alejos, Assistant Engineer</b>		
<input checked="" type="checkbox"/>	Plan does adequately address the departmental concerns at this time.	
<input type="checkbox"/>	Plan does not adequately address the departmental concerns at this time.	
<input checked="" type="checkbox"/>	<b>It is recommended that the following conditions be incorporated into the Project's conditions of approval.</b>	

<b>CONDITIONS OF APPROVAL – PDEV19-034</b>		
<input checked="" type="checkbox"/>	1.	The City of Ontario is developing a fiber-optic telecommunications system throughout the city commonly known as OntarioNet. The fiber-optic telecommunications system is capable of providing advanced Internet/data services to homes and businesses in feasible areas within the city. OntarioNet will provide community related services including: traffic management; online civic services; meter reading; educational services; and a variety of other community services. OntarioNet and the high-speed data services it provides will keep the city on par with the modern workforce and ever changing lifestyles of the people and the community.
<input checked="" type="checkbox"/>	2.	Communication systems proposed on-site facilities will be placed underground within a duct and structure system to be installed by the developer, as illustrated in Exhibit A, "Fiber Optics Plan". Maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not that of the developer, private homeowners association or private homeowners. Development of the project requires the installation by the developer of all fiber optic infrastructure necessary to service the project as a standalone development.
<input checked="" type="checkbox"/>	3.	The City requires public utility easement for fiber optics on all private aisles/alley ways.
<input checked="" type="checkbox"/>	4.	Trenching, joint trenching, and boring shall be used to install the fiber-optic conduits. Fiber-optic conduit placement will generally be in a joint trench with Street Light conduits or in a separate trench/bore and in the Right-of-Way (ROW) generally placed behind the sidewalk. Resulting conduit placement will be on the north side of street and the east side of street based on the direction of the street. Properly sized handholes shall be placed along the conduit path no greater than 500-feet apart in major streets and no greater than 300-feet apart within in-tract community streets. Handholes shall be strategically placed to allow for efficient entrance into commercial buildings, and residential properties and multi-dwelling units.
<input checked="" type="checkbox"/>	5.	Structured Wiring – An integrated structured wiring system (low-voltage wiring) provides infrastructure for today's technology applications and the framework for the future technology advances. Requirements and benefits of a structured wiring system include: <ul style="list-style-type: none"> <li>Residential (single-family and multi-family), commercial and industrial developments shall adhere to the City's Structured Wiring ordinance</li> </ul>

**CONDITIONS OF APPROVAL – PDEV19-034**

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



**GENERAL NOTES**

- IN-N-OUT BURGER GROSS SITE AREA = 68,421 S.F. OR 1.571 ACRES.
- ASSESSOR'S PARCEL NUMBER: 0110-241-50-0-000 (NOB STORE) AND 0110-241-54-0-000 (VACANT).
- CITY ZONE: CCS (CONVENTION CENTER SUPPORT COMMERCIAL).
- CITY GENERAL PLAN: HOSPITALITY.
- BUILDING AREA: 204 S.F. EXISTING, 2,291 S.F. PROPOSED.
- SEATING: 0 SEATS INDOOR IN EXISTING BUILDING, 0 SEATS INDOOR IN PROPOSED BUILDING, 64 SEATS OUTDOOR (16 TABLES).
- CITY REQUIRED PARKING:
  - 31 - FROM 13.3 SPACES PER 1,000 S.F. GROSS BUILDING AREA (2,291 S.F.).
  - 14 - FROM 13.3 SPACES PER 1,000 S.F. OF OUTDOOR SEATING AREA (16 TABLES x 64 S.F. PER TABLE = 1,024 S.F.) WITH A MAXIMUM VALUE OF 50% OF (1).
  - 25 - FROM CREDIT OF 1 SPACE PER 24' OF DRIVE-THRU LANE QUEUE BEHIND EACH PICK-UP WINDOW (25 VEHICLES).
  - 20 - TOTAL REQUIRED.
- PROPOSED PARKING:
  - 42 STANDARD 9'x18' SPACES.
  - 1 ACCESSIBLE 17'x18' SPACE.
  - 1 ACCESSIBLE 14'x18' SPACE.
  - 1 ACCESSIBLE EV 17'x18' SPACE.
  - 1 EV 9'x18' SPACE.
  - 1 FUEL EFFICIENT/CARPOOL 9'x18' SPACE.
  - 1 LOADING 12'x18' SPACE.
  - 47 TOTAL SPACES.
- DRIVE-THRU LANE VEHICLE QUEUE: 6'-24" LONG VEHICLES CITY REQUIRED BEFORE THE PICK-UP WINDOW, 12 AND 13-24' LONG VEHICLES PROPOSED.
- ONSITE STORMWATER RUNOFF WILL BE TREATED BY AN UNDERGROUND INFILTRATION SYSTEM WITH A BUBBLE-UP DRAIN BOX OVERFLOW INTO THE STREET THROUGH A NEW UNDERSIDEWALK PARKWAY DRAIN. THE PROPOSED UNDERGROUND INFILTRATION SYSTEM WILL CONSIST OF 36" DIAMETER PERFORATED HDPE BASED ON AN ADEQUATE SOIL PERCOLATION RATE.

**PARTIAL LEGEND**

- NEW 24"x36" CONCRETE DRAIN BOX INLET WITH A FLO-RAD PLUS FOSSIL FILTER INSERT FOR THE PRE-TREATMENT OF STORMWATER RUNOFF.
- APPROXIMATE LOCATION OF PROPOSED 22'-6" TALL FIXTURE HEIGHT LIGHT POLE ON TOP OF A 30" TALL 24" DIAMETER CONCRETE BASE FOR A TOTAL HEIGHT OF 25' TALL.
- PROPOSED INOB INSTALLED AND MAINTAINED DROUGHT TOLERANT LANDSCAPED PLANTER AND IRRIGATION SYSTEM ON-SITE CONSISTING OF APPROXIMATELY 18,984 SQUARE FEET (27.7%).
- PROPOSED INOB INSTALLED AND MAINTAINED DROUGHT TOLERANT LANDSCAPED PLANTER AND IRRIGATION SYSTEM OFF-SITE IN THE PUBLIC STREETS CONSISTING OF APPROXIMATELY 3,600 SQUARE FEET.
- EXISTING CLOSED COWBOY BURGER RESTAURANT LANDSCAPED PLANTER AND IRRIGATION SYSTEM CONSISTING OF APPROXIMATELY 5,040 SQUARE FEET.
- YELLOW TRUNCATED DOMES DETECTABLE WARNING STRIP.
- VEHICLE DETECTOR LOOP.
- OUTDOOR SEATING PATIO TABLE WITH NO UMBRELLA.
- OUTDOOR SEATING PATIO TABLE WITH AN UMBRELLA.
- FUTURE EV (ELECTRIC VEHICLE) CHARGEPOINT EXPRESS 250 CHARGING STATION (OR EQUIVALENT), PROPOSED 4" DIAMETER ELECTRIC PULL BOX AND CLEAR FLOOR SPACE.
- PROPOSED INOB INSTALLED AND MAINTAINED DROUGHT TOLERANT LANDSCAPED PLANTER AND IRRIGATION SYSTEM OFF-SITE ON THE CLOSED COWBOY BURGER RESTAURANT CONSISTING OF APPROXIMATELY 681 SQUARE FEET.
- NEW 3" TALL 18"x24" UT "DRIVE THRU" DIRECTIONAL SIGN.
- NEW 3" TALL 18"x24" UT "THANK YOU, DO NOT ENTER" DIRECTIONAL SIGN.
- NEW PEDESTRIAN CROSSWALK SIGN.
- ACCESSIBILITY ENTRY SIGN.
- ADA ACCESSIBLE PATH OF TRAVEL.
- NEW SCE ELECTRIC PAD MOUNT TRANSFORMER WITH BOLLARDS.
- PORTABLE TRASH RECEPTACLE ON A MINIMUM 24"x24"x4" CONCRETE PAD.
- PROPERTY LINE TO BE REMOVED.
- INOB LIMITS OF CONSTRUCTION.
- PROPOSED 18" TO 27" TALL 22" WIDE STUCCO COVERED CMU SEAT WALL WITH A PRECAST CONCRETE CAP.
- PROPOSED 46" TALL TUBE STEEL FENCE (TSF).
- PROPOSED 3' MAXIMUM TALL STACKED WALL.
- HEIGHT OF PROPOSED RETAINING WALL IN FEET.
- IN-N-OUT BURGER.
- PROPERTY LINE.
- NEW CONCRETE SIDEWALK.

- One (1) 7-way Micro Duct (Duraline) - 16mm Tubes or Equivalent
- One (1) 2-inch HDPE SDR-11 Smoothwall Orange Conduit
- One (1) 13x24x18 Composite Polymer Concrete Hand Hole (HH1)
- One (1) 24x36x30 Composite Polymer Concrete Hand Hole (HH2A)
- One (1) 30x48x36 Composite Polymer Concrete Hand Hole (HH3)
- One (1) 36x60x36 Composite Polymer Concrete Hand Hole (HH4)

- HH-1/\*22 - PCA132418-90087 - Size 13" x 24" x 18"
- HH-2/\*22 - PCA173024-90116 - Size 17" x 30" x 24"
- HH-2A/\*22 - PCA243630-90064 - Size 24" x 36" x 30"
- HH-3/\*22 - PCA304836-90244 - Size 30" x 48" x 36"
- HH-4/\*22 - PCA366036-90146 - Size 36" x 60" x 36"

CONSTRUCT/INSTALL FIBER OPTIC CONDUIT AT A MINIMUM DEPTH OF 36", TRENCHING SHALL BE PER CITY STANDARD 1306. TWO (2)-2" HDPE SDR-11 (SMOOTHWALL) ROLL PIPE (1 ORANGE AND 1-ORANGE WITH BLACK STRIPE) OR EQUIVALENT. ALL UNUSED CONDUITS/DUCTS/MICRODUCTS SHALL BE PROTECTED WITH DUCTS PLUGS THAT PROVIDE A POSITIVE SEAL. DUCTS THAT ARE OCCUPIED SHALL BE PROTECTED WITH INDUSTRY ACCEPTED DUCT SEAL COMPOUND. CONDUIT BANK REQUIRES (1) 12AWG HIGH STRENGTH (MIN. BREAK LOAD 452#) COPPER-CLAD STEEL W/30MIL HDPE ORANGE INSULATION FOR LOCATE/TRACER WIRE.

Placement is conceptual. Conduit should always be placed in the ROW

INSTALL FIBER OPTIC HANDHOLE HH-3/22 (PCA304836-90244) NEWBASIS; LESS THAN OR EQUAL TO 432 STRANDS. PER CITY STANDARD 1316 CONDUITS SWEEPING INTO HANDHOLES SHALL ENTER IN FLUSH WITH THE CUT OUT MOUSE HOLES ALIGNED PARALLEL TO THE BOTTOM OF THE BOX AND COME IN PERPENDICULAR TO THE WALL OF THE BOX. CONDUITS SHALL NOT ENTER AT ANY ANGLE OTHER THAN PARALLEL PROVIDE 5' MIN CLEARANCE FROM EXISTING/PROPOSED UTILITIES. ALL HANDHOLES WILL HAVE 1/4" INCH GALVANIZED WIRE BETWEEN THE HANDHOLES AND THE GRAVEL ITS PLACED ON.

- SIMPLIFIED EASEMENTS**
- RELINQUISHMENT OF ABUTTERS RIGHTS OF ACCESS TO THE FREEWAY PER O.R. 2866-106 AND O.R. 2938-546.
  - 13' WIDE CITY SEWER EASEMENT PER O.R. 7658-980, P.M. NO. 8348, AND R.S. 99-1040.
  - 10' WIDE CITY SEWER EASEMENT PER O.R. 7658-980, P.M. NO. 8348, AND R.S. 99-1040 TO BE QUITCLAIMED.
  - 8' WIDE SCE EASEMENT PER INST. NO. 84-229109 REC. 09-24-1984 TO BE QUITCLAIMED.
  - 15' WIDE CITY WATER EASEMENT PER INST. NO. 19990501514 REC. 12-07-1999 TO BE QUITCLAIMED.
  - CITY STREET AND SIDEWALK EASEMENT PER INST. NO. 20000425902 REC. 11-21-2000.
  - PROPOSED 15' WIDE CITY SEWER EASEMENT.
  - PROPOSED 5' WIDE CITY SEWER EASEMENT.

**SHEET INDEX OF CITY ENTITLEMENT DRAWINGS**

NO.	SHEET TITLE
C30	CITY ENTITLEMENT NEW SITE PLAN
C31	CITY ENTITLEMENT DEMOLITION PLAN
C32	CITY ENTITLEMENT GRADING AND DRAINAGE PLAN
C33	CITY ENTITLEMENT SITE CROSS SECTIONS
C34	CITY ENTITLEMENT STORM DRAIN AND UTILITY PLAN
C35	CITY ENTITLEMENT CONCEPTUAL WQMP COMPLIANCE PLAN
C36	CITY ENTITLEMENT EXISTING SITE PLAN
C37	CITY ENTITLEMENT SITE UTILIZATION MAP
C38	CITY ENTITLEMENT TOPOGRAPHY SURVEY MAP
LPP.1	CITY ENTITLEMENT LANDSCAPE PLANTING PLAN
LPP.2	CITY ENTITLEMENT LANDSCAPE COLORED RENDERING
LPP.3	CITY ENTITLEMENT LANDSCAPE PLANT BOARD

**IN-N-OUT BURGER**

DEVELOPER:  
IN-N-OUT BURGER  
13502 HAMBURGER LANE  
BALDWIN PARK, CA 91706  
CONTACT: KATIE SANCHEZ  
PHONE: 626 813-8279

**Underground Service Alert**

Call: Toll Free  
**811**  
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**REVISIONS**


GHA PROJECT NO. ---

**GHA**  
Architecture/Development  
14901 Quorum Drive  
Suite 300  
Dallas Texas 75254  
Ph: (972) 239-8864  
Fax: (972) 239-5054

CIVIL ENGINEER:  
**MSI ENGINEERING, INC.**  
CIVIL ENGINEERS AND LAND SURVEYORS SPECIALIZING IN SITE DEVELOPMENT  
402 WEST ARROW HWY., SUITE 4, SAN DIMAS, CA 91773  
(909) 305-2395 FAX (909) 305-2397

Mark S. Lamoureux  
MARK S. LAMOUREUX

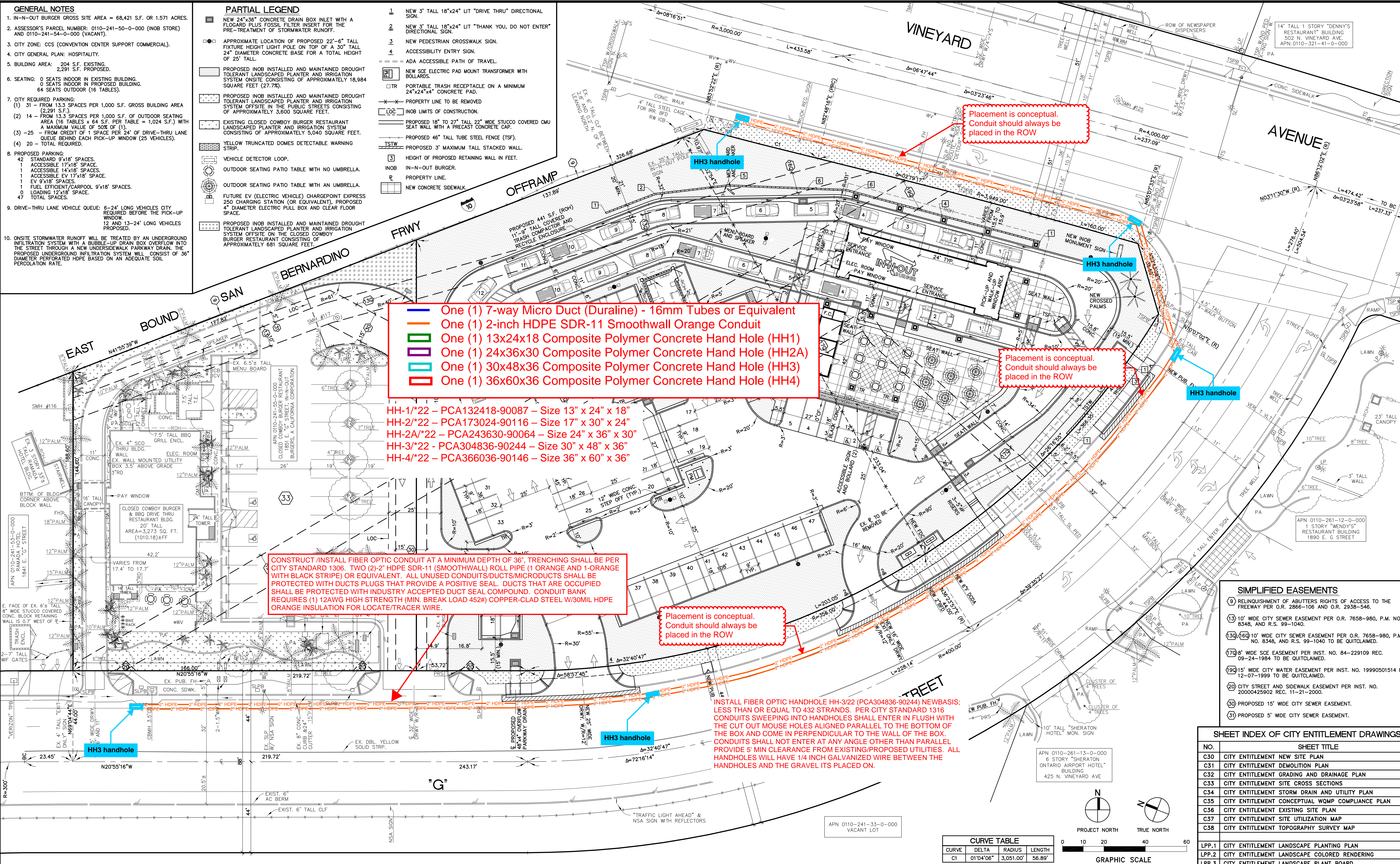
06-10-19  
DATE

**IN-N-OUT BURGER**  
STORE #34  
1885 AND 1891 E. G STREET  
ONTARIO, CA 91764

**CITY ENTITLEMENT NEW SITE PLAN**

**C30**

06-10-19 DATE







# CITY OF ONTARIO

## MEMORANDUM

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

FROM: Alexis Vaughn, Assistant Planner

DATE: June 26, 2019

SUBJECT: FILE #: PVAR19-005

Finance Acct#:

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

- 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 Variance to deviate from the minimum Development Code standard for landscape setback, from 20 feet to 15 feet, in conjunction with the construction of a new 4,071 SF restaurant building (In N Out) with drive thru with 2 lanes and outdoor seating on 1.571 acres, located on the northwest corner of G street and Vineyard Avenue, within the CCS (Convention Center Support Commercial) zoning district. APNs: 0110-241-50, 0110-241-54. Related File: PDEV19-034

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

Broadband Operations      Anna Vaca      Sr. Systems Analyst      07/25/2019  
Department                      Signature                      Title                      Date



## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

<input checked="" type="checkbox"/> <b>DEVELOPMENT PLAN</b> <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP  <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
<b>PROJECT FILE NO. <u>PDEV19-034</u></b>  <b>RELATED FILE NO(S). <u>PVAR19-005</u></b>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

**CITY PROJECT ENGINEER & PHONE NO:** Antonio Alejos *A.A.* (909) 395-2384

**CITY PROJECT PLANNER & PHONE NO:** Alexis Vaughn (909) 395-2416

**DAB MEETING DATE:** June 15<sup>th</sup>, 2020

**PROJECT NAME / DESCRIPTION:** PDEV19-034, a Development Plan to demolish an existing drive-thru structure and construct a new 4,071-square foot restaurant with two drive-thru lanes and outdoor seating (In-N-Out) on 1.57 acres of land.

**LOCATION:** 1885 & 1891 E 'G' Street

**APPLICANT:** In-N-Out

**REVIEWED BY:** *for* *Bryan Lirley* *6/10/20*  
 Bryan Lirley, P.E. Date

**APPROVED BY:** *Raymond Lee* *6/10/20*  
 Raymond Lee, P.E. Date  
 Assistant City Engineer







- 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 three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments: 
  - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
  - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
  - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: \_\_\_\_\_

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

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

- 2.01 Record Parcel Map/Tract Map No. \_\_\_\_\_ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario per Parcel Map No. 8348; Parcel 1.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of \_\_\_\_\_ .
- 2.05 **Apply for a:**  **Certificate of Compliance with a Record of Survey;**  **Lot Line Adjustment (to merge two parcels, APNs 0110-241-50 & 0110-241-54).**
- 2.06  Make a Dedication of Easement. 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)
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA)
  - Other: \_\_\_\_\_
- 2.10 Dedicate to the City of Ontario the right-of-way described below: 

\_\_\_\_\_ 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 20-FT Public Utility Easement for Sewer Purposes to be centered on the new portion of sewer main that runs in the private property (within shared drive aisle).**
- 2.12 **New Model Colony (NMC) Developments:** 
  - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
  - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
  - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**



- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
  
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$33,000, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
  
- 2.16 Other conditions:
  - 1. Provide a copy of an executed reciprocal access easement to be used for the shared driveway approach, between the westerly parcel (APN 0110-241-55) and the center parcel (APN 0110-241-54).





**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	"G" St	Vineyard Av	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify Existing Shared Drive Approach <input checked="" type="checkbox"/> In-fill existing drive approach no longer to be used	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk (see Sec. 2.F)	<input checked="" type="checkbox"/> Replaced damaged	<input checked="" type="checkbox"/> Replaced damaged	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway (see Sec. 2.F)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant (see Sec. 2.D)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade	<input type="checkbox"/> New / Upgrade



<b>Sewer</b> (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> New lateral w/ clean-outs & monitoring man-hole	<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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> New service w/ meter & backflow device <input checked="" type="checkbox"/> New service for fire use only w/ DCDA	<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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> New service w/ meter (for irrigation purposes only)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Street Light</b> (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade	<input type="checkbox"/> New / Upgrade
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Storm Drain</b> (see Sec. 2G)	<input checked="" type="checkbox"/> Under sidewalk drain <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 checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
<b>Removal of Improvements</b>	<input checked="" type="checkbox"/> Abandon existing utilities no longer to be used	_____	_____	_____





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

1. If there is a conflict with existing improvements (utility devices, utility lines/poles, etc.) during the construction of the proposed improvements, then the ultimate location of these improvements shall be in accordance with City Standard Drawing Numbers 1216 and 1217.
2. Existing utility mains/services no longer to be used shall be abandoned or removed per the current City procedure. All services/laterals shall be abandoned by shutting off the corporation stops at the existing main and removing the service pipe at the point of connection with the main.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): 
  1. 'G' Street - Minimum limits of construction shall be along the entire property frontage, from the north side curb to the south side curb.
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide  water service  sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately \_\_\_\_\_, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: \_\_\_\_\_

**C. SEWER**

- 2.23 A \_\_\_\_\_ inch sewer main is available for connection by this project in \_\_\_\_\_   
 (Ref: Sewer plan bar code: \_\_\_\_\_)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 700 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 following sewer system improvements shall be installed:
    - a. Install a minimum 12-inch sewer main starting and connecting to the northeasterly most existing Public Sewer Manhole within the Project Site and then extending westerly to G Street and then extending southeasterly in G Street to connect to the existing Sewer main in Vineyard Avenue. Once this new sewer main is installed and active the existing Public Sewer Main that runs through the Project Site and to Vineyard Avenue shall be abandoned to City Requirements and all existing services connected to it shall be replaced with a new service connected to the new main.
  2. The applicant/developer shall install one (1) sewer laterals to the new sewer main in "G" Street and equip each lateral with a monitoring manhole and clean-outs behind the property line per the latest City Design Guidelines/Standard Drawings.





3. The applicant/developer or occupant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply will all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>)

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

Michael Birmelin, Environmental Programs Manager

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

Phone: (909) 395-2661

#### D. WATER

- 2.27 A \_\_\_\_\_ inch water main is available for connection by this project in \_\_\_\_\_   
 (Ref: Water plan bar code: \_\_\_\_\_)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately 700 feet away.
- 2.29 Other conditions:
1. The following domestic water system improvements shall be installed:
    - a. An 18-inch 1212PZ Potable Water main in G Street connecting from the existing 18-inch 1212PZ main at the westerly Project Boundary and extending easterly in G Street to connect both the 18-inch and 12-inch 1212PZ Potable Water mains in Vineyard Avenue. Once This main is installed and active, the existing 18-inch 1212PZ Potable water main running through the Project site shall be abandoned to City Requirements and all existing services connected to it shall be replaced with new services connected to the new main.
  2. The applicant/developer shall install at minimum one (1) fire hydrant along “G” Street property frontage per City Standard Drawing Number 4101.
  3. The applicant/developer shall install one (1) domestic water service to the new domestic water main in “G” Street and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
  4. The applicant/developer shall install at minimum one (1) separate water service (for irrigation purposes only) to the existing 12-inch domestic water main in Acacia Street and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
  5. The applicant/developer shall install at minimum one (1) fire service to the existing 12-inch domestic water main in Acacia Street and equip the service with a DCDA behind the property line per the latest City Design Guidelines/Standard Drawings.

#### E. RECYCLED WATER

- 2.30 A \_\_\_\_\_ inch recycled water main is available for connection by this project in \_\_\_\_\_.   
 (Ref: Recycled Water plan bar code: \_\_\_\_\_)
- 2.31 Design and construct a recycled water main extension. A water main is not available for direct connection. The closest main is approximately 1,100 feet away.
- 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. The following recycled water system improvements shall be installed:
  - a. An 8-inch 1299PZ Recycled Rater main in G Street connecting from the existing 1299PZ main in G Street at Corona Avenue extending easterly in G Street to Vineyard Avenue.
  - b. This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses.
2. The applicant/developer shall install at minimum one (1) recycled water service (for irrigation purposes only) to the new recycled water main in "G" Street per the latest City Design Guidelines/Standard Drawings.
3. Prior to issuance of any permits, the following shall be submitted for approval:
  - a. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
  - b. Submit an Engineering Report (ER) to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.  
For ER application questions, please contact:  
  
Cynthia Heredia-Torres  
P (909) 395-2647  
F (909) 395-2608  
[ctorres@ontarioca.gov](mailto:ctorres@ontarioca.gov)
4. Prior to Occupancy Release/Finalizing:
  - a. Pass start-up and cross-connection test successfully.
  - b. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.

#### 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 construct all new driveway approaches per City Standard Drawing Number 1203.
2. The applicant/developer shall modify the existing shared driveway approach between the proposed project site and the adjacent site (previously Cowboy Burger Restaurant) to meet current ADA requirements.
3. The applicant/developer shall in-fill all existing driveway approaches no longer to be used with full height curb, sidewalk and parkway landscaping per the latest City Guidelines/Standard Drawings.





4. The applicant/developer shall replace any sidewalk panels currently damaged or damaged during construction per City Standard Drawing Number 1210.
5. The applicant/developer shall install parkway trees/landscaping along "G" Street property frontage per the Landscape Planning Division Requirements.
6. All landscaping, block walls and other obstructions in the parkway shall be compatible with the stopping sight distance requirements per City Standard Drawing Number 1309.
7. The applicant/developer shall be responsible to design and construct an in-fill public street light along 'G' Street property frontage. Street lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines.
  - a. The new street light shall be located 160-ft (+/- 15-ft) away from the existing street light located in the adjacent site's property frontage.
8. The applicant/developer shall convert the existing street lights along the properties frontage at Vineyard Avenue and 'G' Street with LED cobra heads in accordance with the City's Traffic and Transportation Design Guidelines.

**G. DRAINAGE / HYDROLOGY**

- |                                     |      |  |                          |
|-------------------------------------|------|--|--------------------------|
| <input checked="" type="checkbox"/> | 2.38 | A storm drain main is not available to accept flows from this project. (Ref: Storm Drain plan bar code: <u>None</u> )  | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 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. | <input type="checkbox"/> |
| <input type="checkbox"/>            | 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.  | <input type="checkbox"/> |
| <input type="checkbox"/>            | 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.   | <input type="checkbox"/> |
| <input type="checkbox"/>            | 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.   | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 2.43 | <b>Other conditions:</b> <ol style="list-style-type: none"> <li>1. The applicant/developer shall install an under sidewalk drain along 'G' Street property frontage to direct overflow run-off onto the street per the latest City Design Guidelines/Standard Drawings.</li> </ol>   | <input type="checkbox"/> |

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

- |                          |      |  |                          |
|--------------------------|------|--|--------------------------|
| <input type="checkbox"/> | 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.<br>If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.<br>Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130. | <input type="checkbox"/> |
|--------------------------|------|--|--------------------------|





- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: \_\_\_\_\_

**J. SPECIAL DISTRICTS**

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum 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 the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

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

**L. Solid Waste**

- 2.52 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>**
- 2.53 **Other conditions:** 
  - 1. **Prior to issuance of any permits, the following shall be submitted for approval:**
    - a. **A Final Solid Waste Handling Plan (SWHP) to be accompanied with the Precise Grading Plan Submittal. See SWHP Requirements document for details.**
    - b. **A Final Integrated Waste Management Report (IWMR) to be accompanied with the Precise Grading Plan Submittal. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.). The IWMR shall demonstrate compliance with the "Integrated Waste Management Report Requirements" document.**



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

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

**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 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.**





## EXHIBIT 'A'

### ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

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Project Number: PDEV19-034

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

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



- 22.  One (1) copy of approved Tentative Map
- 23.  One (1) copy of Preliminary Title Report (current within 30 days)
- 24.  One (1) copy of Traverse Closure Calculations
- 25.  One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.
- 26.  Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 27.  **Other:**
  - 1. **Three (3) copies of the Lot Line Adjustment Form (include all items in the Lot Line Adjustment Application Checklist)**
  - 2. **Three (3) copies of the Public Easement Dedication Form (include all items in the Public Utility Easement Application Checklist)**









# Development Advisory Board Decision

June 15, 2020

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

**FILE NO.:** PCUP19-015

**DESCRIPTION:** A Conditional Use Permit to establish a 7,531 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district; (APN: 1014-111-08) **submitted by Gracepoint Brethren in Christ Church. Planning Commission Action is required**

## **Part I—BACKGROUND & ANALYSIS**

GRACEPOINT BRETHERN IN CHRIST CHURCH, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PCUP19-015, 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 1.87 acres of land located at north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district, and is depicted in Exhibit A—Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>	<b>Specific Plan Land Use</b>
<i>Site:</i>	Vacant	Rural Residential	AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre)	N/A
<i>North:</i>	Single Family Residential	Rural Residential	AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre)	N/A
<i>South:</i>	Single Family Residential	Rural Residential	AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre)	N/A
<i>East:</i>	Single Family Residential	Rural Residential	LDR-5 (Low Density Residential – 2.1 to 5.9 DU/Acre)	N/A
<i>West:</i>	Single Family Residential	Rural Residential	AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre)	N/A

(2) **Project Description:**

(a) **Background** — The applicant, Gracepoint Brethren in Christ Church, was founded in 2005 within the City of Ontario by Pastor Steven and Nicole Airth. Prior to establishing Gracepoint Church

Pastor Steven and Nicole were directors of youth at Gateway Community Church located in Chino, California. Pastor Steven was encouraged by Gateway Church to establish a new congregation for Ontario residents and received financial support from Gateway and Brethren in Christ Board for Church Planting and Evangelism to establish Gracepoint Church. Gracepoint Church has been holding services for their 80 congregants at Ranchview Elementary School (3300 South Old Archibald Ranch Road), within the City of Ontario, for approximately 14 years and is seeking to establish a permanent location and facility within the southern portion of the City. Brethren in Christ, which is financially affiliated with Gracepoint, has several locations in surrounding cities, including Ontario. The Ontario Brethren in Christ Church is located in the northern portion of the City, within an existing residential neighborhood, at 1205 North Baker Avenue.

On July 2, 2019, the applicant submitted a Development Plan (File No. PDEV19-036) to construct a 7,531 square-foot religious assembly use, in conjunction with a Conditional Use Permit (File No. PCUP19-015) to establish the religious assembly land use (Gracepoint Church).

(b) Site Design/Building Layout — The proposed building is situated on a rectangular narrow through-lot (132 feet wide by 627.50 feet long), with street frontages along the western (Elderberry Court) and eastern (Magnolia Avenue) property lines. The proposed building is centrally located along the northern portion of the project site and there are two parking lots located east and west of the building that are connected by a 24-foot wide drive-aisle that runs along the southern property line (see Exhibit B — Site Plan, attached). An open lawn area (98 feet by 56 feet) immediately west of the building has also been provided. The building's main front entrance is oriented to the south, facing the drive-aisle, and secondary/minor access points are located on the north, west, and east sides of the building. The building is setback approximately 150 feet from the east property line (Magnolia Avenue), 25 feet from the north interior property line, approximately 317 feet from the west property line (Elderberry Court), and 63 feet from the interior south property line. Along the southern property line, there is an existing six-foot high masonry block wall (located on the east side) and three-foot high vinyl rail fence (located on the west side) that will remain in place. A six-foot high decorative masonry wall will be constructed along the north property line and a six-foot high steel tubular fence with access gates will be constructed along the west and east property line to secure the site.

The floor plan for the proposed building includes a (see Exhibit C — Floor Plan, attached):

- **Sanctuary** – The Sanctuary occupies the eastern half of the building and includes 180 fixed seats, a platform/stage area, and storage.
- **Lobby** – The Lobby is centrally located within the building and features the main entrance to the building. All portions of the building can be accessed through the lobby, which includes two restrooms (men and women), a storage room, and access to a mezzanine area that will also be utilized for storage.
- **Classrooms/Offices** – The western half of the building consists of a kitchen that is directly adjacent to the lobby area, two classrooms, a youth room, two nursery rooms, a nursery restroom, and two offices.

(c) Proposed Use/Operations — Gracepoint is proposing to establish and operate a religious and assembly use within the proposed building to include the following operations:

- **Pastor Office Hours** - The Pastor office hours would be held Monday through Friday, from 8:30 a.m. to 4:30 p.m. The Pastor office hours are utilized to study and prepare for church services. Four to seven volunteer members are expected on-site during office hours to assist the Pastor with service preparation and organize events.
- **Sunday Service** – Sunday services and setup are from 8:00 a.m. to 12:00 p.m., with the service setup time scheduled from 8:00 a.m. to 10:00 a.m. A group of 15-20 volunteers (staff,



musicians, and technical crew) spend the first hour preparing for Sunday services which include refreshment preparation, band rehearsal and classroom/childcare preparation and the second hour in group prayer. Sunday Service is held from 10:00 a.m. to 12:00 p.m. within the Sanctuary and during that time childcare is provided for children ages 3 and below within the nursery rooms and worship and prayer activities are provided for children ages 4 to 10 within the classrooms;

- **Quest Gracepoint Youth Ministry** – The Youth Ministry will be held every Wednesday evening, from 6:00 p.m. to 8:00 p.m., for members that are between the ages of 12 to 17. The group consists of ten to fifteen members, which includes an average of two to three adult group leaders. The majority of youth group members will be dropped-off and picked up on-site.
- **Board Meetings** – Gracepoint will host monthly board meetings on Sunday evenings from 6:00 p.m. to 8:00 p.m. that consists of seven church members.

(d) Parking Requirements — The Project is required to provide a minimum of 60 off-street parking spaces pursuant to the “Religious Assembly” parking standards specified in the Development Code. Seventy-five parking spaces have been provided, exceeding the minimum standards. Parking was calculated at 0.33 spaces per fixed seat and total of 180 fixed seats have been proposed within the sanctuary area.

(e) Land Use Compatibility — A Conditional Use Permit review is required 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. Pursuant to the Development Code, 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.

The religious assembly use is located within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district of the Development Code. Within this designation, religious assembly uses are a conditionally permitted use. It is staff’s belief that the recommended conditions of approval will sufficiently mitigate potential impacts associated with the proposed use.

(f) Community Meetings — The Planning Department held two community meetings (on November 6, 2019, and on February 6, 2020, to review the subject Conditional Use Permit and related Development Plan (File No. PDEV19-036) applications with the neighboring residents. The meetings are thoroughly discussed the DAB Decision prepared for File No. PDEV19-036.

## ***Part II—RECITALS***

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (“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 (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on June 15, 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 recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development) of the CEQA Guidelines. The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 1.87 acres less than the five-acre threshold and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is adequately served by all required utilities and public services.

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

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

**SECTION 2: *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 3: 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.

**SECTION 4: 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 specific findings set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

(1) ***The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed religious assembly land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines; and

(2) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed religious assembly land use will be located within the Residential Rural land use district of the Policy Plan Land Use Map, and the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan; and

(3) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.*** The proposed religious assembly land use is located with the Residential Rural land use district, and the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code; and

(4) ***The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*** The 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 Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located.

**SECTION 5: *Development Advisory Board Action.*** Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby RECOMMENDS THE PLANNING COMMISSION APPROVE 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 6: *Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

**SECTION 7: *Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

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APPROVED AND ADOPTED this 15th day of June 2020.

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Development Advisory Board Chairman



Exhibit A—PROJECT LOCATION MAP

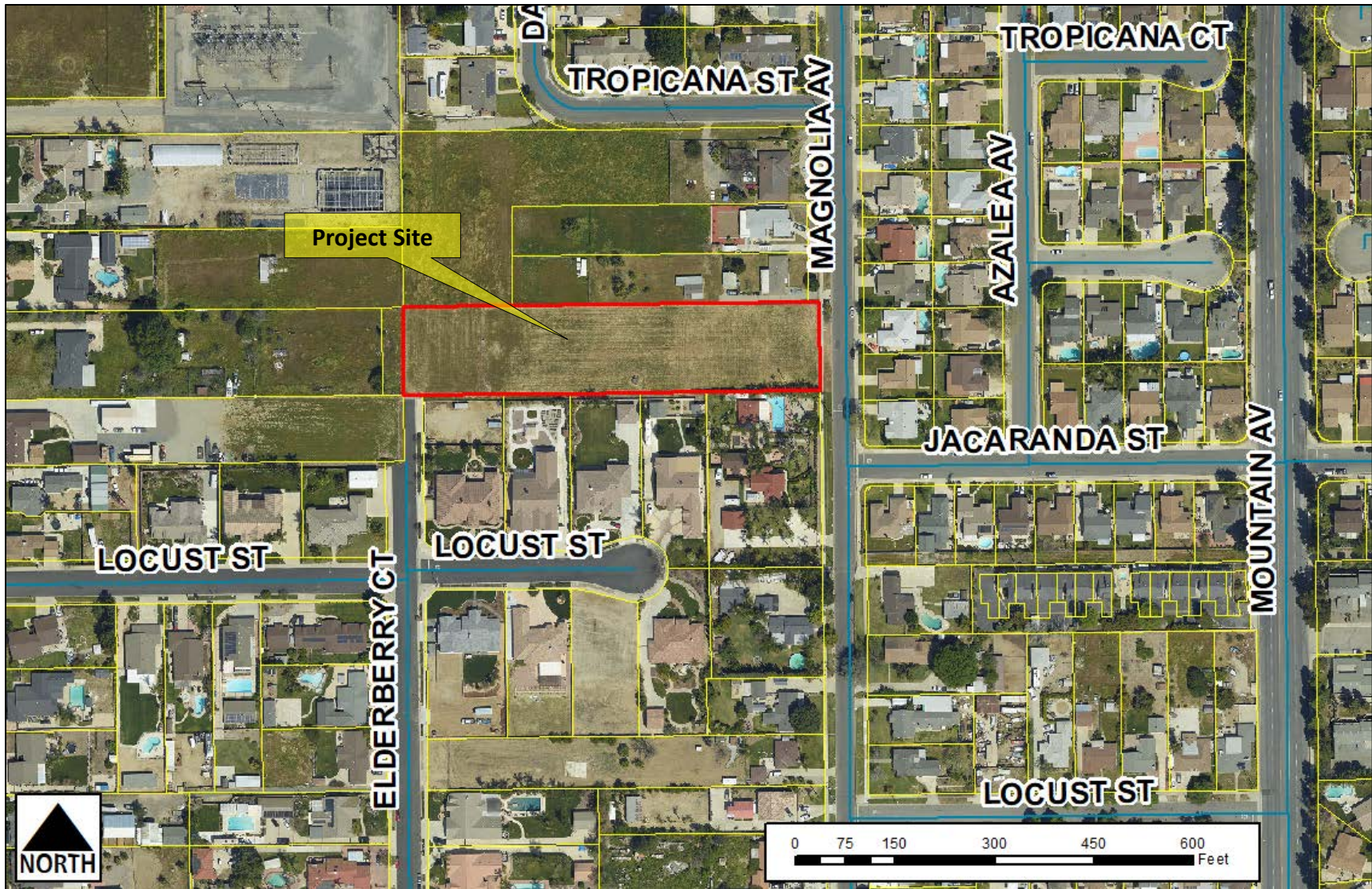
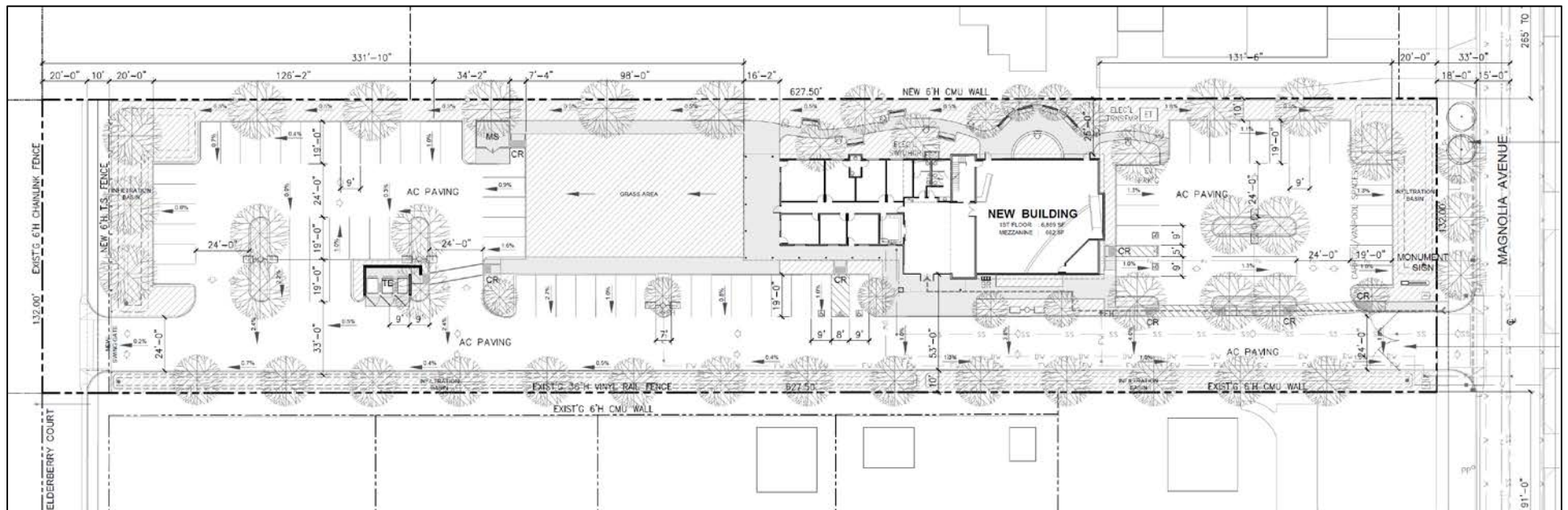
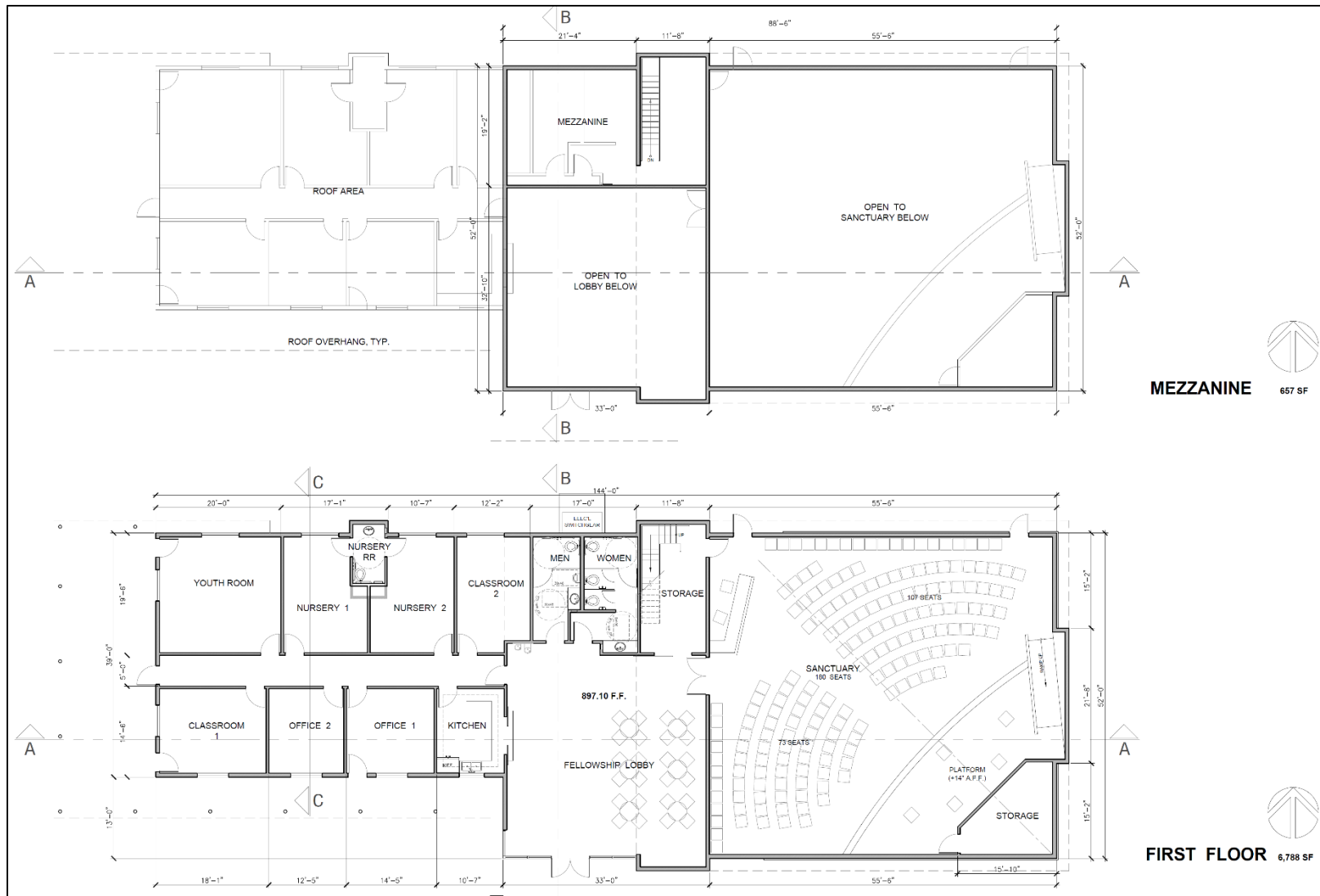




Exhibit B—SITE PLAN



**Exhibit C—FLOOR PLAN**



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:** June 15, 2020

**File No:** PCUP19-015

**Related Files:** PDEV19-036

**Project Description:** A Conditional Use Permit to establish a 7,531 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district; (APN: 1014-111-08) submitted by **Gracepoint Brethren in Christ Church**.

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

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

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

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

**2.1** Time Limits.

**(a)** Conditional Use Permit approval shall become null and void two 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, except that a Variance approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

**2.2** 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 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).

### 2.4 Environmental Review.

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

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

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

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

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

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

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

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is

determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

**2.5** 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.

**2.6** 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.

**2.7** Additional Requirements.

**(a)** All applicable Conditions of Approval from other City departments shall be met and addressed by the applicant.

**(b)** All site improvements shall be completed prior to operating the proposed religious assembly use.

**(c)** Any changes in the hours of operation listed below shall require Planning Department review and approval.

**(i)** Office Hours – Monday through Friday from 8:30 a.m. to 4:30 p.m.

**(ii)** Youth Ministry – Wednesdays from 6:00 p.m. to 8:00 p.m.

**(iii)** Sunday Service Preparation – Sundays from 8:00 a.m. to 10:00 a.m.

**(iv)** Sunday Service – Sundays from 10:00 a.m. to 12:00 p.m.

**(v)** Board Meetings – Sundays (monthly) from 6:00 p.m. to 8:00 p.m.

**(d)** The Conditional Use Permit is to establish a religious assembly use only any other ancillary uses, such as daycare services, a school or an increase in the sanctuary area shall require a Conditional Use Permit modification.

**(e)** Road Traffic/Parking attendants shall be required on-site one hour before and one hour after Sunday Services to guide vehicles entering and exiting the project site in a safe orderly manner. A Road Traffic/Parking Attendant Plan shall be submitted and approved to the Planning Department prior to building permit issuance. The Road Traffic/Parking Attendant Plan shall include vehicle movements entering/exiting the site, street route guidance/directions for members traveling to the site and the location of road traffic/parking attendants on-site and off-site guiding members to the facility. On-street parking for the proposed use shall not be allowed, all members/visitors/congregants shall park their vehicles on-site.

**(f)** *All special events held on-site will require a Temporary Use Permit (TUP) that will be subject to City review and approval.*



# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-036 & PCUP19-015

Address: 0 West Magnolia Ave

APN: 1014-111-08

Existing Land Use: Vacant

Proposed Land Use: Development Plan and CUP to construct and establish a 6,800 SF Religious Facility

Site Acreage: 1.87 Proposed Structure Height: 27 ft

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 11/6/19

CD No.: 2019-057

PALU No.: n/a

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

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

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: \_\_\_\_\_



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Associate Planner  
Planning Department

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

**DATE:** July 12, 2019

**SUBJECT:** PCUP19-015 - A Development Plan and a Conditional Use Permit application to construct a 6,800 SF church on 1.871 acres of vacant land, located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR2 (Residential - Agriculture) Zoning District. APN: 1014-111-08 RELATED FILE: PDEV19-036

- 
- The plan **does** adequately address Fire Department requirements at this time.
- No comments, see PDEV19-036
-



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Aguilo, Associate Planner

**FROM:** Officer Emily Hernandez, Police Department

**DATE:** July 17, 2019

**SUBJECT:** PCUP19-015 AND PDEV19-036 - A CONDITIONAL USE PERMIT APPLICATION TO ESTABLISH A CHURCH LOCATED NORTH OF THE INTERSECTION OF MAGNOLIA AVENUE AND JACARANDA STREET.

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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 listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. Photometrics shall be provided to the Police Department. Photometrics shall 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 building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.

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

- Outdoor services and activities are prohibited in the absence of a Temporary Use Permit.
- Food or beverage distribution to the public shall be prohibited.
- The storage of personal belongings on the site shall be prohibited.

The Applicant is invited to contact Officer Emily Hernandez (909) 408-1755 with any questions or concerns.

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Jeanie Irene Aguilo  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** July 9, 2019  
**SUBJECT:** PCUP19-015

---

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

KS:lr





# CITY OF ONTARIO

## MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: July 08, 2019

SUBJECT: FILE #: PCUP19-015 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, July 22, 2019**.

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

**PROJECT DESCRIPTION:** A Development Plan and a Conditional Use Permit application to construct a 6,800 SF church on 1.871 acres of vacant land, located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR2 (Residential - Agriculture) Zoning District. APN: 1014-111-08 RELATED FILE: PDEV19-036

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

Landscape Planning Division  
Department Signature Title  
Landscape Planner 71c





# Development Advisory Board Decision

June 15, 2020

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

**FILE NO.:** PDEV19-036

**DESCRIPTION:** A Development Plan to construct a 7,531 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district; (APN: 1014-111-08) **submitted by Gracepoint Brethren in Christ Church. Planning Commission Action is required.**

## ***Part I—BACKGROUND & ANALYSIS***

GRACEPOINT BRETHERN IN CHRIST CHURCH, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-036, 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 1.87 acres of land located at north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district, and is depicted in Exhibit A—Aerial Photograph, attached. 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	Rural Residential	AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre)	N/A
<i>North:</i>	Single Family Residential	Rural Residential	AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre)	N/A
<i>South:</i>	Single Family Residential	Rural Residential	AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre)	N/A
<i>East:</i>	Single Family Residential	Rural Residential	LDR-5 (Low Density Residential – 2.1 to 5.9 DU/Acre)	N/A
<i>West:</i>	Single Family Residential	Rural Residential	AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre)	N/A

(2) **Project Description:**

(a) **Background** — The Applicant, Gracepoint Brethren in Christ Church, was founded in 2005 within the City of Ontario by Pastor Steven and Nicole Airth. Prior to establishing Gracepoint Church

Pastor Steven and Nicole were directors of youth at Gateway Community Church located in Chino, California. Pastor Steven was encouraged by Gateway Church to establish a new congregation for Ontario residents and received financial support from Gateway and Brethren in Christ Board for Church Planting and Evangelism to establish Gracepoint Church. Gracepoint Church has been holding services for their 80 congregants at Ranchview Elementary School (3300 South Old Archibald Ranch Road), within the City of Ontario, for approximately 14 years and is seeking to establish a permanent location and facility within the southern portion of the City. Brethren in Christ, which is financially affiliated with Gracepoint, has several locations in surrounding cities, including Ontario. The Ontario Brethren in Christ Church is located in the northern portion of the City, within an existing residential neighborhood, at 1205 North Baker Avenue.

On July 2, 2019, the applicant submitted a Development Plan (File No. PDEV19-036) to construct a 7,531 square-foot religious assembly use, in conjunction with a Conditional Use Permit (File No. PCUP19-015) to establish the religious assembly land use (Gracepoint Church).

(b) Site Design/Building Layout — The building is situated on a rectangular narrow through-lot (132 feet wide by 627.50 feet long), with street frontages along the western (Elderberry Court) and eastern (Magnolia Avenue) property lines. The proposed building is centrally located along northern portion of the Project site and there are two parking lots located east and west of the building that are connected by a 24-foot wide drive aisle that runs along the southern property line (see Exhibit B — Site Plan, attached). An open lawn area (98 feet by 56 feet) immediately west of the building has also been provided. The building's main front entrance is oriented to the south facing the drive-aisle and secondary/minor access points are located on the north, west and east sides of the building. The building is setback approximately 150 feet from the east property line (Magnolia Avenue), 25 feet from the north interior property line, approximately 317 feet from the west property line (Elderberry Court), and 63 feet from the interior south property line. Along the southern property line, there is an existing six-foot high masonry block wall (located on the east side) and three-foot high vinyl rail fence (located on the west side) that will remain in place. A six-foot high decorative masonry wall will be constructed along the north property line and a six-foot high steel tubular fence with access gates will be constructed along the west and east property lines, to secure the site.

The floor plan for the proposed building includes a (see Exhibit C — Floor Plan, attached):

- **Sanctuary** – The Sanctuary occupies the eastern half of the building and includes 180 fixed seats, a platform/stage area, and storage.
- **Lobby** – The Lobby is centrally located within the building and features the main entrance to the building. All portions of the building can be accessed through the lobby, which includes two restrooms (men and women), a storage room and access to a mezzanine area that will also be utilized for storage.
- **Classrooms/Offices** – The western half of the building consists of a kitchen that is directly adjacent to the lobby area, two classrooms, a youth room, two nursery rooms, a nursery restroom, and two offices.

(c) Proposed Use/Operations — Gracepoint is proposing to establish and operate a religious and assembly use within the proposed building to include the following operations:

- **Pastor Office Hours** - The Pastor office hours would be held Monday through Friday, from 8:30 a.m. to 4:30 p.m. The Pastor office hours are utilized to study and prepare for church services. Four to seven volunteer members are expected on-site during office hours to assist the Pastor with service preparation and organize events.
- **Sunday Service** – Sunday services and setup are from 8:00 a.m. to 12:00 p.m., with the service setup time scheduled from 8:00 a.m. to 10:00 a.m. A group of 15-20 volunteers (staff,



musicians, and technical crew) spend the first hour preparing for Sunday services which include refreshment preparation, band rehearsal, and classroom/childcare preparation and the second hour in group prayer. Sunday Service is held within the Sanctuary, from 10:00 a.m. to 12:00 p.m. During Sunday Service, childcare is provided for children ages 3 and below within the nursery rooms, and worship and prayer activities are provided for children ages 4 to 10 within the classrooms.

- **Quest Gracepoint Youth Ministry** – The Youth Ministry will be held every Wednesday evening, from 6:00 p.m. to 8:00 p.m., for members that are between the ages of 12 to 17. The group consists of ten to fifteen members, which includes an average of two to three adult group leaders. The majority of youth group members will be dropped-off and picked up on-site.
- **Board Meetings** – Gracepoint will host monthly board meetings on Sunday evenings, from 6:00 p.m. to 8:00 p.m., that consists of seven church members.

(d) Site Access/Circulation — Vehicular access to the Project site is provided along Magnolia Avenue and Elderberry Court. The Magnolia Avenue entrance located the southeast corner of the Project site will serve as primary access, via a 24-foot wide driveway that will be gated and remain open during service and church operations, and will accommodate standard and emergency vehicles entering and exiting the site. The Elderberry Court access is for emergency vehicles only. The 24-foot wide gated driveway is located on southwest corner of the Project site and will remain closed. Congregation members will be utilizing the Magnolia Avenue street entrance for entering and exiting the site.

(e) Parking Requirements — The Project is required to provide a minimum of 60 off-street parking spaces pursuant to the “Religious Assembly” parking standards specified in the Development Code. Seventy-five parking spaces have been provided, exceeding the minimum standards. Parking was calculated at 0.33 spaces per fixed seat and total of 180 fixed seats have been proposed within the sanctuary area.

(f) Trip Generation Analysis — A Trip Generation and Roadway Segment Analysis was prepared by Translutions, Inc (Dated: May 20, 2020) for the proposed Project. The study analyzed Trip rates based on the number of seats rather than the building square footage, since it was the conservative approach. A Roadway Segment Level of Service (LOS) analysis was conducted on Magnolia Avenue to compare conditions between the “Proposed Project” and “No Project” scenario. Level of service (LOS) is a mechanism used to determine how well a transportation facility is operating from a traveler’s perspective. Typically, six levels of service are defined, and each is assigned a letter designation from A to F, with LOS A representing the best operating conditions, and LOS F the worst. The LOS study, in this case, analyzed both weekday and Sunday conditions, as the use would be more intense on a Sunday. The resulting analysis concluded that the proposed Project would not have a significant impact on existing traffic operations and maintain a LOS of A for the Magnolia Avenue roadway segment (see Attachment A — Trip Generation Analysis, attached).

Furthermore, staff analyzed the number of trips generated by the proposed Project versus the number of trips generated by developing the site with single-family residential uses. The Project site is located within the AR-2 zoning district, which requires a minimum 18,000 square-foot lot size. The existing lot size is 1.87 acres and could potentially be subdivided into four lots that could be developed with up to eight residential dwelling units. The number of trips produced by the proposed religious assemble use versus a single-family residential development is similar during the weekday; however, the number of daily trips produced by a church use on Sunday is three times higher, as show in the table below.

Land Use	Weekday Trips (Daily) Ratio	Total Weekday Trips (Daily)	Sunday Trips (Daily) Ratio	Total Sunday Trips (Daily)
Single Family (8 units)	9.44	76	8.55	68
Religious Assembly (7,531 SF/ 180 Fixed Seats/Attendees)	6.95(per 1,000 SF)/.44 per seat	52 / 79	27.6 (per 1,000 SF)/1.2 per seat	207/216

(g) Architecture — The proposed building was designed to complement the existing residential neighborhood setting that consists of single-story homes built in the 1970s, 1980s and 2010s. Architectural elements include a shallow pitch hipped roof, smooth stucco wall finishes with an earth tone color palette, a stone veneer at the base of the building and columns, a covered patio over the main southern entrance, and covered patio that wraps around the western half of the building. Building articulation and massing has been provided by the varying building heights. The eastern half of the building is 25 feet in height to accommodate the sanctuary and the western half of the building (classroom/offices) is 15 feet in height. The Development Code allows for a 35-foot maximum building height within the AR-2 zoning district; however, due to the predominantly single-story buildings within the neighborhood setting, lower building heights were maintained.

Staff believes that the proposed Project illustrates the type of high-quality architecture promoted by the Development Code. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas; and
- Articulation in the building roof line, which serves to accentuate the building’s entries and breaks up large expanses of building wall; and
- A mix of exterior materials, finishes and fixtures; and
- Incorporation of base and top treatments defined by changes in color, materials and recessed wall areas; and
- The building was designed to ensure that its massing and proportion, along with its colors and architectural detailing, are consistent on all four building elevations.

(h) Landscaping — The Project provides landscaping along the Magnolia Avenue and Elderberry Court frontages, around the Project perimeter, and throughout the Project site. The Project site is currently lacking right-of-way improvements (sidewalk/parkway) and street trees, which will be provided with the Project. The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the Project site. The landscape plan incorporates a combination of 48-inch and 24-inch box trees along Magnolia Avenue, which includes a mix of Crape Myrtle and Red Push Chinese Pistache trees. In addition, a mix of 15-gallon and 24-inch box accent and shade trees will be provided throughout the Project site that includes Drake Elm, Forest Pansy Redbud, Brisbane Box, Coast Live Oak, and London Plane trees. A variety of shrubs and groundcovers are also being provided, which are low water usage or drought tolerant (see Exhibit E—Landscape Plan, attached).

(i) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the Project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of a bio-retention stormwater infiltration systems along the Magnolia Avenue frontage, Elderberry Court, and bioswales along the southern landscape setback for the Project. Any overflow drainage will be conveyed to the Magnolia Avenue by way of parkway culverts.

(j) Community Meetings — The Planning Department held two community meetings to review the Development Plan and related Conditional Use Permit (File No. PCUP19-015) applications with the neighboring residents. Below is a summary of each meeting.

**First Community Meeting** — The first meeting was held on November 6, 2019, and notices were mailed to 47 property owners within 300 feet of the Project site (see Exhibit F— Map of Residents Notified – 1st Community Meeting, attached). There was approximately 50-60 people in attendance. The majority of the residents were in opposition to the proposed use and raised the following concerns:

1. Public Notifications.

- Issue – Residents requested that future community meetings have a greater notification boundary (Phillips Boulevard to the north, Mountain Avenue to the east, Oaks Avenue to the west, and Francis Street to the south) and be mailed 15-20 days before the meeting.
- *Staff Response – Community meeting notices are sent to property owners within a 300-foot radius, 10-days prior to the meeting; however, any future meetings would have an expanded boundary and be mailed at least two-weeks prior to the meeting date.*

2. Land Use.

- Issue – Residents opposed the church land use since it would increase vehicular traffic and create concentrations of people within the residential neighborhood that has a rural setting. Residents inquired whether the proposed use would require a zone change.
- *Staff Response – The Project site is zoned AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) and allows religious assembly uses with an approved Conditional Use Permit. The proposed use would have operating peak times on Sunday morning, during service hours.*

3. Requested Information and Technical Studies.

- Issue – The residents requested a traffic study, noise study, air quality study, and Environmental Impact Report be provided to measure the negative affects due to the increased vehicle trips generated by the proposed use.
- *Staff Response – The Project is considered an In-Fill Development which would not require the level of environmental review as requested by the residents. However, in consideration of the increased traffic along Magnolia Avenue, the applicant prepared a Trip Generation and Roadway Segment Analysis to measure the impacts of the proposed use.*

4. Access, Traffic, and Parking Issues.

- Issue – Residents raised concerns regarding sufficient on-site parking, additional traffic safety impacts for horseback riders and pedestrians, vehicular and pedestrian access from Elderberry Court and existing speeding issues along Magnolia Avenue and Jacaranda Street. The majority of southbound vehicles on Magnolia Avenue do not stop at the stop sign placed 60-plus feet away from the Magnolia Avenue and Jacaranda Street intersection.
- *Staff Response – The Project proposes 75 on-site parking spaces that exceeds the Development Code requirements of 60 on-site parking spaces. Magnolia Avenue would be the only access point. The driveway along Elderberry Court will be utilized for emergency*

*purposes only. On-street parking will not be permitted and shall be enforced through additional street signage in coordination with the Engineering Department. In addition, the Engineering Department was not aware of the existing stop sign condition and ordered the stop sign to be realigned with the intersection.*

5. Construction concerns regarding dust control measures, timeframe, and construction hours.
  - Issue – Residents had concerns about construction activity, including dust control measures, construction noise, development timeframe, and the hours in which construction will take place throughout the day.
  - *Staff Response – All new development projects are required to comply with the minimum standards set forth by the Ontario Municipal Code, Ontario Development Code, California Building Code, California Fire Code, and applicable provisions of the California Code of Regulations. As part of the Standard Conditions of Approval, construction, remodeling, digging, grading, demolition or any other related building activity shall be in conformance to property maintenance and noise limitations as set forth within the resolution.*
6. Increase in crime.
  - Issue – Residents expressed concerns about the lack of police presence patrolling the neighborhood, as well as loitering on vacant lots.
  - *Staff Response – The development of the Project site will eliminate a vacant lot and provide additional “eyes on the street” and in turn, increase public safety.*
7. Design – Lighting and loss of mountain views.
  - Issue – Residents had questions about lighting on the building and within the parking lot areas being contained on-site and not reflecting onto their properties. Residents along Locust Street were also concerned about their loss of mountain views from their backyards.
  - *Staff Response – Off-street parking facilities are required to be 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. In addition, the maximum height allowed for the AR-2 zoning district is 35 feet, while the proposed height of the church building is 25 feet, which meets the Development Code requirements. In addition, the building is situated 150 feet from the closest dwelling to the south (residence along Locust Street), which should not impact the view of the mountains.*
8. Noise during service hours and congregating outside of the building before and after the service, as well as concerns about special events held at the church.
  - Issue – Residents raised concerns about the noise from the building during service hours and additional noise generated from people talking and congregating outside of the building before and after the service. There were also questions about special events to be held at the church throughout the year and the impacts from large crowds generated during church events.
  - *Staff Response – The applicant will be sound-proofing the sanctuary area of the church to minimize the neighborhood interference. The church entrance is over 150 feet from the rear of the property to the south. In addition, special events will require Temporary Use*



*Permit (TUP) approval for each event and must be approved by the City prior to the event occurrence.*

Residents at the first meeting requested a 2nd community meeting and for notices to be sent to an expanded notification area, 15 to 20 days prior to the meeting date. Following the first meeting, members of the community also provided written statements in support and opposition of the proposed use (see Attachment B: Written Communication from 1st Community Meeting, attached). Below is a summary of items submitted to Planning staff:

Written Statements included comment cards from Shane Rodgers, Deb Hilak, Shira Seny, Julie Teeter, Zoila Bautista, and Pedro Hernandez. E-mail responses were provided by Don Parnell, Jaime Flores, Jamie and Alice Whitlock, and Russell Sprague. A brief summary of each item is provided below:

- **Sherie Rodgers comment card and phone call** – Concerned about the church land use, traffic along Magnolia Avenue and Jacaranda Street, on-street parking, construction activity, and security.
- **Deb Hilak, comment card** – Mrs. Hilak had concerns about increased traffic and parking along Magnolia Avenue and stated that this is an agricultural area and since bridle paths are poorly planned, Magnolia Avenue has become a major thoroughfare to access Homer Briggs Arena, so traffic has increased in the past year. She also mentioned that Magnolia Avenue is too narrow and dangerous, and additional traffic was not welcome.
- **Shira Seny, comment card** – Mrs. Seny has concerns about traffic congestion, confused about zoning that would allow for a church use but not apartments, narrow streets, and parking issues.
- **Julie Teeter, comment card** – Mrs. Teeter purchased her property at the end of a cul-de-sac and has issues with the noise, lights, and traffic that will be caused by the proposed use.
- **Zoila Bautista, comment card** – Mrs. Bautista suggested blocking access on Elderberry Court for vehicles and pedestrians, require a traffic study, require site line analysis for Locust Street (properties to the south) residents, a noise study, and environmental study due to the increased vehicles and parishioners, as well as security concerns.
- **Pedro Hernandez, comment card** – Mr. Hernandez suggested speed bumps along Magnolia Avenue to reduce speeds and bring attention to the southbound stop sign. In addition, he had concerns about church parishioners parking on the street.
- **Don Parnell, e-mail** – Mr. Parnell suggested an agenda, provide listed names, positions and contact information of staff, list of City requirements, pros and cons obtained so far, and timeline for future meetings. He also stated that he is in support of the Project.
- **Jaime Flores, e-mail** – Mr. Flores was against the Project due to increase traffic along Magnolia Avenue. He requested a traffic study be conducted as well as suggested parking permits along the street.
- **Jamie and Alice Whitlock, e-mail** – Mr. and Mrs. Whitlock are long-term residents of the area since 1976 and are opposing the Project due to insufficient ingress and egress along Magnolia Avenue, increased traffic and their impacts on Magnolia Avenue and Jacaranda Street, concerns about the church growing beyond capacity, and safety concerns for nearby school children and their proximity to church personnel and parishioners.

- **Russell Sprague, e-mail** – Mr. Sprague suggested a solid gate with no pedestrian access along the Elderberry Court emergency access point to prevent loitering and deter parking along Elderberry Court and Locust Street.

**Second Community Meeting** — The second community meeting was held on February 6, 2020 and notices were mailed to 311 property owners within 1,000 feet of the Project site (Exhibit G — Map of Residents Notified – 2nd Community Meeting). Approximately 50 to 60 community members were in attendance. Staff’s presentation summarized the concerns from the first meeting, discussed revisions to the site plan to address community concerns, discussed the proposed church operations, received additional comments from the community, and discussed the next steps in the entitlement process. The residents continued to be in opposition of the proposed use, raising the same concerns from the first meeting, along with some new concerns described below:

1. Land Use Compatibility.

- Issue – The consensus among the residents is that the proposed use is not compatible with the existing community and any conditions placed on the Project to mitigate impacts would not be enough to mitigate traffic and safety impacts. Residents also made comments about not allowing any religious assembly uses within any of the rural residential neighborhoods.
- *Staff Response – A Development Code amendment would be required to prohibit any use within the AR-2 zoning district and would require direction from City Council to conduct further analysis on the elimination of the use.*

2. Building Architectural Design.

- Issue – The building’s modern commercial design does not reflect the existing neighborhood setting. The building should resemble a residential home and complement the existing neighborhood.
- *Staff Response – The Project applicant revised the architectural design of the building to complement the existing neighborhood setting.*

3. Southbound Stop Sign along Magnolia Avenue.

- Issue – There is an existing stop sign located 60 feet away from the intersection of Jacaranda Street and Magnolia Avenue that most drivers do not adhere to.
- *Staff Response – Since the meeting, the Engineering Department had relocated the stop sign to the intersection and may add “Stop Ahead” signs and legends on the pavement.*

4. Magnolia Avenue street too Narrow.

- Issue – Magnolia Avenue street width narrows from 40 feet to 35 feet north of the Project site at Tropicana Street, and maintains the 35-foot street width until reaching Francis Street.
- *Staff Response – Public Works will be installing 50 feet of center striping on north/south approaches of Jacaranda Street intersection that will assist in guiding traffic through the narrowing portions of the street at the intersection.*

Following the second meeting, three comment cards in opposition to the proposed use were submitted by Shira Seny, Zoila Bautista, and Carmen Duncan, with their previously stated concerns from the first meeting. Written correspondence opposing the Project were received from Luz Montanez, Shira Seny, Gil Aldaco. Additionally, two petitions were submitted in opposition to the proposed Project. The first petition includes 13 signatures and the second petition includes 146 signatures (see Attachment C: Written Communication from 2nd Community Meeting, attached).

### **Part II—RECITALS**

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("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 (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on June 15, 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 recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for

the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development) of the CEQA Guidelines. The proposed Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 1.87 acres less than the five-acre threshold and is substantially surrounded by urban land uses. The Project site has no value as habitat for endangered, rare or threatened species. Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is adequately served by all required utilities and public services.

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

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

**SECTION 2: *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 3: *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.

**SECTION 4: *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 specific findings set forth in Sections 1 through 3, 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 Rural Residential land use district of the Policy Plan Land Use Map, and the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) 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 AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district including standards relative to the particular land use proposed (religious assembly), 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 Development Code are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

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

**SECTION 5: Development Advisory Board Action.** Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby RECOMMENDS THE PLANNING COMMISSION APPROVE the Application, subject to each and every condition set forth in the Department reports included as Attachment D of this Decision, and incorporated herein by this reference.

**SECTION 6: Indemnification.** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

**SECTION 7: Custodian of Records.** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

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APPROVED AND ADOPTED this 15th day of June 2020.

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Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

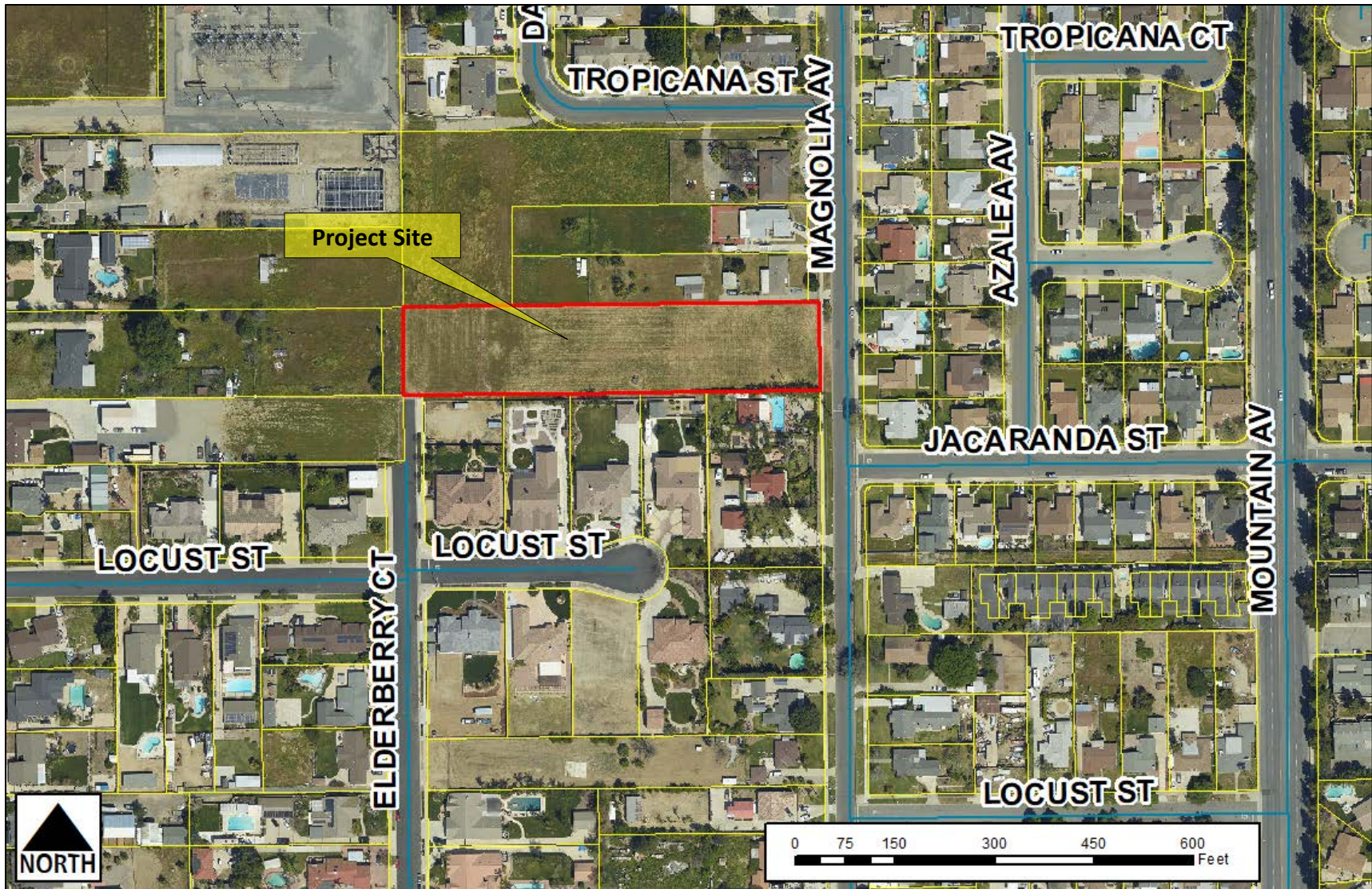
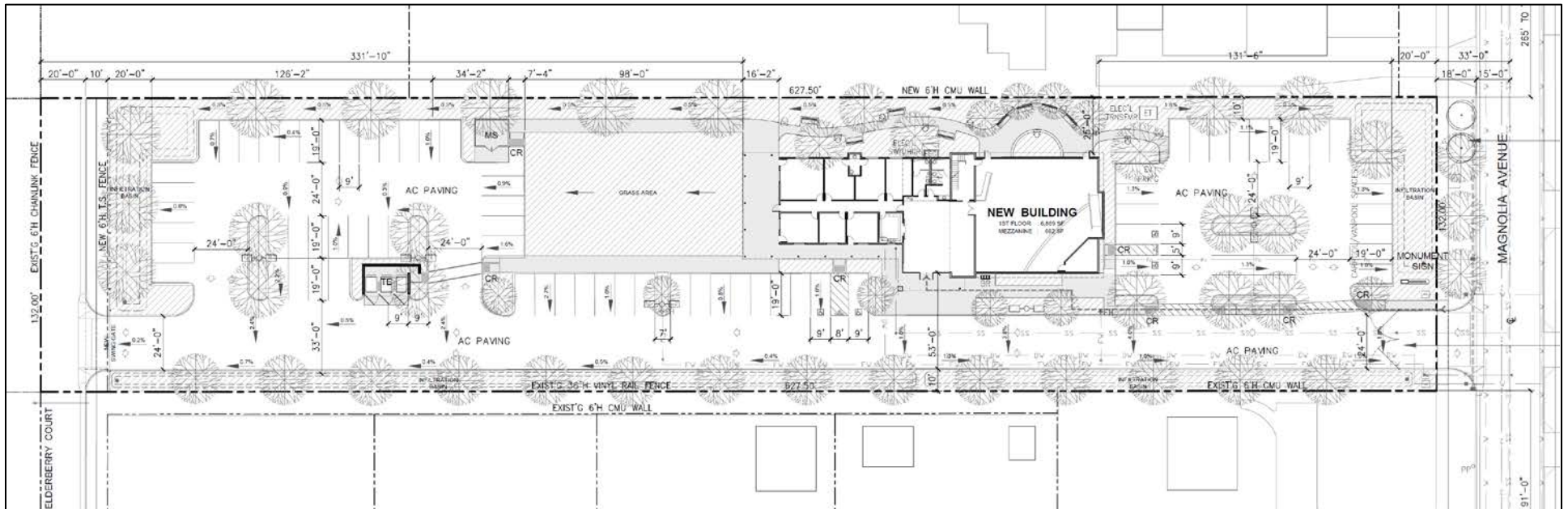
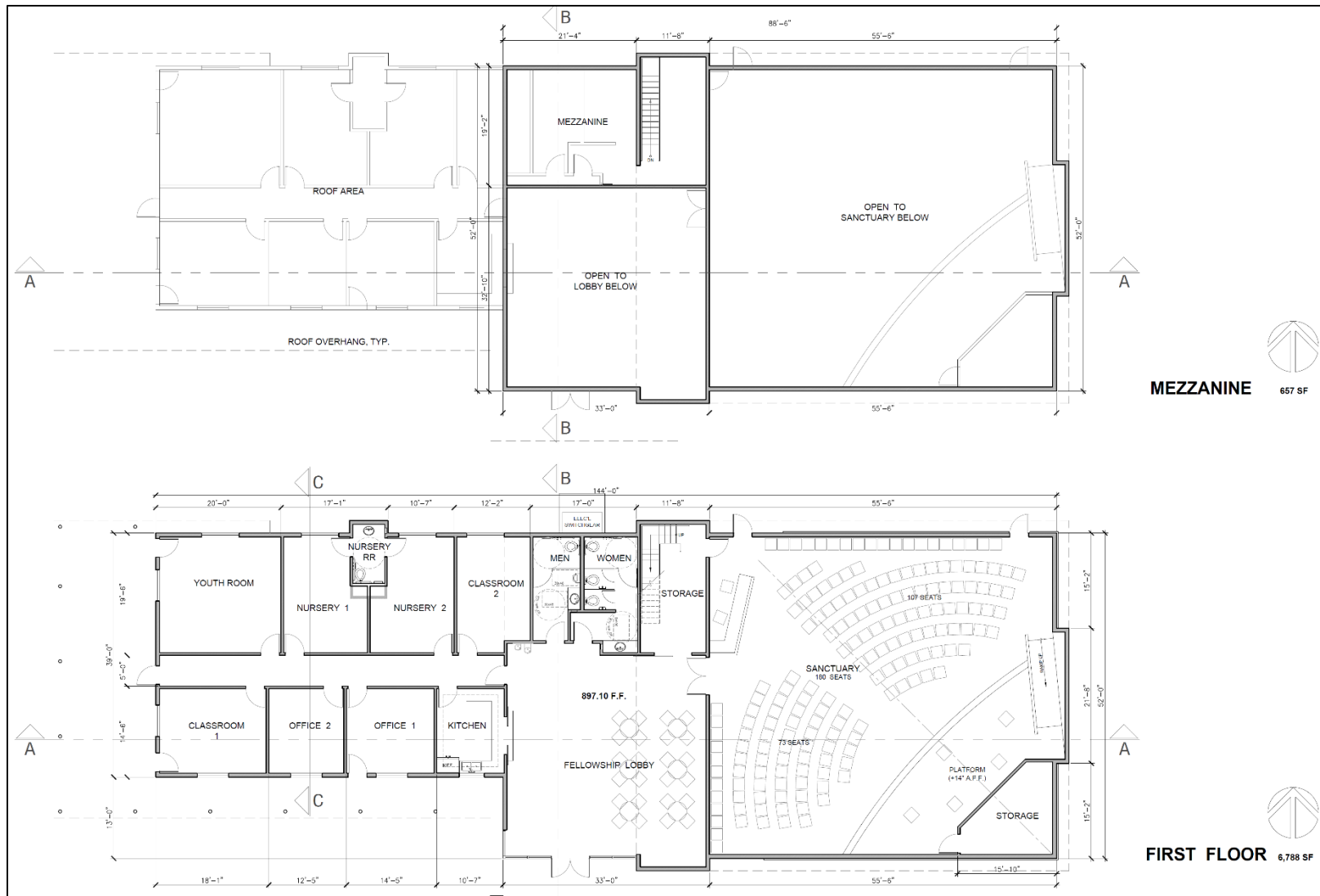




Exhibit B—SITE PLAN

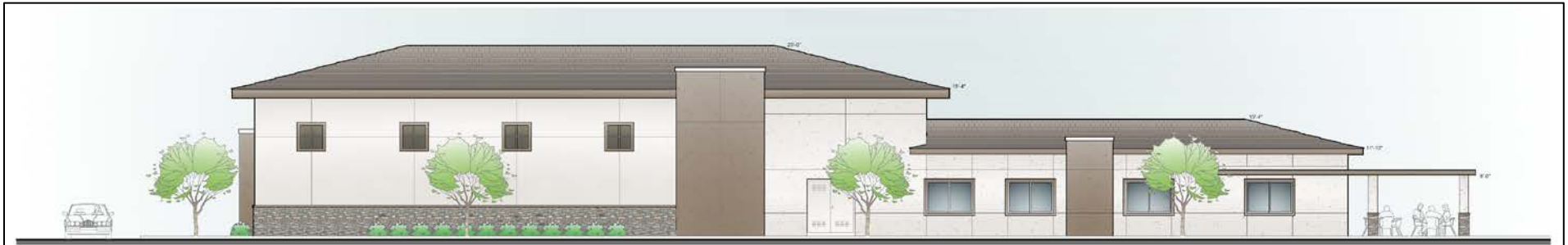


**Exhibit C—FLOOR PLAN**





**Exhibit D—ELEVATIONS**



**NORTH ELEVATION**



**SOUTH ELEVATION**



**WEST ELEVATION**



**EAST ELEVATION**

**Exhibit E—LANDSCAPE PLAN**

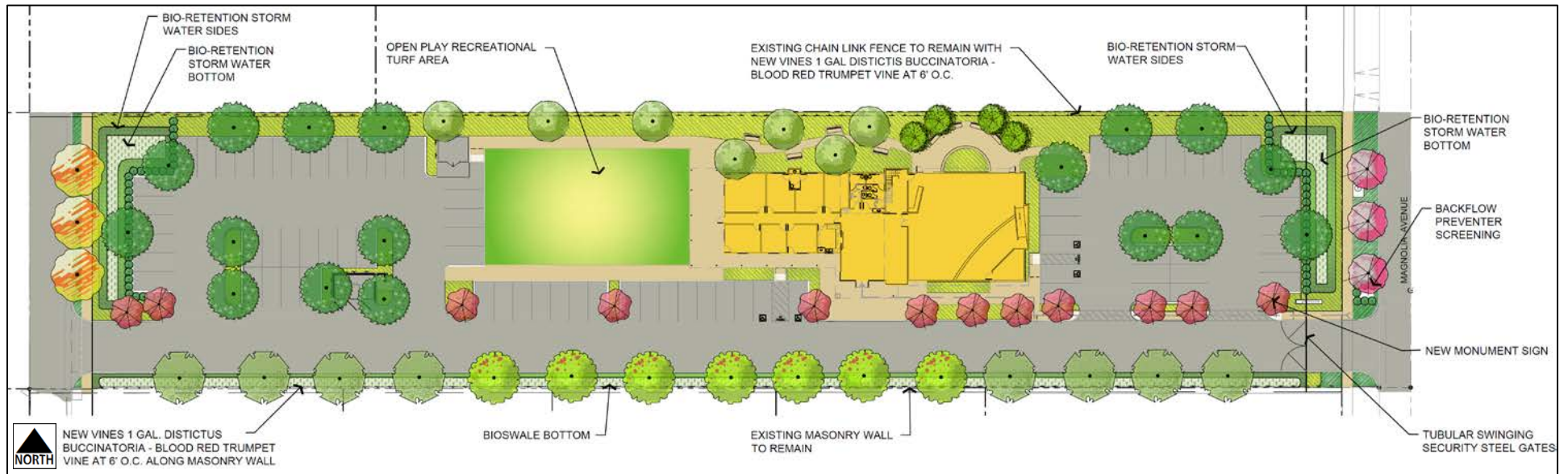




Exhibit F—Map of Residents Notified – 1st Community Meeting

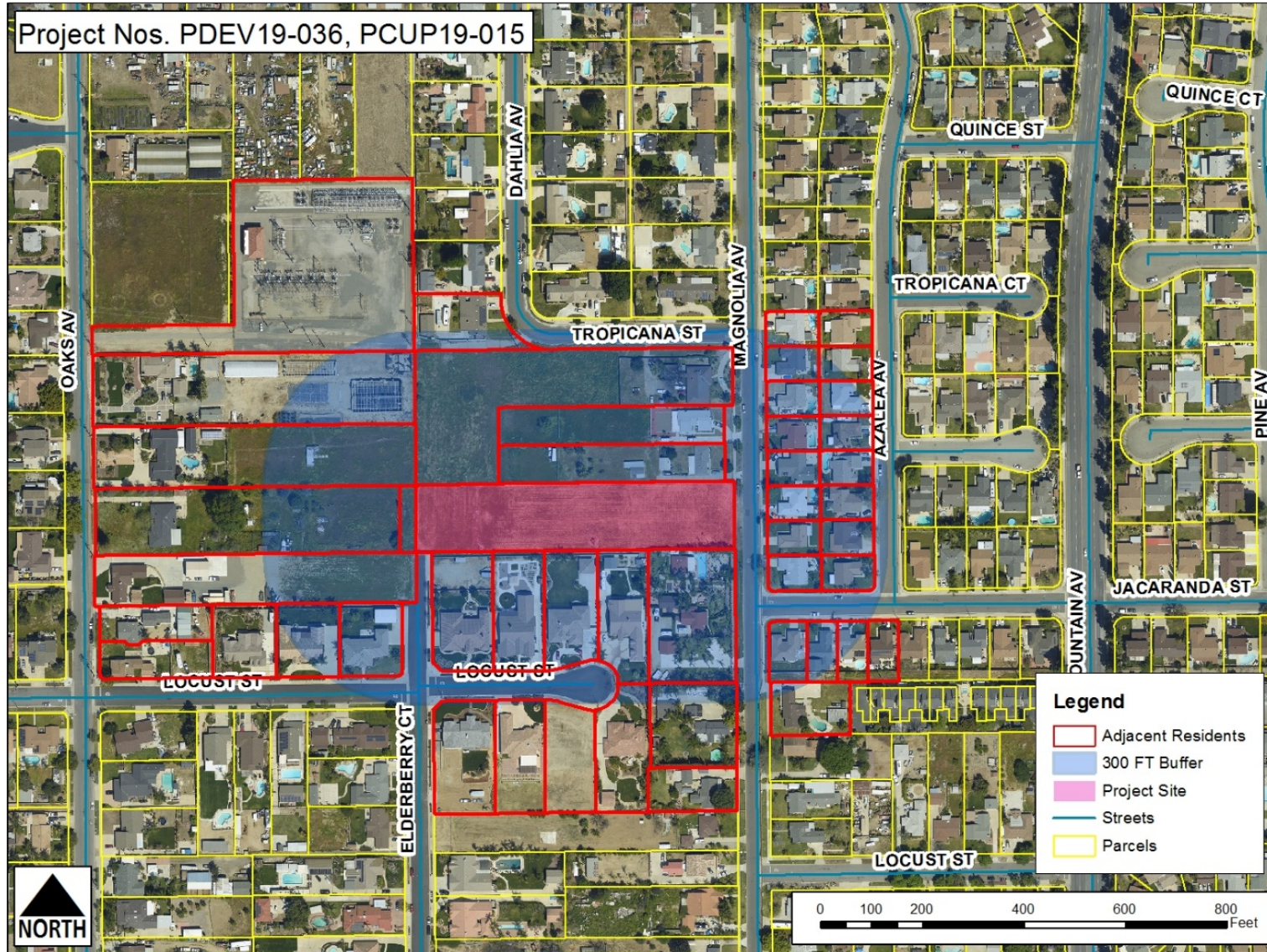
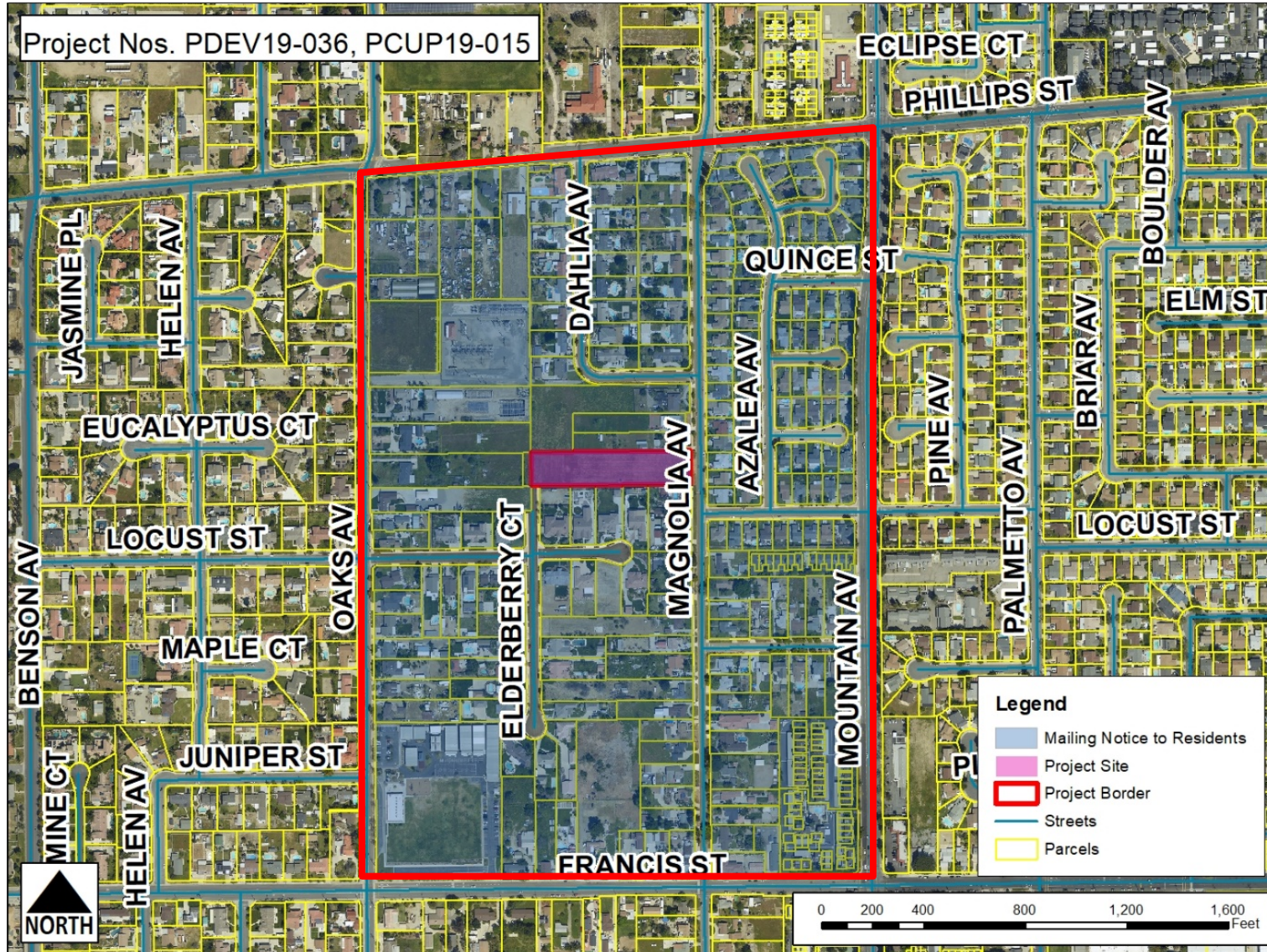




Exhibit G—Map of Residents Notified – 2nd Community Meeting





## **Attachment A —Trip Generation Analysis**



May 20, 2020

Mr. Jaime Maciel-Carrera, T.E., Senior Associate Engineer  
 Public Works Department  
 City of Ontario  
 303 East B Street  
 Ontario, California 91764

Subject: Gracepoint Church – Trip Generation and Roadway Segment Analysis

Dear Mr. Maciel-Carrera:

Translutions, Inc. (Translutions) is pleased to provide this letter report discussing the potential trip generation and daily roadway segment analysis for the proposed Gracepoint Church project. The project is located on the west side of Magnolia Avenue, approximately 85 feet north of Jacaranda Street in the City of Ontario, in San Bernardino County, California. The 1.871-acre project site would include the construction of a 6,800 square foot church that would include 187 seats.

The project trip generation was developed using rates for Church seats and total building square footage. The trip generation rates that provide the most conservative project trips was used to develop the project trip generation. Also, a daily roadway segment analysis on Magnolia Avenue was conducted for existing weekday without and with project conditions.

**PROJECT TRIP GENERATION**

The trip generation rates for Church seats and total building square footage are from Land Use 560 - "Church", from the Institute of Transportation Engineers' (ITE) *Trip Generation (10<sup>th</sup> Edition)*.

Table A below shows the project trip generation using rates for the 187 Church seats. As shown in Table A, the project would generate 2 a.m. peak hour trips, 6 p.m. peak hour trips, 82 weekday trips, 101 Sunday peak hour of generator trips and 226 Sunday trips.

**Table A - Project Trip Generation (Seats)**

Land Use	Units	Weekday						Sunday				
		AM Peak Hour			PM Peak Hour			Daily	Peak Hour Generator			Daily
		In	Out	Total	In	Out	Total		In	Out	Total	
Church	187 Seats											
Trip Generation Rates <sup>1</sup>		0.005	0.005	0.010	0.012	0.018	0.030	0.440	0.265	0.275	0.540	1.210
PCE Inbound/Outbound Splits		50%	50%	100%	40%	60%	100%	50%/50%	49%	51%	100%	50%/50%
Trip Generation		1	1	2	2	4	6	82	49	51	101	226

<sup>1</sup> Rates based on the number of Seats for Land Use 560 "Church" from ITE Trip Generation, (10th Edition).

Table B below shows the project trip generation using rates for the total building square footage. As shown in Table B, the project would generate 2 a.m. peak hour trips, 3 p.m. peak hour trips, 47 weekday trips, 68 Sunday peak hour of generator trips and 188 Sunday trips.

**Table B - Project Trip Generation (Total Building Square Footage)**

Land Use	Units	Weekday						Sunday				
		AM Peak Hour			PM Peak Hour			Daily	Peak Hour Generator			Daily
		In	Out	Total	In	Out	Total		In	Out	Total	
Church	6.8 TSF											
Trip Generation Rates <sup>1</sup>		0.198	0.132	0.330	0.221	0.270	0.490	6.950	4.795	5.195	9.990	27.630
PCE Inbound/Outbound Splits		60%	40%	100%	45%	55%	100%	50%/50%	48%	52%	100%	50%/50%
Trip Generation		1	1	2	1	2	3	47	33	35	68	188

<sup>1</sup> Rates based on the total building square footage for Land Use 560 "Church" from ITE Trip Generation, (10th Edition).

### TRIP GENERATION COMPARISON

The proposed project would generate more trips using rates for Church seats when compared to the rates for total building square footage. Therefore, the project trip generation was developed using rates for Church seats.

### WEEKDAY ROADWAY SEGMENT ANALYSIS

The existing weekday daily volumes on Magnolia Avenue are based on daily counts collected by Counts Unlimited in November 2019. Counts Sheets are shown in Attachment A. The daily level of service analysis on Magnolia Avenue was conducted using the City's daily capacity for a two-lane local street.

Trip distribution patterns were developed for the project based on the location of the project in relation to local destinations. Figure 1 shows the trip distribution for the project on Magnolia Avenue. The trip distribution was applied to the weekday daily trip generation to generate existing with project weekday trips. Table C shows the existing weekday roadway segment without and with project levels of service. As shown in Table C, Magnolia Avenue operates at satisfactory levels of service under existing without and with project conditions.

**Table C: Existing Weekday Roadway Segment Levels of Service**

Roadway Segment	LOS Standard	Classification	Capacity <sup>1</sup>	Without Project			With Project		
				Daily Volume	V/C	LOS	Daily Volume	V/C	LOS
1 . Magnolia Ave south of Mission Blvd	D	2-Lane Local Street	12,500	1,133	0.091	A	1,153	0.092	A
2 . Magnolia Ave south of Francis St	D	2-Lane Local Street	12,500	861	0.069	A	881	0.070	A
3 . Magnolia between Phillips St & Francis St	D	2-Lane Local Street	12,500	1,133	0.091	A	1,215	0.097	A

Notes: LOS=Level of Service, V/C=Volume to Capacity Ratio, <sup>1</sup>Roadway Capacity based on City of Ontario's Table 2-2 "Roadway Segment Level of Service Descriptions".

### SUNDAY ROADWAY SEGMENT ANALYSIS

The existing Sunday daily volumes on Magnolia Avenue are based on the weekday daily volumes. This provides a conservative estimate of the Sunday traffic, which is generally lower than weekday traffic. Table D shows the existing Sunday roadway segment without and with project levels of service. As shown in Table D, Magnolia Avenue operates at satisfactory levels of service under existing without and with project conditions.

**Table D: Existing Sunday Roadway Segment Levels of Service**

Roadway Segment	LOS Standard	Classification	Capacity <sup>1</sup>	Without Project			With Project		
				Daily Volume <sup>2</sup>	V/C	LOS	Daily Volume	V/C	LOS
1 . Magnolia Ave south of Mission Blvd	D	2-Lane Local Street	12,500	1,133	0.091	A	1,189	0.095	A
2 . Magnolia Ave south of Francis St	D	2-Lane Local Street	12,500	861	0.069	A	917	0.073	A
3 . Magnolia between Phillips St & Francis St	D	2-Lane Local Street	12,500	1,133	0.091	A	1,359	0.109	A

Notes: LOS=Level of Service, V/C=Volume to Capacity Ratio, <sup>1</sup>Roadway Capacity based on City of Ontario's Table 2-2 "Roadway Segment Level of Service Descriptions".

<sup>2</sup>The weekday daily volumes were applied to the Sunday volumes, which provides a conservative estimate, since Sunday traffic is generally lower than weekday traffic.

## CONCLUSION

Based on the trip generation analysis and daily roadway segment analysis described above, the proposed project is unlikely to have any significant impact on weekday traffic operations on Magnolia Avenue. We trust you will find this information helpful. If you have any questions, please do not hesitate to contact us at (949) 656-3131.

Sincerely,

translutions, Inc.  
*Sandipan Bhattacharjee*

Sandipan Bhattacharjee, P.E., T.E., AICP, ENV SP  
Principal





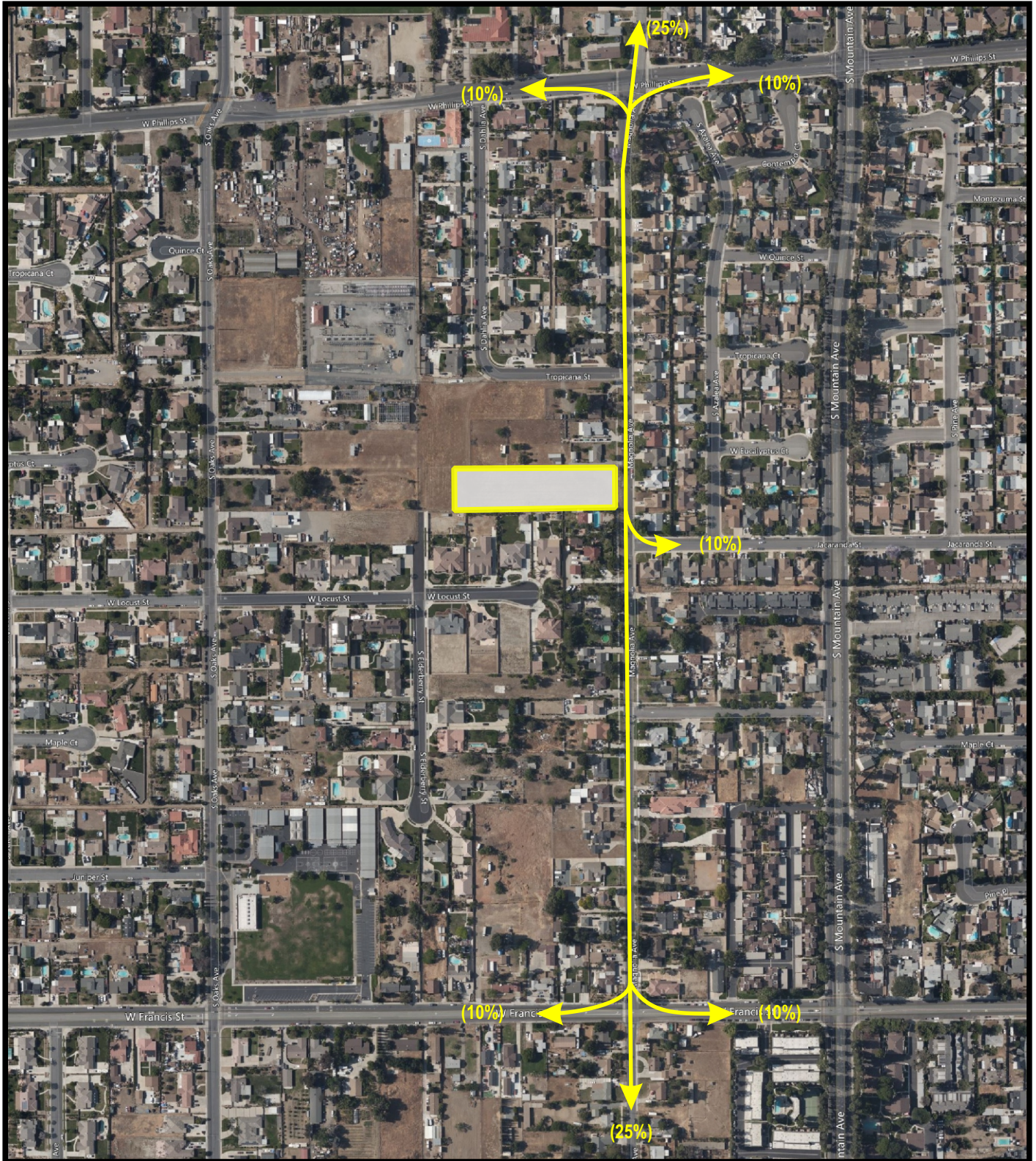


FIGURE 1

**Legend**

- Project Location
- (%) Distribution

**Gracepoint Church  
Project Trip Distribution**



Attachment A – Daily Traffic Counts





# Counts Unlimited, Inc.

City of Ontario  
Magnolia Avenue  
S/ Mission Boulevard  
24 Hour Directional Volume Count

PO Box 1178  
Corona, CA 92878  
Phone: (951) 268-6268  
email: counts@countsunlimited.com

ONT143  
Site Code: 020-19670A

Start Time	05-Nov-19 Tue	Northbound		Hour Totals		Southbound		Hour Totals		Combined Totals	
		Morning	Afternoon	Morning	Afternoon	Morning	Afternoon	Morning	Afternoon	Morning	Afternoon
12:00		0	3			0	9				
12:15		0	8			0	5				
12:30		0	6			0	5				
12:45		1	11	1	28	0	8	0	27	1	55
01:00		0	6			2	13				
01:15		0	7			1	12				
01:30		1	9			0	7				
01:45		0	8	1	30	0	7	3	39	4	69
02:00		0	6			1	4				
02:15		0	8			1	12				
02:30		1	10			0	13				
02:45		1	8	2	32	2	10	4	39	6	71
03:00		0	9			2	19				
03:15		1	11			0	13				
03:30		2	10			1	10				
03:45		0	15	3	45	1	11	4	53	7	98
04:00		1	11			1	7				
04:15		2	3			0	10				
04:30		4	9			3	12				
04:45		3	6	10	29	2	9	6	38	16	67
05:00		4	8			2	19				
05:15		3	10			2	18				
05:30		6	6			4	18				
05:45		3	8	16	32	1	10	9	65	25	97
06:00		4	9			6	13				
06:15		1	10			12	8				
06:30		5	18			8	12				
06:45		9	11	19	48	9	8	35	41	54	89
07:00		11	7			13	10				
07:15		15	8			15	5				
07:30		17	8			9	15				
07:45		17	5	60	28	12	5	49	35	109	63
08:00		13	10			8	3				
08:15		9	4			8	5				
08:30		8	1			8	3				
08:45		5	4	35	19	11	5	35	16	70	35
09:00		7	7			3	7				
09:15		4	7			6	2				
09:30		6	0			8	0				
09:45		7	4	24	18	12	3	29	12	53	30
10:00		11	6			5	6				
10:15		5	3			2	2				
10:30		2	1			4	3				
10:45		3	4	21	14	6	2	17	13	38	27
11:00		6	2			8	2				
11:15		3	1			5	1				
11:30		4	2			5	1				
11:45		3	0	16	5	4	2	22	6	38	11
<b>Total</b>		<b>208</b>	<b>328</b>	<b>208</b>	<b>328</b>	<b>213</b>	<b>384</b>	<b>213</b>	<b>384</b>	<b>421</b>	<b>712</b>
<b>Combined Total</b>			<b>536</b>		<b>536</b>		<b>597</b>		<b>597</b>		<b>1133</b>
AM Peak	-	07:15	-	-	-	07:00	-	-	-	-	-
Vol.	-	62	-	-	-	49	-	-	-	-	-
P.H.F.	-	0.912	-	-	-	0.817	-	-	-	-	-
PM Peak	-	-	06:00	-	-	-	05:00	-	-	-	-
Vol.	-	-	48	-	-	-	65	-	-	-	-
P.H.F.	-	-	0.667	-	-	-	0.855	-	-	-	-
Percentage		38.8%	61.2%			35.7%	64.3%				
ADT/AADT		ADT 1,133	AADT 1,133								

# Counts Unlimited, Inc.

City of Ontario  
Magnolia Avenue  
S/ Francis Street  
24 Hour Directional Volume Count

PO Box 1178  
Corona, CA 92878  
Phone: (951) 268-6268  
email: counts@countsunlimited.com

ONT144  
Site Code: 020-19670A

Start Time	05-Nov-19 Tue	Northbound		Hour Totals		Southbound		Hour Totals		Combined Totals	
		Morning	Afternoon	Morning	Afternoon	Morning	Afternoon	Morning	Afternoon	Morning	Afternoon
12:00		0	10			0	3				
12:15		0	5			0	5				
12:30		0	5			0	1				
12:45		0	5	0	25	0	7	0	16	0	41
01:00		1	6			2	5				
01:15		1	4			0	16				
01:30		1	7			1	5				
01:45		1	12	4	29	0	6	3	32	7	61
02:00		0	11			1	7				
02:15		0	8			0	6				
02:30		0	10			0	9				
02:45		0	8	0	37	4	5	5	27	5	64
03:00		0	7			1	6				
03:15		1	10			4	12				
03:30		0	7			1	10				
03:45		0	6	1	30	2	3	8	31	9	61
04:00		0	13			2	3				
04:15		1	6			3	5				
04:30		0	13			1	13				
04:45		0	5	1	37	2	9	8	30	9	67
05:00		2	8			1	10				
05:15		1	9			2	6				
05:30		0	4			7	10				
05:45		1	7	4	28	4	9	14	35	18	63
06:00		2	6			0	5				
06:15		3	8			2	3				
06:30		3	7			2	10				
06:45		5	8	13	29	4	3	8	21	21	50
07:00		10	9			8	7				
07:15		8	9			11	4				
07:30		13	7			6	2				
07:45		8	6	39	31	13	6	38	19	77	50
08:00		5	5			6	3				
08:15		1	2			1	2				
08:30		2	2			3	5				
08:45		7	8	15	17	3	7	13	17	28	34
09:00		8	5			9	2				
09:15		6	2			9	5				
09:30		4	4			5	2				
09:45		8	4	26	15	7	1	30	10	56	25
10:00		4	2			5	0				
10:15		5	5			4	0				
10:30		4	0			7	1				
10:45		8	2	21	9	5	0	21	1	42	10
11:00		5	1			1	2				
11:15		10	4			5	1				
11:30		9	2			5	2				
11:45		8	1	32	8	7	0	18	5	50	13
<b>Total</b>		<b>156</b>	<b>295</b>	<b>156</b>	<b>295</b>	<b>166</b>	<b>244</b>	<b>166</b>	<b>244</b>	<b>322</b>	<b>539</b>
Combined Total		<b>451</b>		<b>451</b>		<b>410</b>		<b>410</b>		<b>861</b>	
AM Peak	-	07:00	-	-	-	07:00	-	-	-	-	-
Vol.	-	39	-	-	-	38	-	-	-	-	-
P.H.F.	-	0.750				0.731					
PM Peak	-	-	01:45	-	-	-	04:30	-	-	-	-
Vol.	-	-	41	-	-	-	38	-	-	-	-
P.H.F.	-	-	0.854			-	0.731				
Percentage		34.6%	65.4%			40.5%	59.5%				
ADT/AADT		ADT 861		AADT 861							



**Attachment B: Written Communication from 1st Community Meeting**

**PDEV19-036 & PCUP19-015: Gracepoint Church**

**Development Advisory Board Meeting – June 15, 2020**

**Planning Commission Meeting – June 30, 2020**

**Attachment B: Written Communication from 1st Community Meetings**

a. Comment Cards

- i. Sherie Rodgers
- ii. Deb Hilak
- iii. Shira Seny
- iv. Julie Teeter
- v. Zoila Bautista
- vi. Pedro Hernandez

b. E-Mails

- i. Don Parnell
- ii. Jaime Flores
- iii. Jamie and Alice Whitlock
- iv. Russell Sprague

**Attachment C: Written Communication from 2nd Community Meeting**

**PDEV19-036 & PCUP19-015: Gracepoint Church**

**Development Advisory Board Meeting – June 15, 2020**

**Planning Commission Meeting – June 30, 2020**

**Attachment C: Written Communication from 2nd Community Meeting**

- a. Comment Cards
  - i. Shira Seny
  - ii. Zoila Bautista
  - iii. Carmen Duncan
- b. E-Mails
  - i. Luz Montanez
- c. Written Correspondence
  - i. Shira Seny (with attached petition)
  - ii. Gil Aldaco (with attached petition)





# COMMUNITY MEETING COMMENT CARD

RETURN BY FEBRUARY 21, 2020

PDEV19-036 & PCUP19-015

FEBRUARY 6, 2020

30 patrons only 15 parking spaces provided to the math  
I have serious concerns about the church project for the following reasons; Traffic congestion, parking problems, air pollution and many many more. If the site is not zoned

for apartment building, why would be zoned for a church?

If the city consider this outrageous project, it would have to consider all the residents that live in the area including myself.

Name:

Shra Senf

Address:

The city would have to seriously consider posting 'No parking' signs.

Phone:

909-986-1399

E-mail Address:

shrasenf@yahoo.com and/or painting the curbs red in front of every resident.



**COMMUNITY MEETING COMMENT CARD**  
**RETURN BY FEBRUARY 21, 2020**

**PDEV19-036 & PCUP19-015**  
**FEBRUARY 6, 2020**

• Will there be a designated smoking area? NO smoking near Locust residents!!!!  
• shorter construction hours: 8-4

• environmental noise pollution: cars, noise from <sup>added</sup> recreational field

• provide noise barriers for south + west property borders  
• add speed bumps onto Magnolia to reduce speed.  
Bautista 1240 W. Locust St.

**Name:**

**Address:**

909-218-7691

**Phone:**

**E-mail Address:**



**COMMUNITY MEETING COMMENT CARD**  
**RETURN BY FEBRUARY 21, 2020**

**PDEV19-036 & PCUP19-015**  
**FEBRUARY 6, 2020**

Concerned about property values,  
traffic and 2 story church.

Carmen Duncan

**Name:**

1640 S. Eldersberry Ct

**Address:**

(909) 573-3234

**Phone:**

Carmen.duncan1959@yahoo.com

**E-mail Address:**

## Jeanie Irene T. Aguilo

---

**From:** Luz Montanez <montanezluz@gmail.com>  
**Sent:** Saturday, February 8, 2020 5:31 PM  
**To:** Jeanie Irene T. Aguilo  
**Subject:** Developmental plan No.PDEV19-036

Greetings Ms. Jeanie Irene Aguilo,

The reason for this email is to oppose the developmental plan to construct a church on the lot located in our neighborhood at the intersection of Magnolia Avenue and Jacaranda. A few weeks ago we received your notice and were greatly displeased to find out this was the second meeting being held because we were never even informed about the first meeting. We had no idea there were plans for a church construction in our street. Due to being out of town because of work we were not able to attend your meeting on the 6th but would like any information you can provide us with as we are very concerned about the possibility of a commercial building being built on our residential street.

I urge you and the decision makers to please understand that a commercial building will cause substantial detriment to the public good of the neighboring residential community. We moved into this neighborhood two years ago and if there had been a church down the street we would have not moved into our current home just a five houses down from the lot. I have already spoken to a few neighbors and I was alarmed that many were unaware of the plans and completely opposed it.

The new construction will cause traffic issues, ruin the character of the neighborhood and decrease property values. The church states that they will only meet on Sundays but their website list that they host Vacation Bible School, Trunk or treat and a community art show and have a youth group that meets once a week.

The street is too narrow and not designed for a commercial building. This will increase the risk of accidents as well as traffic as there is a STOP sign just a few feet away.

We have dealt with a few power outages in the two years that we have lived here and I can only imagine that a new construction with higher energy needs will cause more issues.

A commercial building on a residential street also poses safety issues for the children of the neighborhood, as increased traffic down our street will likely result in increased speeding (which is a danger to children playing outside). The street isn't designed to accommodate the inflow and outflow of a church congregation. It makes little sense to place a church in the MIDDLE of a suburban neighborhood, surrounded by single family homes.

We encourage you to reconsider the plans for the development, and weight the concerns of those who live here more heavily than the concerns of those who want to change zoning to construct a commercial building between our houses. Put yourself in our shoes. How would you feel if they were building their church next to your home, in your neighborhood? Would you still see it as a positive development? We are asking that you have the same concern for our families. We have a greater stake in our neighborhood than an outside organization seeking to move in, and will hold public officials accountable for the decisions they make concerning our children.

Sincerely,  
Luz Montanez  
1404 Magnolia Ave



## Petition in Opposition to Project PDEV19-036 & PCUP19-015

We the undersigned oppose the proposed project (i.e., Gracepoint church) for accessory religious uses. To be clear, we are not advocating discrimination against churches and other places of religious activities. However, as residents of this neighborhood we are extremely concerned about the impact this project will have on our Rural Environment and Lifestyle (REAL Ontario) community. Maintaining the character of our neighborhood; and, protecting the integrity and tranquility of this Zone is a top priority of ours.

We strongly urge you to recognize our opposition, expressed concerns, and not allow this project to move forward.

The following concerns have been expressed to the Planning Department, project proponents, and Police Department representatives at the February 6, 2020 meeting.

1. The project promoters are requesting a conditional use permit for the establishment of a church in an AR2 Zone, but there is no mention of the sizable Open Play Recreational Turf Area shown on the notice.
2. TRAFFIC. The project proposes vehicle access via Magnolia Avenue north of Jacaranda Avenue. A stop-signed intersection lies approximately 30-feet south of the project entrance. That's about 2 ½ car lengths. When services are concluded there will be a mass exodus to get elsewhere. These vehicles will sit idling in line to exit, and this will greatly contribute towards increased air pollution as they wait to leave.
3. The potential for parking spillover onto Magnolia Avenue.
4. Growth and expansion will exacerbate parking space, traffic, and safety concerns.
5. Noise, lighting, and athletic activities on the "open play recreational turf area" will affect neighbors adjacent to this site.
6. The project is designed to accommodate 75 parking spaces for 80 patrons. Five patrons will need to park on Magnolia Avenue. As growth occurs, where will they park?
7. Existing infrastructure concerns such as accelerated street wear from increased traffic; precious drinking water applied to the recreational turf area when it should be conserved; potential sewer capacity issues; vehicles exiting onto unimproved Elderberry Court even though it is designated as an emergency exit; and, fire and safety access onto the site.
8. The incompatible architectural design of the building – its height and appearance (i.e., industrial building) in a community of single story ranch style homes.

Sincerely, the undersigned:

TO WHOM IT MAY CONCERN

Petition

I LIVE RIGHT ACROSS THE PROPOSED PROJECT OF BUILDING A CHURCH. I'VE BEEN LIVING THERE FOR THE PAST 35 YEARS. I LIKE THE PEACEFUL AND RURAL NEIGHBORHOOD, AND SO DO MY NEIGHBORS. MAGNOLIA AVE IS A NARROW STREET, AND THE LOT ITSELF WHERE THE CHURCH WOULD BE IS VERY SMALL. IT WOULD MOSTLY ACCOMMODATE A SMALL ONE- STORY RESIDENTIAL HOUSE. I ALSO UNDERSTAND THAT IT IS NOT ZONED FOR AN APARTMENT BUILDING, SO WHY WOULD IT BE ZONED FOR A CHURCH? THE PROPOSED CHURCH IS 2-STORY HIGH, IT IS TOO LARGE FOR THE LOT, THERE WOULD BE 75 PARKING SPACES, 80 PATRONS, SO WHERE WOULD THE EXTRA 5 FOR NOW WOULD BE PARKING ? THE CHURCH WOULD GROW LIKE ALL THE OTHER CHURCHES IN THE AREA AND THE NUMBER OF PATRONS WOULD INCREASE AS WELL .

I HAVE DEEP CONCERNS ABOUT THIS PROJECT FOR THE FOLLOWING REASONS; TRAFFIC CONGESTION, AIR POLLUTION, NOISE, PARKING PROBLEMS;{STREET IS TOO NARROW TO ACCOMMODATE PARKING AND TRAFFIC COMING IN ALL DIRECTIONS.} RESIDENTS IN THE NEIGHBORHOOD, INCLUDING MYSELF WOULD HAVE TO PAY HIGHER TAXES TO SUPPORT THE CHURCH SINCE IT IS TAX EXEMPT.

IF THE CITY OF ONTARIO CONSIDERS THIS CONTROVERSIAL PROJECT, WOULD IT BE WILLING AND ABLE TO POST "NO PARKING" SIGNS IN FRONT OF ALL THE RESIDENTIAL HOUSES? AND/OR PAINT THE CURBS RED IN FRONT OF ALL THE HOUSES? ALSO POST SPEED LIMIT SIGNS AND/OR SIGNALS ON ALL INTERSECTIONS? TO PREVENT TRAFFIC ACCIDENTS, AND TO ALLOW THE RESIDENTS TO PULL IN AND OUT OF THEIR DRIVEWAYS SAFELY? BECAUSE AS IT IS RIGHT NOW THERE ARE NONE.

THANK YOU FOR TAKING YOUR TIME IN READING THIS LETTER.

SINCERELY



CONCERNED RESIDENT

Signatures of  
all affected residents  
on Magnolia Ave who disapprove  
of the church project

*[Signature]* - 1511 S. Magnolia Ave  
Collette Oldaco

1531 S. Magnolia Ave - *[Signature]*

1503 S. Magnolia Ave - *[Signature]*

1463 S. Magnolia Ave - *[Signature]*

1455 S. Magnolia Ave - *[Signature]*

1449 S. Magnolia Ave - *[Signature]*



14413 S. Magnolia Ave — Ellen Lundstedt  
1443 " — CM. 22

1435 S. Magnolia Ave — Manuel Padilla

~~1429 S. Magnolia Ave~~

~~1417 S. Magnolia Ave~~

1405 S. Magnolia Ave

1314 S. Magnolia Ave. Lorna Kolstad  
Lorna Kolstad

~~1320 S. Magnolia Ave~~

~~1326 S. Magnolia Ave~~ ✓

1412 - 9/9

1418 FRANCISCO MORIN Arain Arain

S. Magnolia Ave

~~1424~~ S. Magnolia Ave

Clifton Mitchell ~~Clifton Mitchell~~





1024



91764

FCM LETTER  
CHINO, CA  
91708  
MAR 05 20  
AMOUNT

**\$5.30**

R2304M114121-08

**CERTIFIED MAIL**



7019 1120 0001 0919 6304

Shira Seny  
1517 S. Magnolia Ave  
Ontario, Ca.  
91762

**RETURN RECEIPT  
REQUESTED**

City Hall  
303 E 'B' street  
Ontario, CA.  
91764  
ATTENS planning Dept.  
Jeanie Irene Agosto

9176434105



**RECEIVED**  
MAR 09 2020  
City of Ontario  
Planning Department



March 9, 2020



*Handwritten signature and number:*  
909-247-4267

Jeanie Irene Aguilo  
Associate Planner  
City of Ontario  
303 East B Street  
Ontario, CA 91764

Subject: Petition in Opposition to Project PDEV19-036 & PCUP19-015

Dear Ms. Aguilo,

Attached for your reference and inclusion to the project file is the subject referenced Petition. The petition provides the names and addresses of residents within and adjacent to the affected area. Each person respectfully opposes the proposed Gracepoint Church project for its impact to the tranquility of the area, and because it will compromise the integrity of the Zone (AR2).

The tranquility of this community is already affected by parents driving their children to the nearby schools (Vista Grande Elementary and Oaks Middle School) daily via neighborhood arterial streets. Residents have experienced increases in pedestrian and vehicular traffic along Phillips Blvd, Francis Avenue, Oaks Street, and Magnolia Avenue. They have also witnessed excessive speeds, rudeness, disregard for stop-signed intersections and no-parking areas; and, morning and afternoon traffic congestion. Weekends provide the only respite from the weekday volumes of traffic.

As you know, this Zone designation provides for agricultural and equestrian uses. A significant number of the affected residents own and ride their horses on the weekends; however, this proposed project will further subject the area to traffic issues on Saturdays and Sundays. It is these days that provide a well-deserved break from workday stresses, and the peace and quiet of not having to deal with high volume traffic on these streets.

Affected residents are extremely concerned about the impact this project will have on their rural environment and lifestyle. It is extremely important to them that the character of this neighborhood be maintained.

In closing, no one is advocating discrimination against churches and other places of religious activities. However, it is firmly believed this project is better suited to a location that provides greater vehicular ease-of-access such as an area zoned for commercial or light industrial/manufacturing. It has been noted that Grace Point intends to increase its patron membership. As such, with every new member that is added a corresponding number of vehicles will follow. This area cannot accommodate that type of growth.

It is for these reasons; and, those stated at the Neighborhood Meetings, that opposition is being expressed.

Thank you

## Petition in Opposition to Project PDEV19-036 & PCUP19-015

We the undersigned oppose the proposed project (i.e., Gracepoint church) for accessory religious uses. To be clear, we are not advocating discrimination against churches and other places of religious activities. However, as residents of this neighborhood we are extremely concerned about the impact this project will have on our Rural Environment and Lifestyle (REAL Ontario) community. Maintaining the character of our neighborhood; and, protecting the integrity and tranquility of this Zone is a top priority of ours.

We strongly urge you to recognize our opposition, expressed concerns, and not allow this project to move forward.

The following concerns have been expressed to the Planning Department, project proponents, and Police Department representatives at the February 6, 2020 meeting.

1. The project promoters are requesting a conditional use permit for the establishment of a church in an AR2 Zone, but there is no mention of the sizable Open Play Recreational Turf Area shown on the notice.
2. TRAFFIC. The project proposes vehicle access via Magnolia Avenue north of Jacaranda Avenue. A stop-signed intersection lies approximately 30-feet south of the project entrance. That's about 2 ½ car lengths. When services are concluded there will be a mass exodus to get elsewhere. These vehicles will sit idling in line to exit, and this will greatly contribute towards increased air pollution as they wait to leave.
3. The potential for parking spillover onto Magnolia Avenue.
4. Growth and expansion will exacerbate parking space, traffic, and safety concerns.
5. Noise, lighting, and athletic activities on the "open play recreational turf area" will affect neighbors adjacent to this site.
6. The project is designed to accommodate 75 parking spaces for 80 patrons. Five patrons will need to park on Magnolia Avenue. As growth occurs, where will they park?
7. Existing infrastructure concerns such as accelerated street wear from increased traffic; precious drinking water applied to the recreational turf area when it should be conserved; potential sewer capacity issues; vehicles exiting onto unimproved Elderberry Court even though it is designated as an emergency exit; and, fire and safety access onto the site.
8. The incompatible architectural design of the building – its height and appearance (i.e., industrial building) in a community of single story ranch style homes.

Sincerely, the undersigned:




Petition in Opposition to Project PDEV19-036 & PCUP19-015

Get A.

NAME

ADDRESS

SIGNATURE

Luis Cruz	1508 S. Magnolia Ave Ontario CA.	Luis Cruz
Shira Seny	1517 S. Magnolia Ave Ontario, Ca.	
Pedro Hernandez	1537 Magnolia Ave, Ontario, CA 91762	Pedro Hernandez
Alegria Gomez	1537 Magnolia Ave Ontario 91762	Alegria Gomez
Xiomara Alberca	1531 Magnolia Ave Ontario 91762	Xiomara Alberca
Eddie Moreno	1511 Magnolia Ave Ontario 91762	
Larry Sevcsind	1449 magnolia ave ontario 91762	Larry Sevcsind
Manuel Padilla	1435 S. Magnolia Ave, Ontario 91762	Manuel Padilla
Victoria Dougherty	1429 S. Magnolia Ave Ontario 91762	
Allera Guzman	1423 magnolia Ave ontario ca 91762	Allera Guzman
Sandy Velasco	1450 S. Magnolia Ave. Ont. CA 91762	Sandy Velasco
Alma Hess	1209 W Phillips St ontario 91762	Alma Hess
GREG HESS	1209 W Phillips St	GREG HESS
George Montañez	1404 S Magnolia Ave	George Montañez
Maggie+Jeremy West	1417 Magnolia Ave	Maggie+Jeremy West
Claudia Salinas	1424 S. Magnolia Ave.	Claudia Salinas
FRANCISCO MORAN	1418 S. MAGNOLIA av.	Francisco Moran
TOM MOISI	1208 TROPICANA	Tom Moisi
GARY R. ROGERS	1220 TROPICANA ST, ontario	GARY R. ROGERS
Brianna L. Rogers	1220 Tropicana Street Ontario	Brianna L. Rogers
Warri Rogers	1220 Tropicana Street, Ontario 91762	Warri Rogers
Ronnie Hogan	1220 Tropicana St, ontario 91762	Ronnie Hogan
Sarah Sanders	1442 S Dahlia	Sarah Sanders
Veronica Smith	1432 S. Dahlia Ave Ontario CA	Veronica Smith



Petition in Opposition to Project PDEV19-036 & PCUP19-015

NAME	ADDRESS	SIGNATURE
Exiguo Limon	1433 S. Dahlia Ave	
Conna Limon	1433 S. Dahlia Ave	Conna Limon
W. A. Schworer JR	1424 S. DAHLIA AVE	W. A. Schworer JR
M E Schworer	1424 S. Dahlia	Maria E Schworer
Adrienne Ayles	1425 S. Dahlia Ave	Adrienne Ayles
Victoria A Lewis	1418 S. Dahlia Ave	Victoria A Lewis
Shane Smith	1402 S. Dahlia Ave	Shane Smith
Ethan Smith	1402 S. Dahlia Ave	Ethan Smith
Ann Smith	1402 S. Dahlia Ave	Ann Smith
Arturo Quintero	1308 S. Dahlia Ave	Arturo Quintero
Tina Silva	1321 S. Dahlia Ave	Tina Silva
Adam Wise	1413 S. Dahlia Ave	Adam Wise
Valerie Wise	1413 S. Dahlia Ave	Valerie Wise
Leonardo Herrera	1150 W. Phillips St.	
Elizabeth Guillen	1419 S. Dahlia Ave	Elizabeth Guillen
Lorena Guillen	1419 S. Dahlia Ave	Lorena Guillen
Alexis Guillen	1419 S. Dahlia Ave	Alexis Guillen
ROBERT Guillen	1419 S. DAHLIA AVE	
RAYMOND Guillen	1419 S DAHLIA AVE	
RAYMOND A Guillen	1419 S DAHLIA AVE	RJ
Brandon T. Smith	<del>1410</del> 1402 S. Dahlia Ave	Brandon T. Smith
Karlen J. Smith	1402 S. Dahlia Ave	Karlen J. Smith
Evelyn E. Johnson	1755 Magnolia	EVELYN JOHNSON
Billy Johnson	1755 Magnolia	Billy JOHNSON
CLAY PARTIDA	1743 MAGNOLIA AVE	Cly Partida



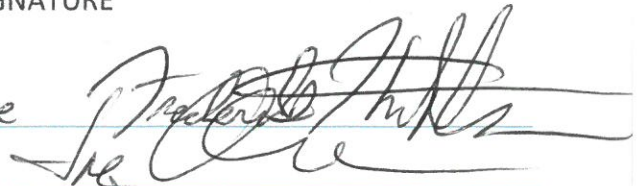
Petition in Opposition to Project PDEV19-036 & PCUP19-015

NAME

ADDRESS

SIGNATURE

Frederick Huffman 1643 Magnolia Ave



JOSE ZAMORA 1314 S. DAHLIA AV.

MARIA ZAMORA 1314 S Dahlia Ave

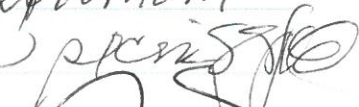


Brian Treat 1309 Phillips

Patty Putnam 1545 S. Magnolia



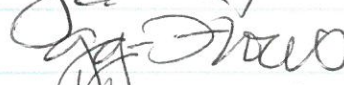
Tam Kingpiece 1545 S. Magnolia



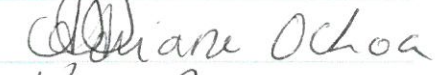
JAME N. Flores 1603 S. Magnolia



Gladys Gamba Flores 1603 S. Magnolia Ave.



Adriana Ochoa 1636 magnolia Ave



KAREN RATEKIN 1714 S. MAGNOLIA AVE.



Byron Lovejoy 1724 Magnolia Ave



Louise Lovejoy 1724 Magnolia Ave



HERBERT JOLIN 1732-MAGNOLIA AVE



Betty Jolin 1732 Magnolia Ave



BOB WOLFE 1740 Magnolia



Ken McAnnell 1760 Magnolia



LUIS JARVIS 1653 S. OAKS



Phillip Murcia 1608 S. OAKS



RUSSELL SPRAGUE 1307 W. LOCUST ST



Cynthia Sprague 1307 W. Locust St



Susan Engelsma 1380 W Locust St



Betsy Fernandez 1412 S. Dahlia Ave



Raul Torres JR 1412 S. Dahlia Ave



MARILU CASTRO 1618 S. Elderberry Ct



John Castro 1618 S. Elderberry Ct.



Petition in Opposition to Project PDEV19-036 & PCUP19-015

NAME

ADDRESS

SIGNATURE

Ken Duncan	1640 S. Elderberry Ct	Ken Duncan
Carmen Duncan	1640 S. Elderberry Ct	Carmen Duncan
Henry VanderWeide	16645 Elderberry Ct	Henry VanderWeide
Homer Raymond	1726 S. Elderberry Ct. Ontario	Homer Raymond
James Hammond	1241 W. Locust St Ontario.	James Hammond
Jan Westra	1211 W. Locust St. Ontario	Jan Westra
Syros Westra	" "	Syros Westra
JOE PALAZZOLLO	1210 W LOCUST ST	Joe Palazzolo
Josefina Bautista	1240 W LOCUST ST.	Josefina Bautista
Dale Stires	1260 W Locust St	DALE STIRES
Greg Stires	1260 W Locust St	GREG STIRES
Gilbert Adaco	1403 S. Dahlia	Gilbert Adaco
Cofette Adaco	1403 S. Dahlia	Cofette Adaco



*Nancy Vasquez*

Petition in Opposition to Project PDEV19-036 & PCUP19-015

NAME	ADDRESS	SIGNATURE
ISMAEL SILVA & TINA	1321 S Dahlia Ave	<i>[Signature]</i>
LORNA KOLSTAD	1314 S MAGNOLIA AVE	<i>Lorna Kolstad</i>
Angie TROUNSON	1224 Magnolia Ave	<i>[Signature]</i>
JAMES TROUNSON	1224 Magnolia Ave	<i>[Signature]</i>
Ismael Macias	1250 " " "	<i>Ismael Macias</i>
OSNEY DELGADO	1230 MAGNOLIA AVE	<i>[Signature]</i>
ART DELGADO	1230 MAGNOLIA AVE	<i>Arturo S. Delgado</i>
Melinda Delgado	1230 MAGNOLIA AVE	<i>Melinda Delgado</i>
Desmond Delgado	1230 Magnolia Ave	<i>[Signature]</i>
Ron Karsting	1231 magnolia Ave	<i>[Signature]</i>
Kim Karsting	1231 magnolia Ave	<i>[Signature]</i>
Tina Billo	1132 Magnolia Ave	<i>[Signature]</i>
Nancy Ku	1124 Magnolia	<i>[Signature]</i>
ANDREW MORGES	1114 MAGNOLIA	<i>[Signature]</i>
<i>[Signature]</i>	1221 MAGNOLIA	<i>[Signature]</i>
CARLOS VASQUEZ	1225 W Phillips St	<i>[Signature]</i>
Juan Vasquez	1225 W. Phillips Street	<i>Juan Vasquez</i>
Walter Vasquez	1225 W Phillips St.	<i>Walter Vasquez</i>
Phil S. Schacter	1250 W Phillips St	<i>Phil S.</i>
Viola Schacter	1250 W. Phillips St.	<i>Viola Schacter</i>
Rubén Tomeli	1224 W. Phillips St	<i>Ruben Tomeli</i>
Rosa Tomeli	1224 - W Phillips St	<i>Rosa Tomeli</i>
PEDRO DE LA RIVA	1241 S. MAGNOLIA	<i>Pedro de la Riva</i>
MANUELA DE LA RIVA	" " "	<i>Manuela de la Riva</i>
ISAR DE LA RIVA	" " "	<i>Isar de la Riva</i>

26  
*[Signature]*

Petition in Opposition to Project PDEV19-036 & PCUP19-015

NAME

ADDRESS

SIGNATURE

Louie R. Fortin 1214 W. Phillips St. Ontario

Lynn Fortin 1214 W. Phillips St. Ontario

Adam Fortin 1214 W. Phillips St. Ontario

Daniela Vazquez 1225 W Phillips St. Ontario, CA 91762

Lindsay Keenan 1145 Jacaranda St. Ontario, CA 91762

Erik Keenan 1145 Jacaranda St. Ontario CA 91762

Dwayne Norwood 1139 Jacaranda St Ontario CA. 91762

Nancy Norwood 1139 Jacaranda St Ontario CA 91762

BERTHAL ESPINOZA 1546 So. AZALEA AVE. ONTARIO CA 91762

Isaac Hernandez 1546 So. Azalea Ave Ontario Ca 91762

Rigoberto Hernandez 1546 So. Azalea Ave Ontario CA 91762

Goyce Duttill - 1134 Jacaranda St, Ont -

Maria Gil 1151 JACARANDA ST

Gloria Rausz 1531 S. Magnolia St

Ralph Chavira 1121 Eucalyptus Ct

Randy Johnston 1128 Eucalyptus Ct

Barbara Opatkiewicz 1122 Eucalyptus Ct. Ont

Joe Opatkiewicz 1122 Eucalyptus Ct

Carmen Gonzalez 1116 EUCALYPTUS CT.

Tony De la Torre 1110 W. Eucalyptus Ct

Juan Fsucla 1115 W. Eucalyptus Ct.

WALTER ARCOS 1526 S. AZALEA AVE

ALFONSO ANA LOERA 1512 S. Azalea Ave

Adam Horde 1506 S Azalea Ave

37



Petition in Opposition to Project PDEV19-036 & PCUP19-015

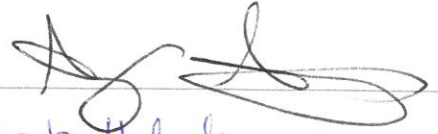
Deborah

NAME

ADDRESS

SIGNATURE

Ashley Struiksma 1630 S. Magnolia



Deborah Hilak 1613 Magnolia

Deborah Hilak

LUTH NEWTON 1662 Magnolia Ave

Luth Newton

Irene Morris 1735 Magnolia Ave

Irene Morris

Mitch Morris 1735 Magnolia Ave



KAY SPRING

Kay T. Spring

Casey Hilak 1633 Magnolia Ave



Jane Ashley 1633 Magnolia

Jane Ashley

Patty deWitt 1721 Magnolia

Patty deWitt

28  
Jan



# COMMUNITY MEETING COMMENT CARD

PDEV19-036 & PCUP19-015  
NOVEMBER 6, 2019

Gracepoint Church Concerns

Shane Rodgers

Name:

1157 Jacaranda St

Address:

909 261 0247

Phone:

E-mail Address:

Sanford\_04@yahoo.com

Project Planner: Jeanie Irene Aguilo

Phone No.: 909-395-2418

E-mail: jaguilo@tema168.org



## COMMUNITY MEETING COMMENT CARD

PDEV19-036 & PCUP19-015  
NOVEMBER 6, 2019

Concern: Increase traffic; parking on Magnolia

This is an agricultural area and since bridle paths are poorly planned, Magnolia is a major thoroughfare for access to Homer Briggs Arena. Traffic has increased

Deb Hilak

Name:

1613 Magnolia Ave

Address:

909 986 4816

Phone:

E-mail Address:



# COMMUNITY MEETING COMMENT CARD

PDEV19-036 & PCUP19-015  
NOVEMBER 6, 2019

Serious Concerns about the project; (a) Traffic congestion  
(b) Zoning <sup>not</sup> for ~~apartments~~ apartments, but for a church? (c) Streets  
too narrow to accommodate traffic. / (d) Parking  
issues.

Name:

Shira Seny

Address:

1517 S. Magnolia Ave. Ontario Ca. 91766

Phone:

909-986-1399.

E-mail Address:

Shiraseny@yahoo.com





## COMMUNITY MEETING COMMENT CARD

PDEV19-036 & PCUP19-015  
NOVEMBER 6, 2019

I bought my property because it was a dead end culldesce

I have 6 grandkids that play out front on locust and I do not want them endangered with thru traffic.

I do not want the church there. The noise, lights & traffic will be a major impact

Name:

Julie Teeter

Address:

1340 W. Locust.

Phone:

909 573-4877

E-mail Address:

Julieteeter1@hotmail.com



## COMMUNITY MEETING COMMENT CARD

PDEV19-036 & PCUP19-015  
NOVEMBER 6, 2019

- Require blocked access on Elderberry for cars + pedestrians
- Require traffic study

• Require sight line analysis for Locust residents

• Study for noise level + environmental pollution due to increased cars/people (members) • security concerns

Name:

Address:

Zoila Bautista

1240 W. Locust St.

Phone:

E-mail Address:

zoilab711@gmail.com



# COMMUNITY MEETING COMMENT CARD

PDEV19-036 & PCUP19-015  
NOVEMBER 6, 2019

speed bump is required on magnolia Ave due  
to vehicle passing through the stop sign near  
Jacaranda Ave / Magnolia Ave. Church members parking  
on the street when the church is overcrowded.

Name:

Pedro Hernandez

Address:

1537 Magnolia Ave, Ontario, CA 91762

Phone:

(909) 634-6855

E-mail Address:

CianaJoy2006@hotmail.com

## Jeanie Irene T. Aguilo

---

**From:** DON PARNELL <kmparnell@sbcglobal.net>  
**Sent:** Tuesday, November 19, 2019 2:42 PM  
**To:** Jeanie Irene T. Aguilo  
**Subject:** PDEV-19-036 & PCUP19-015

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Jeanie Irene Aguilo

Regarding comments from the meeting of November 6, 2019.

The following are our suggestions/requests for the next community meeting:

1. Have a written agenda at the next meeting.
2. List names, positions and contact numbers for those involved.
3. Have a written list/sheet of all City restrictions that would be imposed for this project.
4. Have a list of the "pros and cons" that have been obtained so far.
5. Show a time line for future meetings and proposed project dates.

We are supportive of this project and would be receptive to this church becoming a reality.

Thank you  
Don and Kathy Parnell  
1546 S. Magnolia Ave.  
Ontario, Ca. 91762



## Jeanie Irene T. Aguilo

---

**From:** Jaime Flores <jaime.michael.flores@gmail.com>  
**Sent:** Sunday, December 1, 2019 7:23 PM  
**To:** Jeanie Irene T. Aguilo  
**Cc:** Jaime Flores; Gladys Flores  
**Subject:** PDEV19-036 & PCUP19-015

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Jeanie,

As per your request at the community meeting, we are adamantly opposed to additional high volume traffic overtaking our community. We have a stop sign at intersection of Magnolia Ave and Jacaranda that has multiple cars/people a day running the stop sign. It has increased since the apartment homes built on Magnolia Ave and Mission Blvd have been opened for occupancy earlier this year. This will only increase as more people not invested (non-homeowners) in our community begin to visit the area for services.

I do believe a traffic study should be conducted prior to the next meeting surrounding this development.

Parking would be another concern if this were to proceed. Parking permits would be preferred to keep the streets from being congested on days of expected high turnout, holidays, visits from additional branches of GracePoint.

I would not like to see this development be approved.

Thank you for your time and consideration.

Respectfully,

Jaime M. Flores  
909-952-6281

Sent from my iPhone

## Jeanie Irene T. Aguilo

---

**From:** Jamie Whitelock <jamie.whitelock@gmail.com>  
**Sent:** Sunday, December 1, 2019 7:39 PM  
**To:** Jeanie Irene T. Aguilo  
**Subject:** Response to PDEV19-036 and PCUP19-015

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

This letter is in response to PDEV19-036 and PCUP19-015, a meeting for which was held on November 6, 2019. I understand, from speaking with a representative at the meeting, that comments are due today, December 1, 2019.

As a resident of West Jacaranda Street since 1976, I write to express my utmost concern about the proposed development and to convey my desire that the development not be allowed to proceed. Once the City of Ontario fully reviews the proposal, listens to the concerns of the residents to be directly impacted, and understands the legal, practical, and logistical ramifications of the development, I believe the City will agree that the negative effects dramatically outweigh any potential benefit.

First, I am very concerned that there is insufficient ingress and egress. As you know, the number of church patrons is only an estimate; that number could grow significantly, without the City's ability to intervene or place significant restriction. Having only one or two means of entry to the church seems hazardous, both for life (of the residents and their children and of the church patrons) and property. It goes without saying that increased traffic on a residential street due to the proposed church will increase traffic accidents and incidents of pedestrians being struck. In addition, given the relative length/space of the proposed development, it seems even more hazardous that any emergency vehicle would only be allowed to access it via one route — and a small one at that. The density will increase liability and incidents. I hope the City understands such liability risks and the need to ensure appropriate insurance is in place and that such risks are considered, especially given the residential nature of the location and that it is not absolutely necessary for the church to be located there. The church can be built elsewhere, where there would be less concern and liabilities. A court will consider all of these factors, should incidents arise at the fault of the church and/or the City of Ontario. I also hope the church making the proposal understands these litigation risks and builds these costs into its assessment.

Moreover, the residents of Jacaranda Street will bear the brunt, as it is the only direct access to Mountain Avenue, a main thoroughfare. While church patrons seemingly could use Magnolia Avenue for another means of access, common sense dictates that the patrons will use Jacaranda Street because it is quicker. Simply put, Jacaranda Street is too small to handle any increase in capacity. As it is, residents of Jacaranda Street have difficulty backing out of their driveways given that cars park on both sides of Jacaranda Street. Having an increase in traffic going both directions will increase the likelihood of car accidents and pedestrians (including children) been struck. In addition, this increase in traffic likely will rise to the level of a nuisance very quickly. I trust that the City has contemplated that residents can take such (and other) grievances to court, as well as assert their rights through alternate means.

In addition, residents of Jacaranda Street and the other neighborhood areas will suffer because the City has not expressed any commitment whatsoever to devoting additional resources (e.g., traffic cops, security, additional signage) to ensuring that traffic rules are obeyed, that church patrons do not park on the surface side streets, and that the church patrons heed safety warnings.

Finally, I would like to note the close proximity of the proposed church to several elementary and middle schools. High school students use these walkways to access their nearby schools too. The proximity of the proposed church and it's

patrons (and their cars) to minors poses unique risks, both in terms of church personnel and their access to children, as well as the safety of the children relative to the increase in traffic from church visitors/patrons. The City is aware of the schools and the presence of the minors; it knows of these unique risks. With the City on such notice, and assuming the unique/tenuous risk of the minors, I would be surprised to hear that the City's legal counsel would agree that the proposal should proceed; rather, it seems like an alternate, more viable location could be selected.

For all of these reasons, the City should take a closer look at whether it makes any sort of sense to put a church in a residential neighborhood — common sense and a weighing of the liabilities suggests that this is a bad idea and should be terminated.

Thank you for your attention.

Sincerely,

Alice Whitelock  
[1115 Jacaranda Street](#)  
[909-986-1840](#)

Jamie Whitelock, Esq.  
[jamie.whitelock@gmail.com](mailto:jamie.whitelock@gmail.com)

## Jeanie Irene T. Aguilo

---

**From:** russlsprouts@verizon.net  
**Sent:** Wednesday, December 4, 2019 1:35 PM  
**To:** Jeanie Irene T. Aguilo  
**Subject:** Fwd: PCUP19-015

-----Original Message-----

From: russlsprouts <russlsprouts@verizon.net>  
To: janguilo <janguilo@ontarioca.gov>  
Sent: Mon, Dec 2, 2019 8:39 pm  
Subject: PCUP19-015

As a follow-up to the meeting several weeks ago: our concern about the access point from the dead end of Elderberry seems to have been resolved. with one caveat. Instead of a bar frame gate, we would like it to be a solid gate, with no pedestrian access. This would serve two purposes; no easy access to our neighborhood for those persons with ulterior motives and if the parking lot is insufficient for an event, it would deter anyone from parking on Elderberry or Locust to attend any function at the church.

Russell Sprague  
1307 Locust St.



**Attachment D—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***

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**Meeting Date:** June 15, 2020

**File No:** PDEV19-036

**Related Files:** PCUP19-015

**Project Description:** A Development Plan to construct a 7,531 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district; (APN: 1014-111-08) submitted by **Gracepoint Brethren in Christ Church**.

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

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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.

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

**2.2** 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** Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.0 (Sign Regulations).

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

**2.11** Environmental Review.

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

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

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

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

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

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



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

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

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

**2.13** Additional Fees.

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

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

**2.14** Additional Requirements.

**(a)** All applicable Conditions of Approval from other City departments shall be met and addressed by the applicant.

**(b)** All site improvements shall be completed prior to operating the proposed religious assembly use.

**(c)** The approval of File No. PDEV19-036 shall be final and conclusive upon the approval of File No. PCUP19-015 by the Planning Commission.

**(d)** The City Municipal Code limits the hours of construction activity citywide. Monday through Friday hours of construction are between 7:00 a.m. to 6:00 p.m., Saturday and Sunday hours of construction are between 9:00 a.m. to 6:00 p.m.



## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

<input checked="" type="checkbox"/> <b>DEVELOPMENT PLAN</b> <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP  <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	
<b>PROJECT FILE NO. PDEV19-036</b>  <b>RELATED FILE NO(S). PCUP19-015</b>		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

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

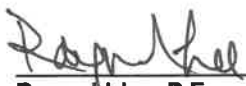
**CITY PROJECT PLANNER & PHONE NO:** Jeanie Irene Aguilo, Associate Planner  
(909) 395-2418

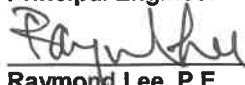
**DAB MEETING DATE:** June 15, 2020

**PROJECT NAME / DESCRIPTION:** GracePoint Church  
6,800 s.f. church on 1.87 acres of vacant land

**LOCATION:** West side of Magnolia Avenue  
approximately 135-ft. north of  
Jacaranda Street

**APPLICANT:** GracePoint Brethren in Christ Church  
Steven Airth (909) 957-5150

**REVIEWED BY:** *for*  6/10/20  
Bryan Lirley, P.E.  
Principal Engineer      Date

**APPROVED BY:** *for*  6/10/20  
Raymond Lee, P.E.  
Assistant City Engineer      Date





- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments: 
  - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
  - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
  - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: \_\_\_\_\_

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

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

- 2.01 Record Parcel Map/Tract Map No. \_\_\_\_\_ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per \_\_\_\_\_
- 2.04 **Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of July 21, 1977.**
- 2.05 **Apply for a:**  **Certificate of Compliance with a Record of Survey**  Lot Line Adjustment 
  - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the





Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).

- 2.08 **Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies: 
  - State of California Department of Transportation (Caltrans)
  - San Bernardino County Road Department (SBCRD)
  - San Bernardino County Flood Control District (SBCFCD)
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA)
  - Other: \_\_\_\_\_
- 2.10 **Dedicate to the City of Ontario the right-of-way described below:** 

**30-feet for Elderberry Court for the ultimate half-street right-of-way.**
- 2.11 Dedicate to the City of Ontario, the following easement(s): \_\_\_\_\_
- 2.12 New Model Colony (NMC) Developments: 
  - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
  - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
  - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**
- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. The Storm Drain Development Impact Fee, approximately \$43,000.00, shall be paid to the Building Department. The final fee amount shall be determined based on the approved site plan and current fee schedule.**
- 2.16 **Other conditions: Developer/applicant shall procure a public utility easement from the property owner on the west side of Elderberry Avenue, catty corner to and south of the site for construction of the proposed 8-inch water main. Preferably, developer/applicant shall try to get the owner to dedicate 30-feet of right-of-way to the City for street and utility purposes. If the**



developer/applicant cannot procure the easement/dedication from the owner, the proposed water main will have to be routed from the west side of the street, from the existing main, to the east side of the street and constructed to the northerly property line of the site.

**B. PUBLIC IMPROVEMENTS**

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

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

Improvement	Magnolia Avenue	Elderberry Court	Street 3	Street 4
<b>Curb and Gutter</b>	<input checked="" type="checkbox"/> New; 15-ft. from C/L <input type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> Remove drive approach	<input checked="" type="checkbox"/> New; 20 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>	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> 18 ft. new 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 (Truck Route Only)</b>	<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 checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Sidewalk</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<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 checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
<b>Raised Landscaped Median</b>	<input type="checkbox"/> New <input type="checkbox"/> Remove and modify	<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 checked="" type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
<b>Sewer (see Sec. 2.C)</b>	<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 (see Sec. 2.D)</b>	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Services	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Services	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
<b>Recycled Water (see Sec. 2.E)</b>	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
<b>Traffic Signal System (see Sec. 2.F)</b>	<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 (see Sec. 2.F)</b>	<input type="checkbox"/> New <input checked="" 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 (see Sec. 2.F)</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
<b>Bus Stop Pad or Turn-out (see Sec. 2.F)</b>	<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 (see Sec. 2.G)</b>	<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 (see Sec. 2.K)</b>	<input checked="" 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>Removal of Improvements</b>	Drive approach	_____	_____	_____
<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 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: \_\_\_\_\_

**C. SEWER**

- 2.23 **An 8-inch sewer main is available for connection by this project in Magnolia Avenue. (Ref: Sewer plan bar code: S12718)**
- 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: \_\_\_\_\_

**D. WATER**

- 2.27 **A 12-inch water main is available for connection by this project in Magnolia Avenue. (Ref: Water plan bar codes: W11284)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.29 **Other conditions: Developer/applicant shall construct an 8-inch water main in proposed Elderberry Court.**

**E. RECYCLED WATER**

- 2.30 A \_\_\_\_-inch recycled water main is available for connection by this project in \_\_\_\_\_. (Ref: Recycled Water plan bar code: \_\_\_\_\_)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy of both on-site and off-site utilities layout in PDF and AutoCAD format.

Submit 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 Ms. Cynthia Herredia-Torres at the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.

- 2.34 Other conditions: \_\_\_\_\_

### F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
- 1. On-site and off-site circulation
  - 2. Traffic level of service (LOS) at 'build-out' and future years
  - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions: 1) Developer/applicant shall design and construct street improvements along property frontages of Magnolia Avenue and Elderberry Court. Improvements required herein shall include, but not be limited to, curb and gutter, AC pavement, sidewalk, drive approaches, street lights, signing and striping and parkway landscaping.**
- 2) Developer/applicant shall dedicate 30-feet for Elderberry Court for the ultimate half-street right-of-way (see item 2.10, above).**
- 3) Developer/applicant shall note that proposed drive approach on proposed Elderberry Court shall be limited to emergency access use, only. A gate shall be installed at the drive approach to prohibit use. The proposed gate design shall be submitted for review and approval prior to installation.**
- 5) Developer/applicant shall terminate proposed Elderberry Court as a "dead end" per City of Ontario Standard Drawing Nos. 1310 and 1311.**
- 6) Developer/applicant shall design and construct in-fill public street lights on Magnolia Avenue and Elderberry Court. Street lighting shall be LED type and in accordance with the City's Traffic and Transportation Design Guidelines. Developer/applicant's engineer-of-record shall meet with City Engineering/Traffic staff, prior to starting street lighting design plan.**
- 7) Elderberry Court shall be signed "No Parking Anytime".**
- 8) All landscaping, block walls and other obstructions shall be compatible with the stopping site distance requirements per City of Ontario Standard Drawing No. 1309.**

### G. DRAINAGE / HYDROLOGY

- 2.38 A \_\_\_-inch storm drain is available to accept flows from this project in \_\_\_\_\_   
(Ref: Storm Drain plan bar code: \_\_\_\_\_)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 **An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.**



- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions: \_\_\_\_\_

**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) based on the approved Preliminary Water Quality Management Plan (PWQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp> or on the City's Website under Engineering/Environmental Services.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, for each 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: Developer/applicant shall obtain coverage for the project under the Construction General Permit (GCP). The owner is the legally responsible person (LRP) of the site and shall have a Storm Water Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at: <https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml> coverage \_\_\_\_\_**

**J. SPECIAL DISTRICTS**

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum 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 the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: \_\_\_\_\_



### K. FIBER OPTIC

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

### L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>   
**Developer/applicant shall provide a final Solid Waste Handling Plan (SWHP) sheet that complies with the "solid waste Handling Plan Requirements" prior to approval of the precise grading plan for the site.**
- 2.53 Other conditions: \_\_\_\_\_

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

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



**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 Develop/applicantr shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the developer/applicant. 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.**





**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

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**Project Number: PDEV19-036**

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

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



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

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-036 & PCUP19-015

Address: 0 West Magnolia Ave

APN: 1014-111-08

Existing Land Use: Vacant

Proposed Land Use: Development Plan and CUP to construct and establish a 6,800 SF Religious Facility

Site Acreage: 1.87 Proposed Structure Height: 27 ft

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 11/6/19

CD No.: 2019-057

PALU No.: n/a

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

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

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

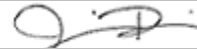
The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: \_\_\_\_\_

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

**DAB CONDITIONS OF APPROVAL**

**Sign Off**



05/20/20

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

**Jamie Richardson, Sr. Landscape Planner**

Phone:

**(909) 395-2615**

D.A.B. File No.:

PDEV19-036

Case Planner:

Jeanie Irene Aguiló

Project Name and Location:

Church  
 Magnolia Ave. and Jacaranda Street

Applicant/Representative:

Steven Airth  
 564 E Bermuda Dunes Street  
 Ontario, CA 91761



**A Preliminary Landscape Plan (dated 05/20/2020) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**



**A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

**A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE. 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. Provide an arborist report and tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. 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 be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. Arborist report / tree inventory to be provided prior to demo and construction.
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. Arborist report / tree inventory to be provided prior to demo and construction.
3. Show transformers set back 5' from paving all sides; show and dimension on plans. Coordinate with landscape plans. Verify transformer location shown in a drainage swale.
4. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below



finished surfaces. Slopes to be maximum 3:1.

- 5. 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.
- 6. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

- 7. Provide an arborist report and tree inventory as noted in #1. Arborist report / tree inventory to be provided prior to demo and construction.
- 8. Show appropriate parking lot shade trees with min 30' canopy at maturity. During plan check: Identify an accent tree that also provides shade to the parking lot (current plans show Cercis, a small accent tree, at the parking spaces with southern exposure).
- 9. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
- 10. Designer or developer to provide agronomical soil testing and include report on landscape construction plans.
- 11. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
- 12. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:
 

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

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



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Associate Planner  
Planning Department

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

**DATE:** July 12, 2019

**SUBJECT:** PDEV19-036 - A Development Plan and a Conditional Use Permit application to construct a 6,800 SF church on 1.871 acres of vacant land, located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR2 (Residential - Agriculture) Zoning District. APN: 1014-111-08 RELATED FILE: PCUP19-015

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

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

- A. 2016 CBC Type of Construction: Type V (Not Listed)
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 6,800 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 6,800 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): A-3

## **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](http://www.ontarioca.gov), click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

### **2.0 FIRE DEPARTMENT ACCESS**

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 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 2016 California Fire Code, Appendix B, is 2250 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

### 4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and location(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 Choose an item.. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 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.
- ☒ 4.8 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

## **5.0 BUILDING CONSTRUCTION FEATURES**

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 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.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Aguilo, Associate Planner

**FROM:** Officer Emily Hernandez, Police Department

**DATE:** July 17, 2019

**SUBJECT:** PCUP19-015 AND PDEV19-036 - A CONDITIONAL USE PERMIT APPLICATION TO ESTABLISH A CHURCH LOCATED NORTH OF THE INTERSECTION OF MAGNOLIA AVENUE AND JACARANDA STREET.

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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 listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. Photometrics shall be provided to the Police Department. Photometrics shall 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 building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.

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

- Outdoor services and activities are prohibited in the absence of a Temporary Use Permit.
- Food or beverage distribution to the public shall be prohibited.
- The storage of personal belongings on the site shall be prohibited.

The Applicant is invited to contact Officer Emily Hernandez (909) 408-1755 with any questions or concerns.

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Jeanie Irene Aguilo  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** July 9, 2019  
**SUBJECT:** PDEV19-036

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

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### Conditions of Approval

1. The Site address for this project will be 1534 S Magnolia Ave
2. Standard conditions of approval apply.

KS:lr



# CITY OF ONTARIO

## MEMORANDUM

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



FROM: Jeanie Irene Aguilo, Associate Planner

DATE: July 08, 2019

SUBJECT: FILE #: PDEV19-036

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, July 22, 2019**.

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

**PROJECT DESCRIPTION:** A Development Plan and a Conditional Use Permit application to construct a 6,800 SF church on 1.871 acres of vacant land, located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR2 (Residential - Agriculture) Zoning District. APN: 1014-111-08 RELATED FILE: PCUP19-

- 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.

CI Department      Joe De Sousa Signature      Supervisor Title      7/10/19 Date





# CITY OF ONTARIO

## MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: July 08, 2019

SUBJECT: FILE #: PDEV19-036

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The plan does adequately address the departmental concerns at this time.

- No comments
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Broadband Operations

Anna Vaca

Senior Systems Analyst

07/22/2019

Department

Signature

Title

Date



# Development Advisory Board Decision

June 15, 2020

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

**FILE NO.:** PMTT19-014

**DESCRIPTION:** A Tentative Parcel Map to consolidate 12 lots into one parcel, on 8.6 acres of land, located on the southwest corner of Elm Street and Vineyard Avenue, within the IG (General Industrial) zoning district; (APNs: 0113-415-42, 0113-415-43, 0113-415-44, 0113-415-45, 0113-415-46, 0113-415-47, 0113-415-48, 0113-415-49, 0113-415-50, 0113-415-53, 0113-415-54 and 0113-415-55); **submitted by Duke Realty. Planning Commission action is required.**

## **Part I—BACKGROUND & ANALYSIS**

DUKE REALTY, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PMTT19-014, 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 8.6 acres of land located at southwest corner of Elm Street and Vineyard Avenue, within the IG (General Industrial) zoning district, and is depicted in Exhibit A—Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>	<b>Specific Plan Land Use</b>
<i>Site</i>	Industrial	Industrial	IG (General Industrial)	N/A
<i>North</i>	Single Family Residential and Industrial	Industrial	IG (General Industrial)	N/A
<i>South</i>	J & S Striping Company	Industrial	IG (General Industrial)	N/A
<i>East</i>	Industrial	Industrial	IG (General Industrial)	N/A
<i>West</i>	Industrial	Industrial	IG (General Industrial)	N/A

(2) **Project Description:**

(a) **Background** — The project site is comprised 12 lots and is presently developed with four single-family residential units, a commercial rebar distribution facility (Southwest Rebar Inc.) and a commercial trucking yard (Arnett Trucking). The project site was initially developed in the 1940s and 1950s for agricultural purposes with on-site single-family residences. In the 1980s, the properties transitioned to industrial/commercial uses and existing single-family residences were converted to office and storage uses. There is a total of 15 structures on-site that will be demolished to accommodate the proposed development. Due to existing industrial/commercial uses present on-site, a Phase I Environmental Site Assessment was prepared by Partner Engineering and Science, Inc. (Dated: April 25, 2019). The Phase 1 Assessment concluded that no further investigations were warranted or recommended based upon the scope and limitations of Federal EPA All Appropriate Inquiry Standards (ASTM E1527-13)

for evaluating environmental conditions of a property. Partner did not identify any controlled environmental conditions, historical recognized environmental conditions or environmental issues during the course of their assessment in connection with the subject property.

On October 2, 2019, Duke Realty ("Applicant"), submitted a Tentative Parcel Map application (a subdivision to consolidate 12 lots into a single lot) in conjunction with a Development Plan application (File No. PDEV19-055) to construct a 200,966 square-foot industrial warehouse building.

(b) **Tentative Parcel Map** — The subdivision request is to consolidate 12 existing lots into one legal parcel (see Exhibit B—Tentative Parcel Map, attached). The minimum parcel size required for the IG (General Industrial) zone is 10,000 square feet. The proposed parcel size is 377,775 square feet (8.6 acres) and complies with the minimum parcel size requirements of the IG zoning district.

### **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 will be reviewed in conjunction with The Ontario Plan Environmental Impact Report (SCH# 2008101140), which was previously certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). 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.

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 June 15, 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 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 The Ontario Plan Environmental Impact Report (SCH# 2008101140), which was previously certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006).

(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.

**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 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 Tract/Parcel Map is located within the Industrial land use district of the Policy Plan Land Use Map, and the IG (General Industrial) 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*).

(2) ***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 Tract/Parcel Map is located within the Industrial land use district of the Policy Plan Land Use Map, and the IG (General Industrial) 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*).

(3) ***The site is physically suitable for the type of development proposed.*** The project site meets the minimum lot area and dimensions of the IG (General Industrial) 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.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for industrial development with a floor area ratio of approximately 0.53. The project site meets the minimum lot area and dimensions of the IG (General Industrial) zoning district and is physically suitable for this proposed intensity of development. The IG (General Industrial) zoning district and Industrial General Plan Designation allow for development up to 0.55 FAR. The project site is also surrounded by similarly sized industrial developments.

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

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the industrial 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, including 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. Since the Project site is located within 1,000 feet of existing residential land uses, a Health Risk Assessment (“HRA”) was prepared by Urban Crossroads (Dated: May 29, 2020) and determined the proposed Project would not pose a health risk to the existing housing units.

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

**SECTION 6: 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 15th day of June 2020.

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Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

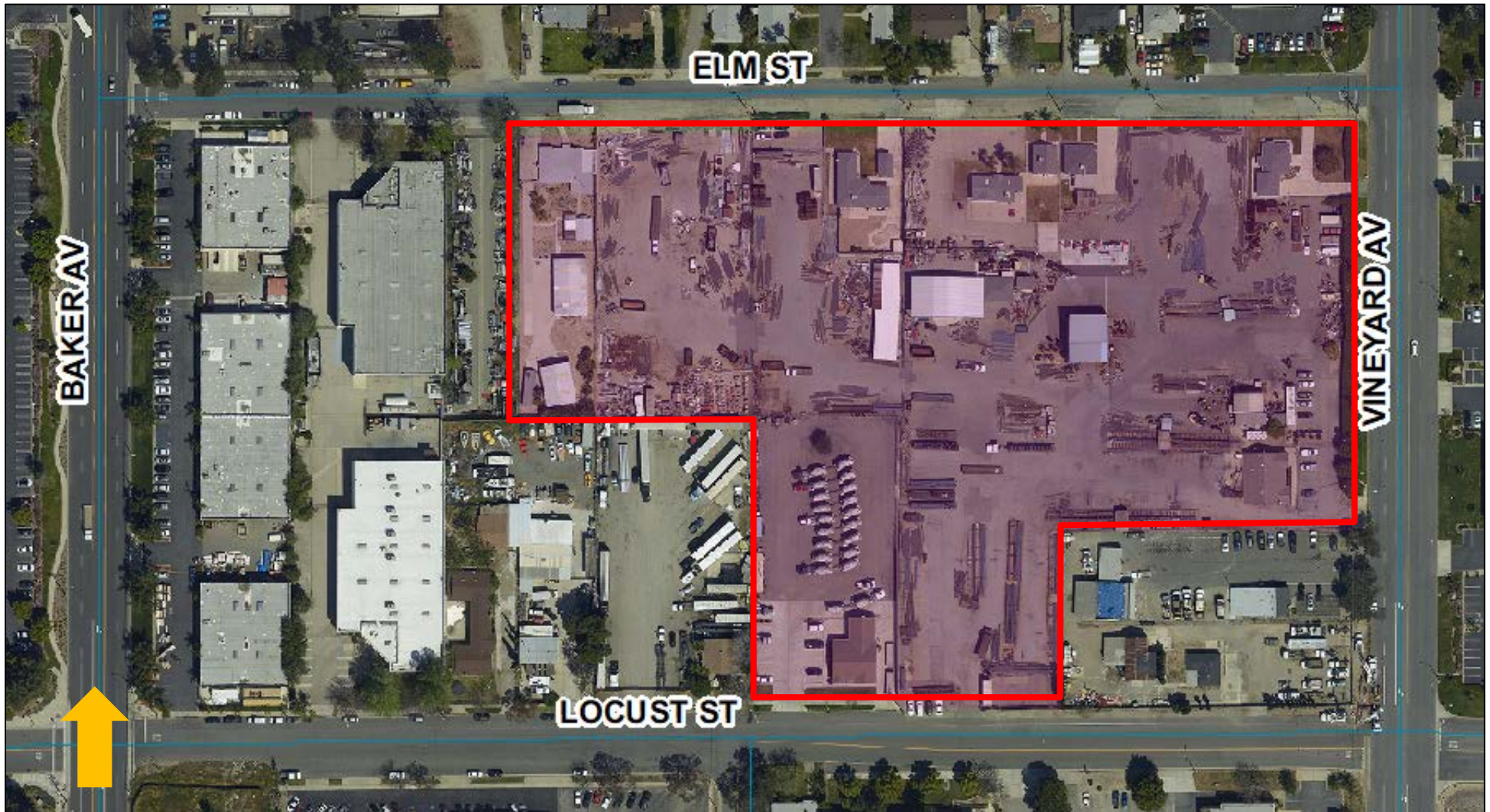
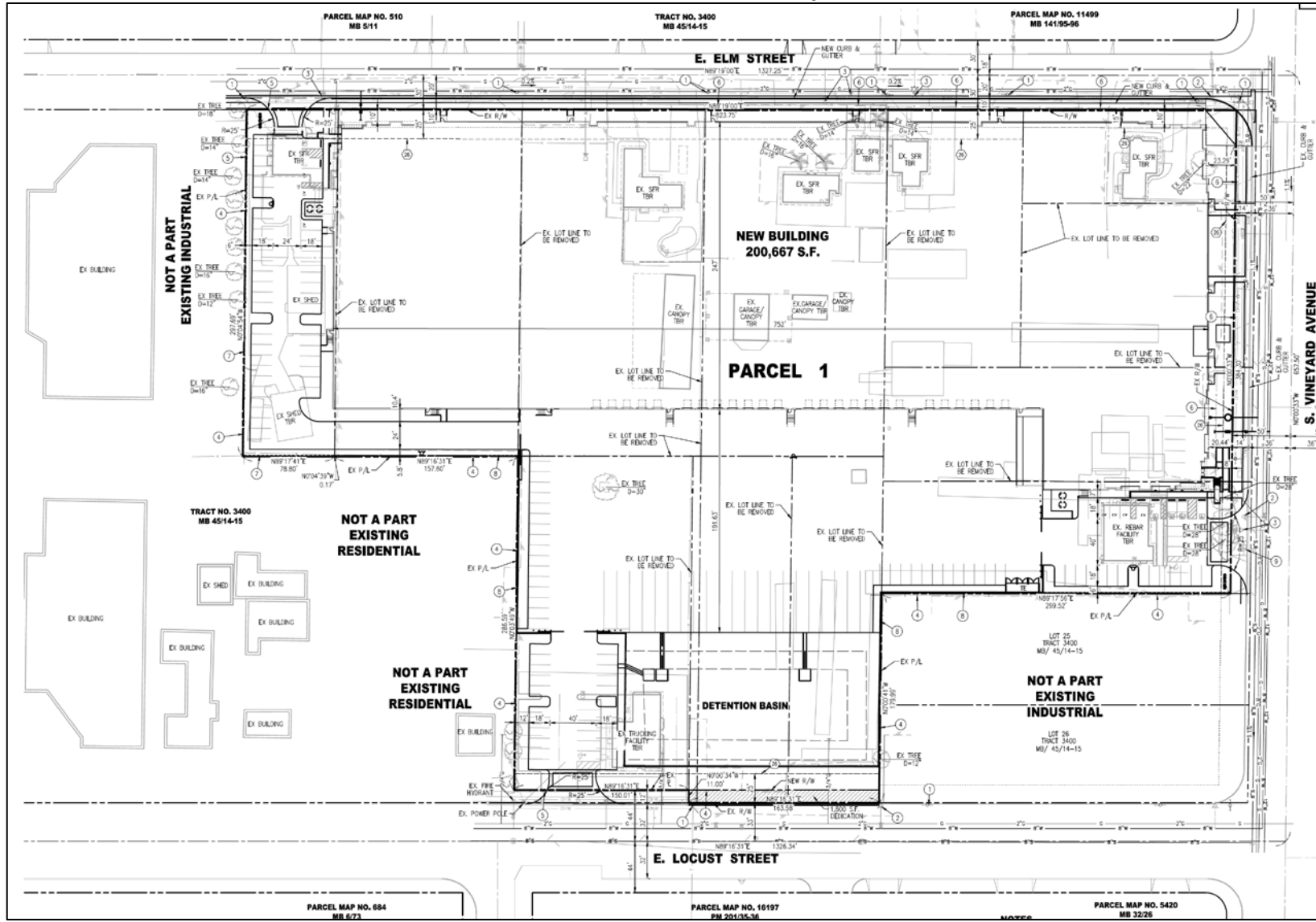




Exhibit B—Tentative Parcel Map



## 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***

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**Meeting Date:** June 15, 2020

**File No:** PMTT19-014

**Related Files:** PDEV19-055

**Project Description:** A Tentative Parcel Map to consolidate 12 lots into one parcel, on 8.6 acres of land, located on the southwest corner of Elm Street and Vineyard Avenue, within the IG (General Industrial) zoning district; (APNs: 0113-415-42, 0113-415-43, 0113-415-44, 0113-415-45, 0113-415-46, 0113-415-47, 0113-415-48, 0113-415-49, 0113-415-50, 0113-415-53, 0113-415-54 and 0113-415-55); **submitted by Duke Realty.**

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

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

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

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

**2.1** Time Limits.

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

**2.2** Subdivision Map.

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

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

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

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

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

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

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

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

**2.4** 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**     Environmental Review.

(a)     The environmental impacts of this project were previously analyzed in The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by the City Council on January 27, 2010, in conjunction with File No. PGPA06-001. 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.

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

**2.8**     Additional Fees.

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

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

**2.9**     Additional Requirements.

(a)     Tentative Parcel Map approval shall not be final and complete until such time that File No. PDEV19-055 has been approved by the Planning Commission.

(b)     The Tentative Parcel Map (File No. PMTT19-014) and the related Development Plan (File No. PDEV19-055) shall be coordinated for consistency.



## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

<input checked="" type="checkbox"/> <b>DEVELOPMENT PLAN</b> <input type="checkbox"/> <b>OTHER</b>	<input checked="" type="checkbox"/> <b>PARCEL MAP</b> <input type="checkbox"/> <b>FOR CONDOMINIUM PURPOSES</b>	<input type="checkbox"/> <b>TRACT MAP</b>
<b>PROJECT FILE NO. <u>PM-20170</u></b>		
<b>RELATED FILE NO(S). <u>PMTT19-014, PDEV19-055</u></b>		
<input checked="" type="checkbox"/> <b>ORIGINAL</b> <input type="checkbox"/> <b>REVISED: <u>  </u>/<u>  </u>/<u>  </u></b>		

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

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

**DAB MEETING DATE:** June 15, 2020

**PROJECT NAME / DESCRIPTION:** PM-20170, a Tentative Parcel Map to merge 12 lots into one parcel on 8.6 acres of land, within the General Industrial zone.

**LOCATION:** Southwest corner of Elm Street and Vineyard Avenue

**APPLICANT:** Duke Realty Vineyard and Elm LP

**REVIEWED BY:**

Bryan Lirley, P.E.  
Principal Engineer

*6/3/20*  
Date

**APPROVED BY:**

Raymond Lee, P.E.  
Assistant City Engineer

*6/4/20*  
Date



**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 PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.**

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

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



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: [www.ci.ontario.ca.us](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 three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments: 
  - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
  - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
  - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: \_\_\_\_\_

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

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

- 2.01 Record Parcel Map No. 20170 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per \_\_\_\_\_
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of \_\_\_\_\_
- 2.05 Apply for a:  Certificate of Compliance with a Record of Survey;  Lot Line Adjustment 
  - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan ( WQMP), as applicable to the project.





- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).
- 2.08 **Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies: 
  - State of California Department of Transportation (Caltrans)
  - San Bernardino County Road Department (SBCRD)
  - San Bernardino County Flood Control District (SBCFCD)
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA)
  - Other: \_\_\_\_\_
- 2.10 Dedicate to the City of Ontario the right-of-way described below: 

\_\_\_\_\_ feet on \_\_\_\_\_

Property line corner 'cut-back' required at the intersection of \_\_\_\_\_ and \_\_\_\_\_.
- 2.11 Dedicate to the City of Ontario the following easement(s): \_\_\_\_\_ 

\_\_\_\_\_
- 2.12 New Model Colony (NMC) Developments: 
  - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
  - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
  - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at \_\_\_\_\_% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.



- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$201,068.33, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions:** 
  - a. **Final Utilities Systems Map (USM): As part of the precise grading plans submittal, provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.**



**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	Vineyard	Elm	Locust	Street 4
<b>Curb and Gutter<sup>(a)</sup></b>	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> <b>Remove and replace</b>	<input checked="" type="checkbox"/> <b>New; 20 ft. from C/L</b> <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New; 32 ft. from C/L</b> <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>	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> <b>2" grind and overlay to CL along frontage.</b>	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> <b>Widen 18 feet from CL along frontage, including pavm't transitions</b>	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> <b>Widen 30 feet from CL along frontage, including pavm't transitions</b>	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
<b>PCC Pavement (Truck Route Only)</b>	<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 checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Sidewalk</b>	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>ADA Access Ramp</b>	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New</b> <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 checked="" type="checkbox"/> <b>Trees</b> <input checked="" type="checkbox"/> <b>Landscaping (w/irrigation)</b>	<input checked="" type="checkbox"/> <b>Trees</b> <input checked="" type="checkbox"/> <b>Landscaping (w/irrigation)</b>	<input checked="" type="checkbox"/> <b>Trees</b> <input checked="" type="checkbox"/> <b>Landscaping (w/irrigation)</b>	<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<sup>(b)</sup></b>	<input checked="" type="checkbox"/> <b>New / Upgrade</b> <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> <b>New / Upgrade</b> <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> <b>New / Upgrade</b> <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 checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Traffic Signing and Striping</b> (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Street Light</b> (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input checked="" type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input 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. 2.K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
<b>Overhead Utilities</b> (see Sec. 2.21)	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input checked="" type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input checked="" type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

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

- a. **Remove and replace the existing curb and gutter along the entire Vineyard Avenue project frontage.**
- b. **Construct two new fire hydrants on Elm Street, spacing 300 feet apart and one on Vineyard Avenue. Also, upgrade the existing fire hydrant on Locust Street and on Vineyard Avenue.**





- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): 
  - a. Vineyard Avenue
- 2.19 Reconstruction of the full pavement structural section on Elm Street and Locust Street, per City of Ontario Standard Drawing number 1011. 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 \$178,500, for undergrounding of utilities along Vineyard Avenue in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: 
  - b. 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.

#### C. SEWER

- 2.23 A 8 inch sewer main is available for connection by this project in Vineyard Avenue (Ref: Sewer plan bar code: S12694)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions: 
  - a. The applicant/developer shall abandon any existing sewer laterals that are not proposed to be used. Abandonment of the laterals shall be in accordance with City Standard.
  - b. The applicant/developer shall submit a delta revision to the approved sewer improvement plans (record drawings on file) which reflect the installation of the proposed service laterals and/or abandonment of unused existing service laterals. Delta revisions shall be submitted to the City for review and approval.
  - c. The applicant/developer shall provide a sewer monitoring manhole for the sewer lateral at the back of the property and the pre and post pipe must be 10' straight without any bend. In addition, the slope must be greater than 0.4%, but must not be greater than 2.0%.



**D. WATER**

- 2.27 A 8 and 12 inch water main is available for connection by this project in Elm Street and Vineyard Avenue respectively (Ref: Water plan bar code: W10505 and W11634)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.29 Other conditions: 
  - a. The applicant/developer shall abandon any existing water meter and service that is not proposed to be used. Abandonment of the service shall be performed per City Standard back to the corporation stop at the water main.
  - b. The applicant/developer shall submit a delta revision to the approved water improvement plans (record drawings on file) which reflect the installation of the proposed service laterals and/or abandonment of unused existing service laterals. Delta revisions shall be submitted to the City for review and approval.
  - c. The applicant/developer shall provide a separate irrigation service with a backflow preventer in accordance with City Standards.

**E. RECYCLED WATER**

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

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

**F. TRAFFIC / TRANSPORTATION**

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: 
  - 1. On-site and off-site circulation
  - 2. Traffic level of service (LOS) at 'build-out' and future years
  - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.



- 2.37 Other conditions:**
- a. The proposed driveway approaches shall be designed and constructed in accordance with City of Ontario Standard Drawing No. 1204.
  - b. All streets shall be signed "No Parking Anytime".
  - c. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.
  - d. The applicant/developer shall be responsible to replace any existing street light fixtures along the project frontage of Vineyard Avenue, Elm Street and Locust street with the current City approved LED equivalent fixture per the Traffic and Transportation Design Guidelines.
  - e. The applicant/developer shall be responsible to design and construct new street lights and potential new service pedestal along all project frontages. Street lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines.
  - f. All existing drive approaches that are not to remain shall be removed and replaced with full height concrete curb, gutter, sidewalk and landscape parkway.

**G. DRAINAGE / HYDROLOGY**

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

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB)



and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.

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

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

- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
  
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
  
- 2.47 **Other conditions:** 
  - a. **The applicant/developer shall install a pretreatment device on the proposed BMP to ensure water infiltration does not have pollutants associated with industrial activity.**

**J. SPECIAL DISTRICTS**

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum 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 the Financial Services Department at (909) 395-2353 to initiate the CFD application process.
  
- 2.49 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

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





**L. Solid Waste**

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:**   
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
  
- 2.53 Other conditions:** 
  - a. **Final Solid Waste Handling Plan (SWHP):** Prior to approval of any building permits, a final SWHP shall be submitted with the Precise Grading Plan for review and approval of Ontario Municipal Utility Company.
  
  - b. **Trash Enclosures (TE):** Provide two TEs for this project site for a total of six 4-cy bins.



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

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

**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 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.**



**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

---

**Project Number: PDEV19-055, and Parcel Map No. 20170**

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

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



- 22.  **One (1) copy of approved Tentative Map**
- 23.  **One (1) copy of Preliminary Title Report (current within 30 days)**
- 24.  **One (1) copy of Traverse Closure Calculations**
- 25.  **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
- 26.  Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 27.  Other: \_\_\_\_\_





# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Development Director  
Cathy Wahlstrom, Planning Director (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: Jeanie Irene Aguilo, Associate Planner

DATE: January 16, 2020

SUBJECT: FILE #: PMTT19-014

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 Tentative Parcel Map (PM 20170) to merge 8.6 acres of land into a single parcel, located at the southwest corner of Elm Street and Vineyard Avenue, within the IG (General Industrial) zoning district (APNs: 0113-415-42, 0113-415-43, 0113-415-45, 0113-415-46, 0113-415-47, 0113-415-48, 0113-415-49, 0113-415-50, 0113-415-53, 0113-415-54, and 0113-415-55). Related File: PDEV19-055.

The plan does adequately address the departmental concerns at this time.

- No comments
- See previous report for Conditions
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Landscape Planning Division  
Department

*J. P.*  
Signature

Landscape Planner  
Title

1/27/20  
Date

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-055 & PMTT19-014

Address: SWC Elm Street & Vineyard Ave

APN: 0113-415-42 thru 55

Existing Land Use: Industrial uses

Proposed Land Use: Development Plan to construct 200,966 SF Industrial Building

Site Acreage: 8.6 acres Proposed Structure Height: 45 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 12/17/19

CD No.: 2019-074

PALU No.: n/a

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

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

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: \_\_\_\_\_



# Development Advisory Board Decision

June 15, 2020

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

**FILE NO.:** PDEV19-055

**DESCRIPTION:** A Development Plan to construct a 200,966 square-foot industrial warehouse building, on 8.6 acres of land, located on the southwest corner of Elm Street and Vineyard Avenue, within the IG (General Industrial) zoning district; (APNs: 0113-415-42, 0113-415-43, 0113-415-44, 0113-415-45, 0113-415-46, 0113-415-47, 0113-415-48, 0113-415-49, 0113-415-50, 0113-415-53, 0113-415-54 and 0113-415-55); **submitted by Duke Realty. Planning Commission action is required.**

## **Part I—BACKGROUND & ANALYSIS**

DUKE REALTY, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-055, 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 8.6 acres of land located at southwest corner of Elm Street and Vineyard Avenue, within the IG (General Industrial) zoning district, and is depicted in Exhibit A—Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>	<b>Specific Plan Land Use</b>
<i>Site</i>	Industrial	Industrial	IG (General Industrial)	N/A
<i>North</i>	Single Family Residential and Industrial	Industrial	IG (General Industrial)	N/A
<i>South</i>	J & S Striping Company	Industrial	IG (General Industrial)	N/A
<i>East</i>	Industrial	Industrial	IG (General Industrial)	N/A
<i>West</i>	Industrial	Industrial	IG (General Industrial)	N/A

(2) **Project Description:**

(a) **Background—** The project site is comprised 12 lots and is presently developed with four single-family residential units, a commercial rebar distribution facility (Southwest Rebar Inc.) and a commercial trucking yard (Arnett Trucking). The project site was initially developed in the 1940s and 1950s for agricultural purposes with on-site single-family residences. In the 1980s, the properties transitioned to industrial/commercial uses and existing single-family residences were converted to office and storage uses. There is a total of 15 structures on-site that will be demolished to accommodate the proposed development. Due to existing industrial/commercial uses present on-site, a Phase I Environmental Site Assessment was prepared by Partner Engineering and Science, Inc. (Dated: April 25, 2019). The Phase 1 Assessment concluded that no further investigations were warranted or recommended based upon the scope and limitations of Federal EPA All Appropriate Inquiry Standards (ASTM E1527-13)

for evaluating environmental conditions of a property. Partner did not identify any controlled environmental conditions, historical recognized environmental conditions or environmental issues during the course of their assessment in connection with the subject property.

On October 2, 2019, Duke Realty (“Applicant”), submitted a Development Plan application requesting to construct a 200,966 square-foot industrial warehouse building in conjunction with a Tentative Parcel Map (File No. PMTT19-014/TPM 20170) application (a subdivision to consolidate 12 lots into a single lot).

(b) Site Design/Building Layout — Proposed is the construction of a 200,966 square foot industrial building, having a floor area ratio (FAR) of 0.53. The project site has an irregular t-shaped configuration with the larger/wider portion located to the north fronting Elm Street and the smaller/narrower portion located to the south fronting onto Locust Street. The building is located along the northern portion of the site and provides two office entries. The primary office entry is located on the southeast corner of the building and is oriented to the east, facing Vineyard Avenue. The secondary office area is located on the northwest corner of the building oriented north, facing Elm Street. The building is setback 10 feet from Elm Street to the north, 20 feet from Vineyard Avenue to the east, 75 feet from the interior western property line, and approximately 325 feet from the southern property line along Locust Street. There are three off-street parking lots provided on-site that are located on the northwest, southeast and southernmost portions of the site (see Exhibit B—Site Plan, attached). The northwest parking lot consists of 47 parking spaces and is adjacent to the secondary office area and is accessed from Elm Street. The southeast parking lot consists of 23 parking spaces and is adjacent to the primary office area and is accessed from Vineyard Avenue. The parking lot, located at the southwest corner of the site, includes 28 parking spaces within the enclosed yard area and 21 parking spaces located outside the yard area that can be accessed Locust Street. The southernmost portion of the project site will be developed with a detention basin that is approximately four feet deep and measures approximately 100 feet wide by 200 feet long.

A yard area, designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is centrally located on the project site immediately south of the proposed building. The yard area will be screened from view of public streets by a combination of landscaping and tilt-up screen walls with view-obstructing gates and have been designed to match the architecture and color scheme of the proposed building (see Exhibit C—Elevations – Industrial Warehouse Building, attached). The proposed screen walls are between 12 to 14 feet in height and will be constructed along portions of the western, eastern and southern property lines. Tubular steel fencing at 8 feet in height has been proposed along portions the eastern, southern, western and northern property lines. Two outdoor employee patio areas have been provided on-site, located adjacent to the northwest and southeast office entries of the building.

(c) Site Access/Circulation — There are three points of vehicular access proposed for the project site. The primary access is located at the southeast corner of the site along Vineyard Avenue, via a 40-foot wide driveway that will be shared by both standard vehicles and tractor-trailers accessing the yard area and parking lot. The second access point is located at the northwest corner of the site along Elm Street, via a 24-foot wide driveway to be utilized by standard or emergency vehicles only. The third access is located to the south on Locust Street via a 40-foot wide driveway that will be shared by both standard vehicles and tractor-trailers accessing the yard area and parking lot. Pursuant to the conditions of approval, decorative pavement will be provided at all driveway approaches, which will extend from the back of the driveway apron, to the first intersecting drive aisle or parking space.

(d) Parking — The Project has provided off-street parking pursuant to the “Warehouse and Distribution” parking standards specified in the Development Code. The industrial building requires a total of 111 parking spaces, and 119 spaces have been provided, exceeding the minimum requirements of the Development Code. In addition, a minimum of one tractor-trailer parking space for each 4 dock-high loading spaces is required to be provided. There are 25 dock-high loading doors proposed, requiring six tractor-trailer parking spaces and 21 tractor-trailer parking spaces have been provided, exceeding the minimum Development Code standards.



(e) Architecture — The proposed industrial warehouse building is of concrete tilt-up construction. Architecturally, the building incorporates smooth-painted concrete, inset reveals, color blocking, storefront windows with anodized aluminum mullions and clear glazing, and painted steel canopies at the main office entries (see Exhibit C—Elevations – Industrial Warehouse Building, attached).

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

Staff believes that the proposed project illustrates the type of high-quality architecture promoted by the Development Code. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas
- Articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall
- A mix of color blocking, finishes and fixtures
- Incorporation of base and top treatments defined by changes in color, materials and recessed wall areas
- The building was designed to ensure that its massing and proportion, along with its colors and architectural detailing, are consistent on all four building elevations.

(f) Landscaping — The project provides landscaping along the Vineyard Avenue, Elm Street, and Locust Street frontages, around the project perimeter and tractor-trailer yard area. The Development Code requires a minimum 15 percent landscape coverage, which the project meets. The project site is currently lacking right-of-way improvements (sidewalk/parkway) and street trees, which will be provided with the project. The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the project site. The landscape plan incorporates a combination of 48-inch and 24-inch box trees along Vineyard Avenue and Elm Street, which includes a mix of Western Redbud, Eucalyptus, and Coast Live Oak trees. In addition, a mix of 15-gallon, 36-inch, and 24-inch box accent and shade trees will be provided throughout the project site that includes Chinese Pistache, California Sycamore, and Brisbane Box trees. A variety of shrubs and groundcovers are also being provided, which are low water usage or drought tolerant (see Exhibit D—Landscape Plan, attached).

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

(h) Health Risk Assessment — The Project site is within 500 feet of existing residential land uses located within Industrial zoning and TOP Policy Plan land use designations. As such, the Applicant was required to prepare a Health Risk Assessment ("HRA") to determine whether the proposed Project would pose a health risk to the existing housing units. The HRA prepared by Urban Crossroads (Dated: May 29, 2020) analyzed the cancer burden estimates as well as the Project operational Toxic Air Contaminants ("TACs") impact from Diesel Particulate Matter ("DPM") emissions. Both analyses concluded that these factors would be less than significant; therefore, no mitigation is required for the Project beyond that which was previously analyzed in The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), as certified by the Ontario City Council on January 27, 2010. Furthermore, project notices were mailed to the property owners of the nearby residential uses, in English and Spanish, informing them of the proposed project and to date no inquiries have been received.

**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 will be reviewed in conjunction with The Ontario Plan Environmental Impact Report (SCH# 2008101140), which was previously certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). 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.

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 June 15, 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 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 The Ontario Plan Environmental Impact Report (SCH# 2008101140), which was previously certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006).

(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.

**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 the IG (General Industrial) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the IG (General Industrial) zoning district, including standards relative to the particular land use proposed (industrial building), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; 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 Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

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

**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.

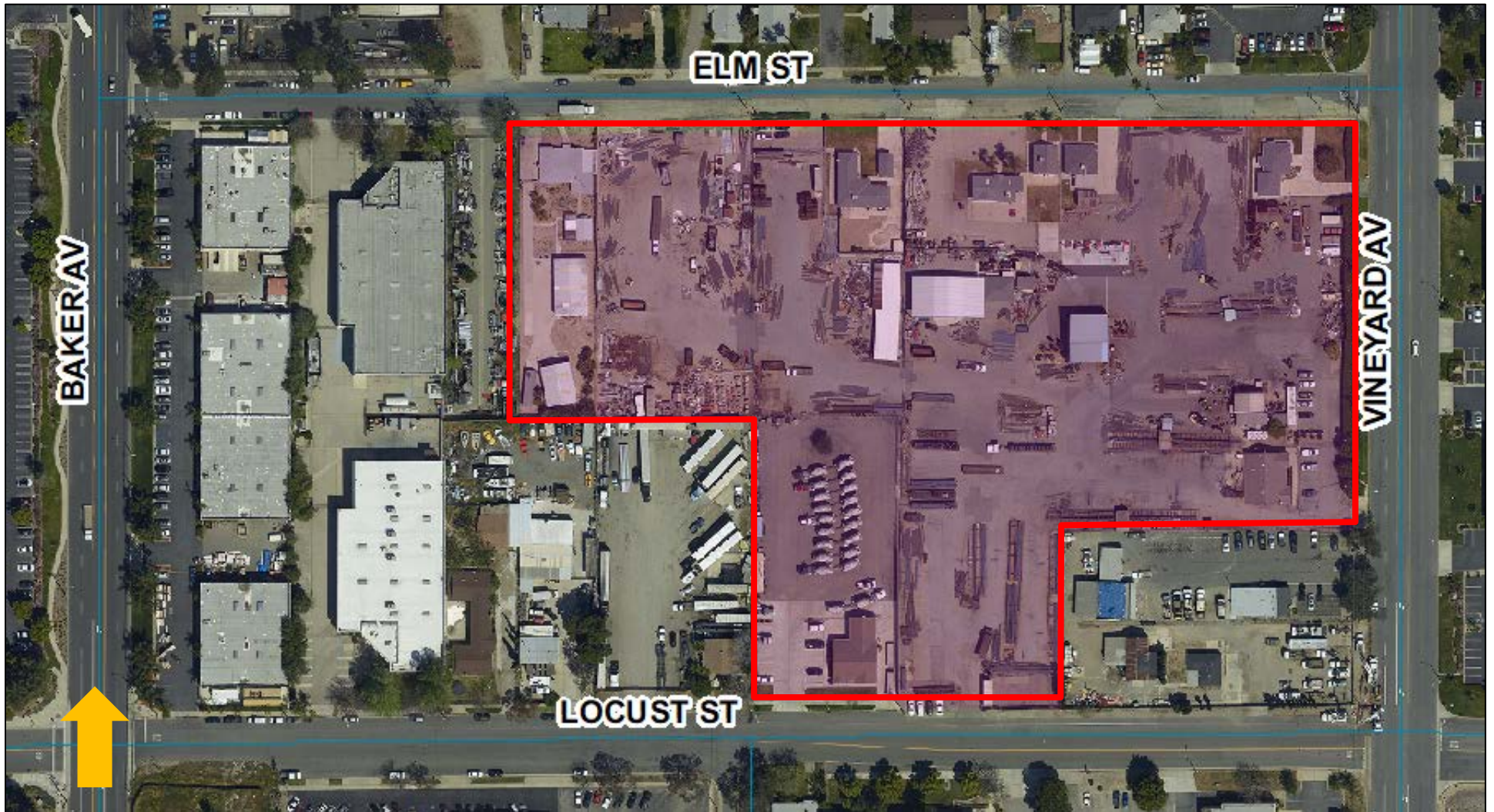
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APPROVED AND ADOPTED this 15th day of June 2020.

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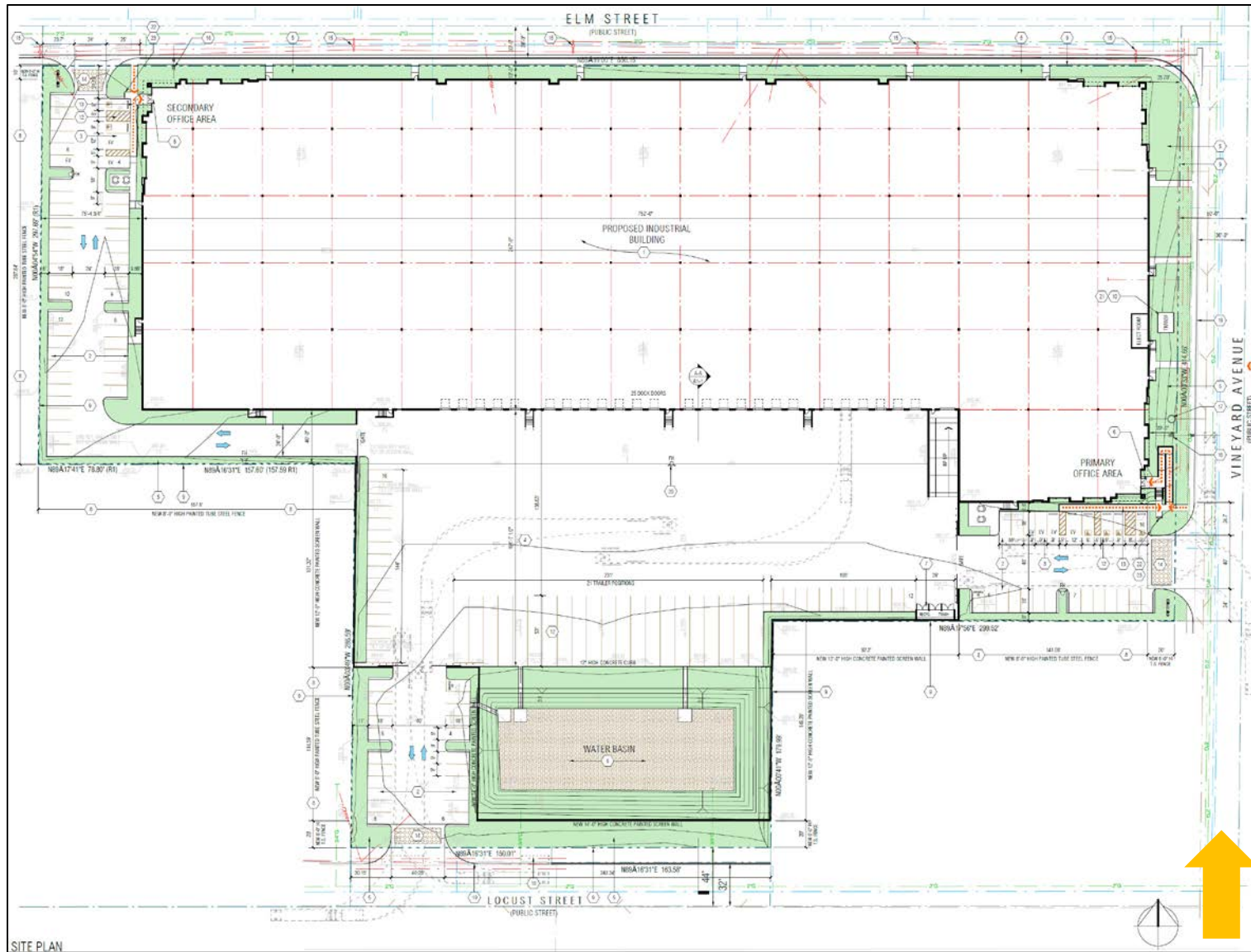
Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

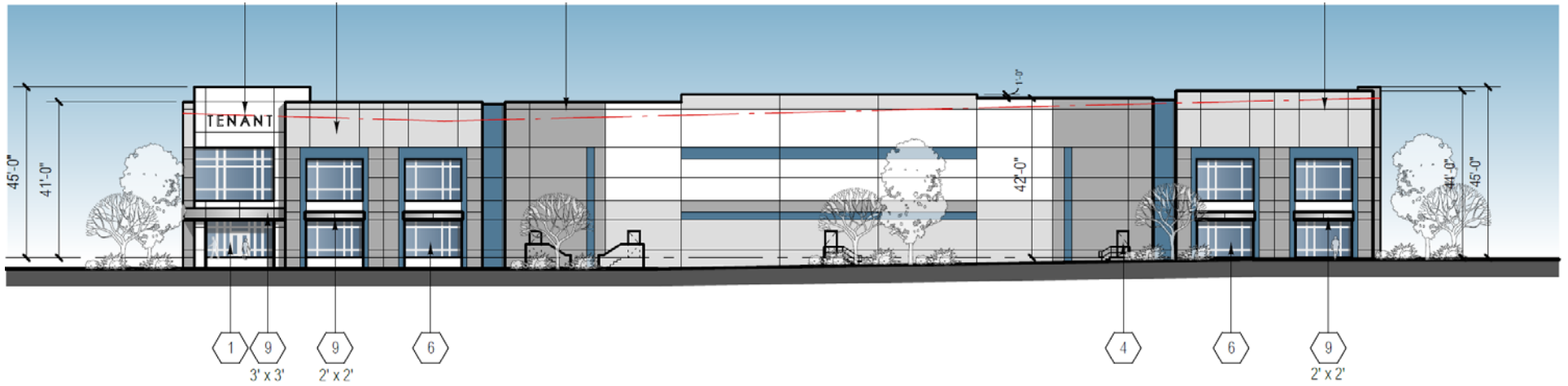




**Exhibit B—SITE PLAN**



**Exhibit C—EXTERIOR ELEVATIONS**



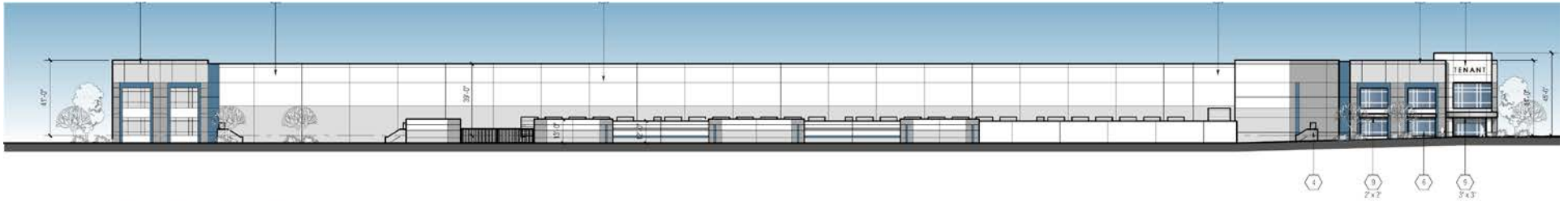
**EAST ELEVATION**



**WEST ELEVATION**



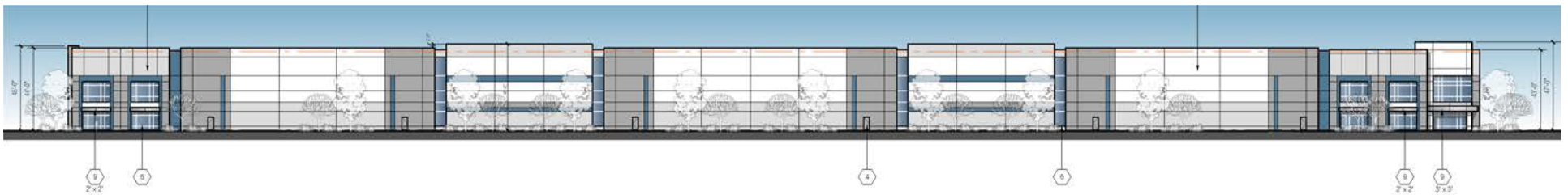
**Exhibit C—EXTERIOR ELEVATIONS**



SOUTH ELEVATION - WITH SCREENWALL

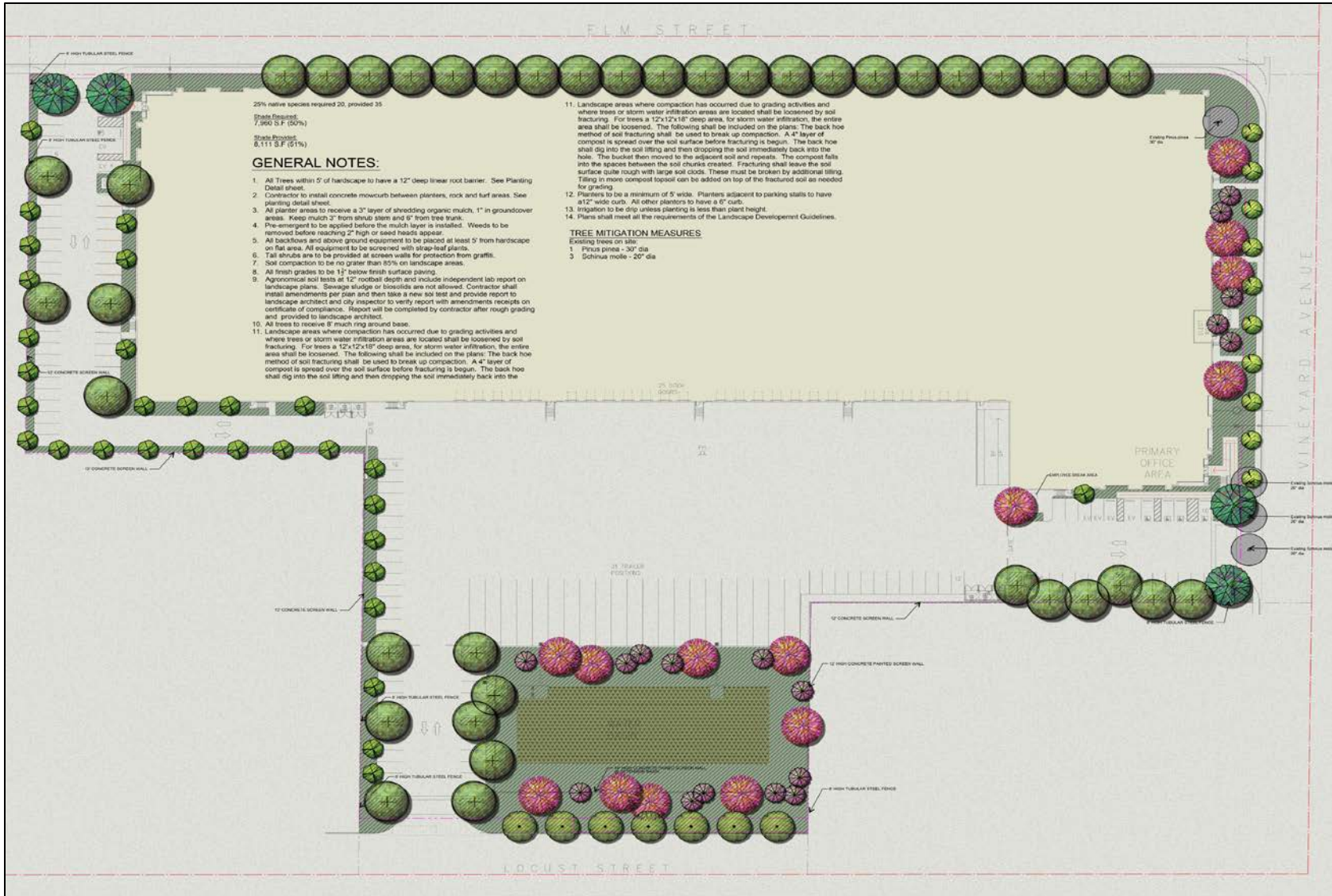


SOUTH ELEVATION - NO SCREENWALL



NORTH ELEVATION

**Exhibit D—LANDSCAPE PLAN**



## 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:** June 15, 2020

**File No:** PDEV19-055

**Related Files:** PMTT19-014

**Project Description:** A Development Plan to construct a 200,966 square-foot industrial warehouse building, on 8.6 acres of land, located on the southwest corner of Elm Street and Vineyard Avenue, within the IG (General Industrial) zoning district; (APNs: 0113-415-42, 0113-415-43, 0113-415-44, 0113-415-45, 0113-415-46, 0113-415-47, 0113-415-48, 0113-415-49, 0113-415-50, 0113-415-53, 0113-415-54 and 0113-415-55); **submitted by Duke Realty.**

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

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

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

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

**2.1** Time Limits.

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

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

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

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



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

**2.3** Landscaping.

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

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

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

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

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

**2.5** Parking, Circulation and Access.

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

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

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

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

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

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

**2.6** Outdoor Loading and Storage Areas.

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

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

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

**(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:

<i>Screen Wall Height</i>	<i>Minimum Gate Height</i>
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. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

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

**2.12** Environmental Review.

(a) The environmental impacts of this project were previously analyzed in The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by the City Council on January 27, 2010, in conjunction with File No. PGPA06-001. 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.

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

**2.14** Additional Fees.

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

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

**2.15** Additional Requirements.

(a) The approval of File No. PDEV19-055 shall be final and conclusive upon the approval of File No. PMTT19-014 / PM 20170 by the Planning Commission.



## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input type="checkbox"/> TRACT MAP
<b>PROJECT FILE NO. <u>PM-20170</u></b>		
<b>RELATED FILE NO(S). PMTT19-014, PDEV19-055</b>		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

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

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

DAB MEETING DATE: June 15, 2020

PROJECT NAME / DESCRIPTION: PM-20170, a Tentative Parcel Map to merge 12 lots into one parcel on 8.6 acres of land, within the General Industrial zone.

LOCATION: Southwest corner of Elm Street and Vineyard Avenue

APPLICANT: Duke Realty Vineyard and Elm LP

REVIEWED BY:   
Bryan Lirley, P.E.  
Principal Engineer

*6/3/20*  
Date

APPROVED BY:   
Raymond Lee, P.E.  
Assistant City Engineer

*6/4/20*  
Date





**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 PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.**

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

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



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: [www.ci.ontario.ca.us](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 three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments: 
  - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
  - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
  - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: \_\_\_\_\_

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

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

- 2.01 Record Parcel Map No. 20170 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per \_\_\_\_\_
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of \_\_\_\_\_
- 2.05 Apply for a:  Certificate of Compliance with a Record of Survey;  Lot Line Adjustment 
  - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan ( WQMP), as applicable to the project.



- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).
  
- 2.08 **Submit a soils/geology report.**
  
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies: 
  - State of California Department of Transportation (Caltrans)
  - San Bernardino County Road Department (SBCRD)
  - San Bernardino County Flood Control District (SBCFCD)
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA)
  - Other: \_\_\_\_\_
  
- 2.10 Dedicate to the City of Ontario the right-of-way described below: 

\_\_\_\_\_ feet on \_\_\_\_\_

Property line corner 'cut-back' required at the intersection of \_\_\_\_\_  
and \_\_\_\_\_.
  
- 2.11 Dedicate to the City of Ontario the following easement(s): \_\_\_\_\_ 

\_\_\_\_\_
  
- 2.12 New Model Colony (NMC) Developments: 
  - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
  - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
  - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
  
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at \_\_\_\_\_% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.



- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$201,068.33, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions:** 
  - a. **Final Utilities Systems Map (USM): As part of the precise grading plans submittal, provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.**





**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	Vineyard	Elm	Locust	Street 4
<b>Curb and Gutter<sup>(a)</sup></b>	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> <b>Remove and replace</b>	<input checked="" type="checkbox"/> <b>New; 20 ft. from C/L</b> <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New; 32 ft. from C/L</b> <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>	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> <b>2" grind and overlay to CL along frontage.</b>	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> <b>Widen 18 feet from CL along frontage, including pavm't transitions</b>	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> <b>Widen 30 feet from CL along frontage, including pavm't transitions</b>	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
<b>PCC Pavement (Truck Route Only)</b>	<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 checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Sidewalk</b>	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>ADA Access Ramp</b>	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New</b> <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 checked="" type="checkbox"/> <b>Trees</b> <input checked="" type="checkbox"/> <b>Landscaping (w/irrigation)</b>	<input checked="" type="checkbox"/> <b>Trees</b> <input checked="" type="checkbox"/> <b>Landscaping (w/irrigation)</b>	<input checked="" type="checkbox"/> <b>Trees</b> <input checked="" type="checkbox"/> <b>Landscaping (w/irrigation)</b>	<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<sup>(b)</sup></b>	<input checked="" type="checkbox"/> <b>New / Upgrade</b> <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> <b>New / Upgrade</b> <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> <b>New / Upgrade</b> <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 checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Traffic Signing and Striping</b> (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Street Light</b> (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input checked="" type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input 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. 2.K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
<b>Overhead Utilities</b> (see Sec. 2.21)	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input checked="" type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input checked="" type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

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

- a. Remove and replace the existing curb and gutter along the entire Vineyard Avenue project frontage.
- b. Construct two new fire hydrants on Elm Street, spacing 300 feet apart and one on Vineyard Avenue. Also, upgrade the existing fire hydrant on Locust Street and on Vineyard Avenue.



- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): 
  - a. Vineyard Avenue
- 2.19 Reconstruction of the full pavement structural section on Elm Street and Locust Street, per City of Ontario Standard Drawing number 1011. 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 \$178,500, for undergrounding of utilities along Vineyard Avenue in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: 
  - b. 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.

#### C. SEWER

- 2.23 A 8 inch sewer main is available for connection by this project in Vineyard Avenue (Ref: Sewer plan bar code: S12694)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions: 
  - a. The applicant/developer shall abandon any existing sewer laterals that are not proposed to be used. Abandonment of the laterals shall be in accordance with City Standard.
  - b. The applicant/developer shall submit a delta revision to the approved sewer improvement plans (record drawings on file) which reflect the installation of the proposed service laterals and/or abandonment of unused existing service laterals. Delta revisions shall be submitted to the City for review and approval.
  - c. The applicant/developer shall provide a sewer monitoring manhole for the sewer lateral at the back of the property and the pre and post pipe must be 10' straight without any bend. In addition, the slope must be greater than 0.4%, but must not be greater than 2.0%.



**D. WATER**

- 2.27 **A 8 and 12 inch water main is available for connection by this project in Elm Street and Vineyard Avenue respectively (Ref: Water plan bar code: W10505 and W11634)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.29 **Other conditions:** 
  - a. **The applicant/developer shall abandon any existing water meter and service that is not proposed to be used. Abandonment of the service shall be performed per City Standard back to the corporation stop at the water main.**
  - b. **The applicant/developer shall submit a delta revision to the approved water improvement plans (record drawings on file) which reflect the installation of the proposed service laterals and/or abandonment of unused existing service laterals. Delta revisions shall be submitted to the City for review and approval.**
  - c. **The applicant/developer shall provide a separate irrigation service with a backflow preventer in accordance with City Standards.**

**E. RECYCLED WATER**

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

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

**F. TRAFFIC / TRANSPORTATION**

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: 
  - 1. On-site and off-site circulation
  - 2. Traffic level of service (LOS) at 'build-out' and future years
  - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.



- 2.37 Other conditions:**
- a. The proposed driveway approaches shall be designed and constructed in accordance with City of Ontario Standard Drawing No. 1204.
  - b. All streets shall be signed "No Parking Anytime".
  - c. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.
  - d. The applicant/developer shall be responsible to replace any existing street light fixtures along the project frontage of Vineyard Avenue, Elm Street and Locust street with the current City approved LED equivalent fixture per the Traffic and Transportation Design Guidelines.
  - e. The applicant/developer shall be responsible to design and construct new street lights and potential new service pedestal along all project frontages. Street lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines.
  - f. All existing drive approaches that are not to remain shall be removed and replaced with full height concrete curb, gutter, sidewalk and landscape parkway.

**G. DRAINAGE / HYDROLOGY**

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

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB)





and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.

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

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

- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
  
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
  
- 2.47 **Other conditions:** 
  - a. **The applicant/developer shall install a pretreatment device on the proposed BMP to ensure water infiltration does not have pollutants associated with industrial activity.**

#### J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum 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 the Financial Services Department at (909) 395-2353 to initiate the CFD application process.
  
- 2.49 Other conditions: \_\_\_\_\_

#### K. FIBER OPTIC

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



**L. Solid Waste**

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:**   
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
  
- 2.53 Other conditions:** 
  - a. **Final Solid Waste Handling Plan (SWHP):** Prior to approval of any building permits, a final SWHP shall be submitted with the Precise Grading Plan for review and approval of Ontario Municipal Utility Company.
  
  - b. **Trash Enclosures (TE):** Provide two TEs for this project site for a total of six 4-cy bins.



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

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

**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 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.**



**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

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**Project Number: PDEV19-055, and Parcel Map No. 20170**

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

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



- 22.  **One (1) copy of approved Tentative Map**
- 23.  **One (1) copy of Preliminary Title Report (current within 30 days)**
- 24.  **One (1) copy of Traverse Closure Calculations**
- 25.  **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
- 26.  Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 27.  Other: \_\_\_\_\_





# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Development Director  
Cathy Wahlstrom, Planning Director (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: Jeanie Irene Aguilo, Associate Planner

DATE: January 16, 2020

SUBJECT: FILE #: PDEV19-055 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 **Thursday, January 30, 2020**.

**PROJECT DESCRIPTION:** A Development Plan to construct a 200,966-square foot industrial warehouse building on 8.6 acres of land located at the southwest corner of Elm Street and Vineyard Avenue, within the IG (General Industrial) zoning district (APNs: 0113-415-42, 0113-415-43, 0113-415-45, 0113-415-46, 0113-415-47, 0113-415-48, 0113-415-49, 0113-415-50, 0113-415-53, 0113-415-54, and 0113-415-55). Related File: PMTT19-014 (TPM 20170).

The plan does adequately address the departmental concerns at this time.

- No comments
- See previous report for Conditions
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Landscape Planning Division  
Department

*J. Irene Aguilo*  
Signature

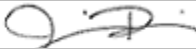
J. Irene Aguilo  
Title

1/27/20  
Date

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

**PRELIMINARY PLAN CORRECTIONS**

**Sign Off**

	1/27/20
Jamie Richardson, Sr. Landscape Planner	Date

Reviewer's Name: <b>Jamie Richardson, Sr. Landscape Planner</b>	Phone: <b>(909) 395-2615</b>
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D.A.B. File No.: PDEV19-055	Case Planner: Henry Noh
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Project Name and Location:

Industrial Bldg.  
 SWC Elm Street & Vineyard Ave.

Applicant/Representative:

RGA Office of Architectural Design, Inc.  
 15231 Alton Parkway, Suite 100  
 Irvine, CA 92618

**A Preliminary Landscape Plan (dated 1/16/20) 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.**

**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](mailto:landscapeplancheck@ontarioca.gov)  
**DIGITAL SUBMITTALS MUST BE 10MB OR LESS.**

Civil/ Site Plans

1. Mitigation for 90" of trunk replacement; 22 trees upsized from 15 gallon to 24" box. Monetary value for remaining 57" equals \$5,700.
2. Show storm water infiltration areas and show basins and swales to be no greater than 40% of the landscape area width to allow for ornamental landscape. Provide a level grade minimum 4' from paving for landscape. The 135' wide landscape area off on Locust street allows for a 54' wide basin or swale. Show outline of basin or swale top of slope. Consider underground chambers, Maxwell units...
3. Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
4. Reduce the drive at the south west portion of the building to 21' increase planter spaces to allow for screening trees; provide a 10' planter adjacent to the buildings and a 9' planter to the 12' high screen wall.
5. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
6. Show backflow devices set back 4' from paving all sides. Locate on level grade
7. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
8. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the utility minimum spacing and show utility lines at the edges of the parkway, toward the driveway apron, to allow space for street trees.
9. Revise site plan shall provide 15% of the site with landscaping not including right of way or paving.

10. 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.
11. Dimension all planters to have a minimum 5' wide inside dimension.
12. 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.
13. Show outdoor employee break area with table or bench and shade trees on the south and west sides.

Landscape Plans

14. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
15. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
16. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs where parking spaces are adjacent to planters.
17. Show landscaping in the perimeter planters and trees spaced 30' apart.
18. Street trees for this project are: Vineyard Ave Eucalyptus erythocorys, Elm Street Pistacia chinensis 'Sarah Radiance', Locust Street Pistacia chinensis 'Red Push' per the Master Street Tree Plan. Use evergreen background trees to contrast with deciduous street trees (or the opposite) and triangularly space between them.
19. Locate trees for shade on buildings, parking lots, seating areas and paving, screen blank walls and adjacent properties where missing, accent trees to entries and driveways, provide visibility to signs, windows and doors. Locate trees 50% of canopy width from walls, buildings, and existing trees.
20. Overhead spray systems shall be designed for plant material less than the height of the spray head.
21. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
22. Provide an appropriate hydroseed plant mix for water quality basins and swales.
23. Call out all fences and walls, materials proposed and heights.
24. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
25. 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—5 or more acres .....	\$2,326.00
Inspection—Construction (up to 3 inspections per phase) .....	<u>\$278.00</u>
Total.....	\$2,604.00
Inspection—Field – any additional.....	\$83.00

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:** Jeanie Aguilo, Associate Planner

**FROM:** Karen Thompson, Associate Planner  
Phone: 909.395.2459 (direct)/ 909.395.2411  
Email: kthompson@ontarioca.gov

**DATE:** 6/3/2020

**SUBJECT:** Conditions of Approval for File No. PMTT19-014 (Related File No: PDEV19-055).

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**PROJECT CONDITIONS OF APPROVAL:** A Development Plan to construct a 200,966 SF industrial warehouse building, located on 8.6 acres of land, on the southwest corner of Elm Street & Vineyard Ave, within the IG (General Industrial) zone. [APNs: 0113-415-42, 0113-415-43, 0113-415-45, 0113-415-46, 0113-415-47, 0113-415-48, 0113-415-49, 0113-415-50, 0113-415-53, 0113-415-54 and 0113-415-55] the following are conditions of approval to meet the requirements **of SB-1000 (Safety and Environmental Justice)**.

- No queuing or overnight staging along E. Elm Street or north of the entrance along S. Vineyard Avenue.
- Not to exceed more than 100 trucks per day and not more than 40 trucks with operating transportation refrigeration units (TRU's) per day where TRU unit operations exceed 300 hours per week.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Associate Planner  
Planning Department

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

**DATE:** October 23, 2019

**SUBJECT:** PDEV19-055 – A Development Plan to construct a 200,966 SF industrial warehouse building, located on 8.6 acres of land, on the southwest corner of Elm Street & Vineyard Ave, within the IG (General Industrial) zone. [APNs: 0113-415-42, 0113-415-43, 0113-415-45, 0113-415-46, 0113-415-47, 0113-415-48, 0113-415-49, 0113-415-50, 0113-415-53, 0113-415-54 and 0113-415-55]

**RELATED FILE:** PMTT19-014 (TPM 20170)

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

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

- A. 2016 CBC Type of Construction: Assured Type II B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 194,966 Sq. Ft.
- D. Number of Stories: 1 w/ Mezzanine
- E. Total Square Footage: 200, 966 Sq. Ft.
- F. 2016 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](http://www.ontarioca.gov), click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

### **2.0 FIRE DEPARTMENT ACCESS**

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 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 2016 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

- ☒ 4.1 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. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finished) before the building is enclosed.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.

- ☒ 4.6 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.

## **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:** PLANNING DEPARTMENT, Jeanie Aguilo  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** October 18, 2019  
**SUBJECT:** PDEV19-055

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

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### Conditions of Approval

1. The New Building Address will be 1532 S. Vineyard Ave.
2. Standard Conditions of Approval apply.

KS:lr



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Associate Planner

**FROM:** Officer Emily Hernandez, Police Department

**DATE:** October 15, 2019

**SUBJECT:** PDEV19-055 – A DEVELOPMENT PLAN TO CONSTRUCT A 200,966 SQUARE FOOT WAREHOUSE BUILDING LOCATED ON THE SOUTHWEST CORNER OF ELM STREET AND VINEYARD 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.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Officer Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.



# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-055 & PMTT19-014

Address: SWC Elm Street & Vineyard Ave

APN: 0113-415-42 thru 55

Existing Land Use: Industrial uses

Proposed Land Use: Development Plan to construct 200,966 SF Industrial Building

Site Acreage: 8.6 acres Proposed Structure Height: 45 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 12/17/19

CD No.: 2019-074

PALU No.: n/a

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

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

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: \_\_\_\_\_



# Development Advisory Board Decision

June 15, 2020

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

**FILE NO.:** PCUP19-028

**DESCRIPTION:** A Conditional Use Permit to establish and operate a 265-room limited-service dual-branded hotel and to conduct alcoholic beverage sales for consumption on the premises, including beer, wine, and distilled spirits (Type 70 ABC License) to the establishment's overnight guests or their invitees, on 4.94 acres of land, located at the southeast corner of Inland Empire Boulevard and Archibald Avenue, within the OH (Heavy Office) zoning district. **Submitted by Ontario H Hotel, LLC. Planning Commission and City Council action is required.**

## ***Part I—BACKGROUND & ANALYSIS***

ONTARIO H HOTEL, LLC, (herein after referred to as "Applicant") has filed an application requesting Conditional Use Permit approval, File No. PCUP19-028, 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 4.94 acres of land generally located at the southeast corner of Inland Empire Boulevard and Archibald 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:

	<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	Community Commercial	OH (High Intensity Office)	N/A
<i>North:</i>	Shopping Center	Mixed Use	SP (Specific Plan)	Garden Commercial (Ontario Festival SP)
<i>South:</i>	Interstate 10	Interstate 10	Interstate 10	Interstate 10
<i>East:</i>	Offices	Community Commercial	SP (Specific Plan)	Garden Commercial (Transpark SP)
<i>West:</i>	Vacant	Mixed Use	SP (Specific Plan)	Urban Commercial (Meredith International Center SP)

(2) **Project Description:**

(a) **Background** — The Applicant is requesting approval of a Conditional Use Permit, File No. PCUP19-028, to establish and operate a 157,370 square foot, limited-service dual-branded hotel (Hyatt Place and Hyatt House) and to conduct alcoholic beverage sales for consumption on the premises, including beer, wine, and distilled spirits (Type 70 ABC License) to the establishment's overnight guests or their invitees. The Application was filed in conjunction with a Development Plan, File No. PDEV19-067, to construct the hotel and establish a 5,000 square foot freestanding restaurant pad on the Project site.

The hotel is five stories in height and contains a total of 265 guestrooms. Guest amenities proposed for the Project will be shared by both hotel brands and include:

- Swimming pool and spa with an accompanying 612 square foot pool side cabana
- Outdoor gathering and seating areas with associated fire pits
- Large porte-cochere for arriving guests
- Pre-function area (1,250 square feet), meeting rooms (three at 900 square feet, each, with removable wall between rooms) and a gathering room (730 square feet)
- Fitness room (1,140 square feet)
- Restaurant (2,226 square foot dining area)
- Guest bar and lounge (2,886 square feet)

Guestrooms range from 297 to 691 square feet in area for the Hyatt House brand and 291 to 626 square feet for the Hyatt Place brand. Nine room configurations are proposed, including five room configurations for the Hyatt House brand, as follows:

- Single King Studio (400 square feet)
- Single King Den (297 square feet)
- Single King (447 square feet)
- Double Queen Den (400 square feet)
- Double Queen Suite (691 square feet)

The Hyatt Place brand includes four room configurations, as follows:

- Single King Studio (291 square feet)
- Double Queen Studio (357 square feet)
- King Suite (626 square feet)
- Double Queen Suite (537 square feet)

(b) Conditional Use Permit to Establish a Hotel — The City's Development Code requires that all new hotels must be reviewed under concurrently filed Conditional Use Permit and Development Plan applications. The purpose of the Conditional Use Permit application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. More specifically, in the case of hotels, the Conditional Use Permit is required to establish the project's market feasibility and ensure on-going compliance with the minimum amenity package required by the Development Code.

(i) **Market Demand Analysis.** A market demand analysis is required to be prepared for all new proposed hotels. The Applicant submitted a Market Demand Analysis prepared by CBRE, Inc., which found that sufficient market exists in the City to support the development a dual-brand hotel, given its brand affiliations (Hyatt Place and Hyatt House). Additionally, the information provided estimates that the proposed hotel would be successful based upon factors such as future growth in the area, including new office and commercial space, as well as future airport expansion. The report includes discussions of other similar hotels in the area, long-term viability, and overall demand due to new businesses and activities in and around the City.

The following table outlines estimates of occupancy, average daily rate, and the proposed hotel's revenue per available room ("RevPAR"), which is important in measuring hotel performance:

Project Market Performance

Year	Annual Supply	% Change	Occupied Rooms	% Change	Occup. %	Av. Daily Rate	% Change	RevPAR [1]	% Change	Market Penetration	Annual Yield
2022	96,725	N/A	65,600	N/A	68%	\$159.00	3.0%	\$107.84	N/A	87%	94%
2023	96,725	0.0	72,800	11.0	75%	\$164.00	3.0%	\$123.43	14.5%	94%	102%
2024	96,725	0.0	77,300	6.2	80%	\$169.00	3.0%	\$135.06	9.4%	100%	108%
2025	96,725	0.0	77,300	0.0	80%	\$174.00	3.0%	\$139.06	3.0%	100%	107%
2026	96,725	0.0	77,300	0.0	80%	\$179.00	3.0%	\$143.05	2.9%	100%	107%
CAAG		0.0		4.2%			3.0%		7.3%		

Notes:

[1] "RevPAR" means revenue per available room, calculated by multiplying the hotel's average daily room rate ("ADR") by its occupancy rate.

(ii) **Minimum Amenity Package.** The Development Code provides that no Conditional Use Permit shall be approved for a hotel, motel, residence inn, or other similar traveler accommodation, unless certain specific amenities are provided, as follows:

- Each guestroom must include voicemail, wired or wireless internet access, desk with chair, hairdryer, retractable magnifying (10X) and lighted makeup mirror, iron and ironing board, high definition television, and alarm clock or wake-up service. Compliance with these requirements will be verified by the Planning Department during Building Department plan check and at time of final building inspection.
- For limited-service hotels, meeting space equal to 15 square feet per guestroom must be provided, requiring that a minimum of 3,975 square feet of meeting/gathering area must be provided for the project. The project exceeds the minimum requirement, incorporating a total of 4,680 square feet of available meeting/gathering area.
- Both active and passive leisure amenities are required, at a minimum, a swimming pool, whirlpool/spa or furnished cabana, and fitness room. The project exceeds the minimum requirement, providing a pool and spa, a 612 square foot poolside cabana, outdoor gathering and seating areas with fire pits, and a 1,420-square foot fitness room.
- A guest courtesy lounge for the serving of light meals and snacks is required to be provided in conjunction with limited-service hotels. A restaurant with a 2,226 square foot dining area is provided within the hotel for guests, exceeding the minimum requirement. Additionally, a 2,886 square foot bar and lounge for use by hotel guests and their invitees has been provided.

It is staff's determination that the proposed project has met or exceeded the minimum amenity package requirements, as stipulated by Section 5.03.250.D (Minimum Amenity Package) of the City's Development Code.

(c) **Conditional Use Permit for Alcoholic Beverage Sales** — Prior to the issuance of an Alcoholic Beverage Control ("ABC") license and the establishment of retail sales of alcoholic beverages, whether for consumption on or off the premises, Conditional Use Permit approval must first be obtained from the City (except within the MU-1 (Downtown Mixed Use) zoning district). The Applicant is requesting to conduct alcoholic beverage sales for consumption on the premises, including beer, wine, and distilled spirits (Type 70 ABC License) to overnight hotel guests and their invitees.

The proposed Hyatt House/Hyatt Place hotel is located within Census Tract 21.09. ABC has determined that 3 On-Sale and 3 Off-Sale ABC licenses are allowed within this census tract. Presently, there are 57

active On-Sale and 11 active Off-Sale. Census Tract 21.09 is within an entertainment area established by the Piemonte Overlay District of The Ontario Center Specific Plan.

The hotel's alcoholic beverage service is provided as a convenience to hotel guests and their invitees, and the Project site is not located in a high crime area; therefore, the Police Department does not object to the granting of the requested Conditional Use Permit, provided all City and State Department of Alcohol Beverage Control rules, regulations, and conditions are met and followed by the establishment. Additionally, the new alcohol beverage serving facility is required to have their employees attend an L.E.A.D. training class, which is offered by the City of Ontario Police Department, at no cost.

The Business and Professional Code grants authority to local governments to approve additional ABC licenses under certain terms, which includes making certain findings, having low crime levels, and implementation of mitigation measures. As indicated, the subject site is located within an entertainment area established by the Piemonte Overlay District of The Ontario Center Specific Plan. Consequently, more ABC licenses than typical are present. Lastly, the Ontario Police Department has reviewed the Conditional Use Permit request and is also recommending approval, subject to conditions.

The Conditional Use Permit review is performed in order to weigh a proposed use's compatibility with adjacent uses and identify and establish measures to mitigate any potential nuisance activities. The serving of beer, wine, and distilled spirits for consumption on the premises is a conditionally permitted land use. Staff believes that the recommended conditions of approval will sufficiently mitigate potential impacts associated with the proposed activity and the businesses within the immediate area will not be exposed to any impacts resulting from the alcoholic beverage sales and consumption beyond those that would normally be associated with any other commercial activity allowed in the surrounding area.

#### ***Part II—RECITALS***

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("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 is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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



WHEREAS, on June 15, 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 recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines, as the Project consists of infill development that meets all the following conditions: [i] the Project is consistent with the applicable general plan designation (Community Commercial) and all applicable general plan policies, as well as the applicable zoning designation (OH, High Intensity Office) and applicable regulations; [ii] the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; [iii] the Project site has no value as habitat for endangered, rare, or threatened species; [iv] approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and [v] the Project site can be adequately served by all required utilities and public services.

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

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

**SECTION 2: 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 3: 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.

**SECTION 4: 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 specific findings set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

(1) **The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the OH (High Intensity Office) zoning district, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed 265-room, limited-service, dual-branded hotel, in conjunction with alcoholic beverage sales for consumption on the premises, including beer, wine, and distilled spirits (Type 70 ABC License), to the establishment's overnight guests or their invitees, will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the OH (High Intensity Office) zoning district; and

(2) **The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed 265-room limited-service dual-branded hotel, in conjunction with alcoholic beverage sales for consumption on the premises, including beer, wine, and distilled spirits (Type 70 ABC License), to the establishment's overnight guests or their invitees, will be located within the Community Commercial land use district of the Policy Plan Land Use Map, and the OH (High Intensity Office) zoning district. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan; and

(3) **The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.** The proposed 265-room, limited-service, dual-branded hotel, in conjunction with alcoholic beverage sales for consumption on the premises, including beer, wine, and distilled spirits (Type 70 ABC License), to the establishment's overnight guests or their invitees, is located with the Community Commercial land use district, and the OH (High Intensity Office) zoning district, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code; and

(4) **The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.** The 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 Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located.

(5) **The public convenience or necessity would be served by the grant of the requested Conditional Use Permit for the sale of alcoholic beverage for consumption on the premises, including beer, wine, and distilled spirits (Type 70 ABC License), to the establishment's overnight guests or their invitees, at the proposed location.** The hotel's alcoholic beverage service is provided as a convenience to hotel guests and their invitees, and the Project site is not located in a high crime area; therefore, the Police Department does not object to the granting of the requested Conditional Use Permit,

provided all City and State Department of Alcohol Beverage Control rules, regulations, and conditions are met and followed by the establishment. Additionally, the recommended conditions of approval will sufficiently mitigate potential impacts associated with the proposed activity and the businesses within the immediate area will not be exposed to any impacts resulting from the alcoholic beverage sales and consumption beyond those that would normally be associated with any other commercial use allowed in the surrounding area. Furthermore, The Police Department is in support of the proposed modification and has recommended conditions of approval to mitigate their concerns.

**SECTION 5: *Development Advisory Board Action.*** Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby RECOMMENDS THE PLANNING COMMISSION APPROVE 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 6: *Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

**SECTION 7: *Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

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APPROVED AND ADOPTED this 15th day of June 2020.

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Development Advisory Board Chairman

**Exhibit A—PROJECT LOCATION MAP**



Exhibit B—SITE PLAN

TOTAL GROSS SITE AREA:	215,061 SF (4.94 ACRES)
TOTAL NET SITE AREA:	187,900 SF (4.31 ACRES)
ADDRESS:	2800 EAST INLAND EMPIRE BLVD., ONTARIO, CA 91764
PARCEL MAP NO.	17422
EXISTING LAND USE DESIGNATION:	AIRPORT SERVICE COMMERCIAL
PROPOSED LAND USE DESIGNATION:	HOTEL
ZONING:	(OH) HIGH INTENSITY OFFICE ZONING DISTRICT
FREEWAY SETBACK:	20 FEET
ARCHIBALD AVE. SETBACK:	20 FEET
INLAND EMPIRE BLVD. SETBACK:	20 FEET
INTERIOR SETBACK:	0 FEET
PROPOSED LOT COVERAGE:	19%
PROPOSED FAR:	0.75

GUEST ROOM COUNT								
HYATT HOUSE								
LEVELS	TYPES	KING STUDIO	KING DEN	KING ONE BEDRM	DBL QUEEN DEN	DBL QUEEN ONE BEDRM	DBL QUEEN ONE BED MOD	TOTAL KEYS
(1) GROUND			2	0	0	1		3
(2) SECOND		8	4	13	2	2		29
(3) THIRD		8	4	13	2	2		29
(4) FOURTH		8	4	13	2	2		29
(5) FIFTH		8	4	13	2	2		29
<b>TOTAL</b>		<b>32</b>	<b>18</b>	<b>52</b>	<b>8</b>	<b>9</b>	<b>0</b>	<b>119</b>
		27%	15%	44%	7%	8%	0%	

HYATT PLACE					
LEVELS	TYPES	KING STUDIO	KING ONE BEDRM	DBL QUEEN STUDIO	TOTAL KEYS
(1) GROUND		13	0	5	18
(2) SECOND		23	1	8	32
(3) THIRD		23	1	8	32
(4) FOURTH		23	1	8	32
(4) FIFTH		23	1	8	32
<b>TOTAL</b>		<b>105</b>	<b>4</b>	<b>37</b>	<b>146</b>
		72%	3%	25%	
<b>TOTAL KEYS</b>					<b>265</b>

AREA INFORMATION		ADJ. GROSS SF
LEVELS		
(1) LEVEL 1 (LOBBY, DINING, MEETING ROOMS)		34,586
(2) LEVEL 2		30,696
(3) LEVEL 3		30,696
(4) LEVEL 4		30,696
(5) LEVEL 5		30,696
<b>TOTAL</b>		<b>157,370</b>

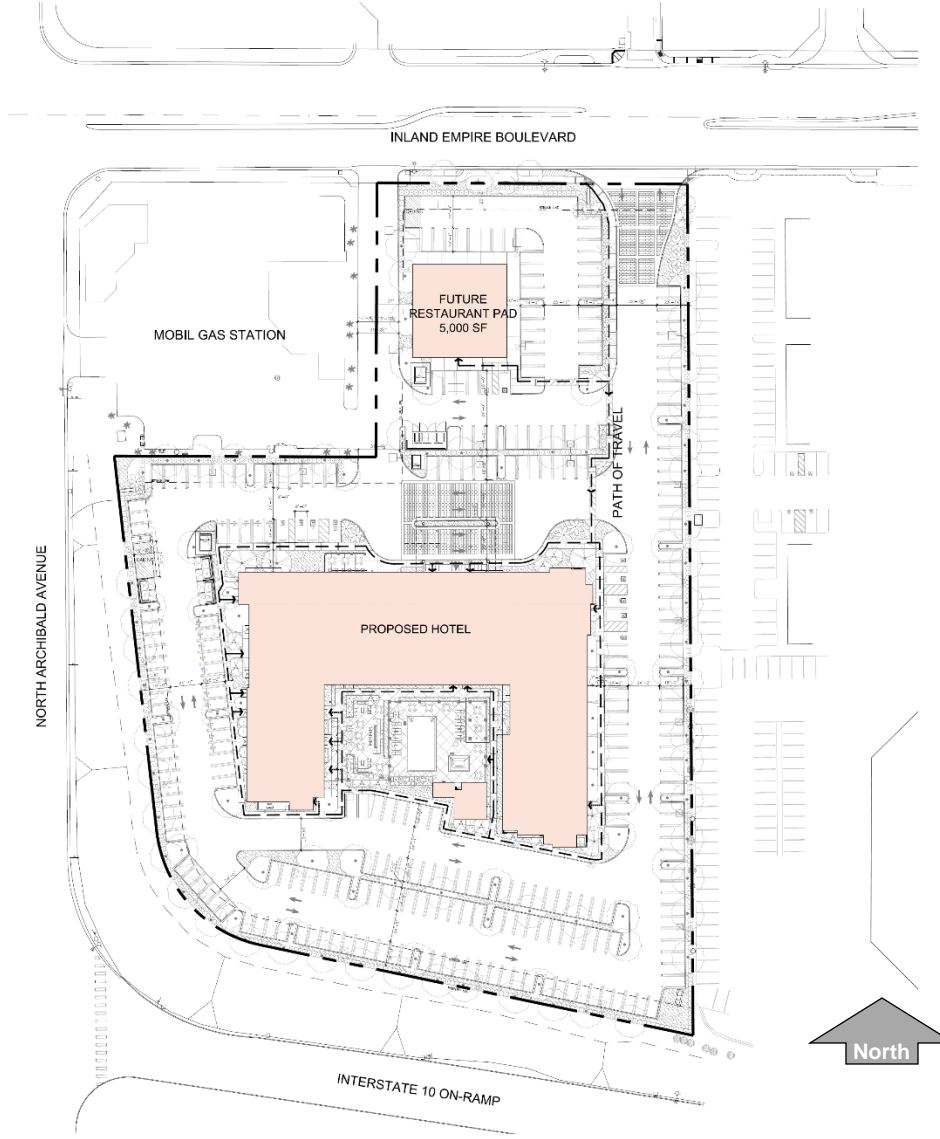
NOTE: ALL AREAS ARE CALCULATED TO EXTERIOR FACE OF WALL EXCLUDING ALL VERTICAL SHAFTS.

COMMERCIAL PAD		GROSS SF
RESTAURANT		5,000
<b>TOTAL</b>		<b>5,000</b>

PARKING REQUIRED		
HOTEL	(1 PER ROOM)	265
RESTAURANT	(1/100 SF OF DINING AREA)	50
<b>TOTAL</b>		<b>315</b>

PARKING PROVIDED		
SURFACE PARKING		293
	%COMPLIANT OF TOTAL REQ.	93.0%

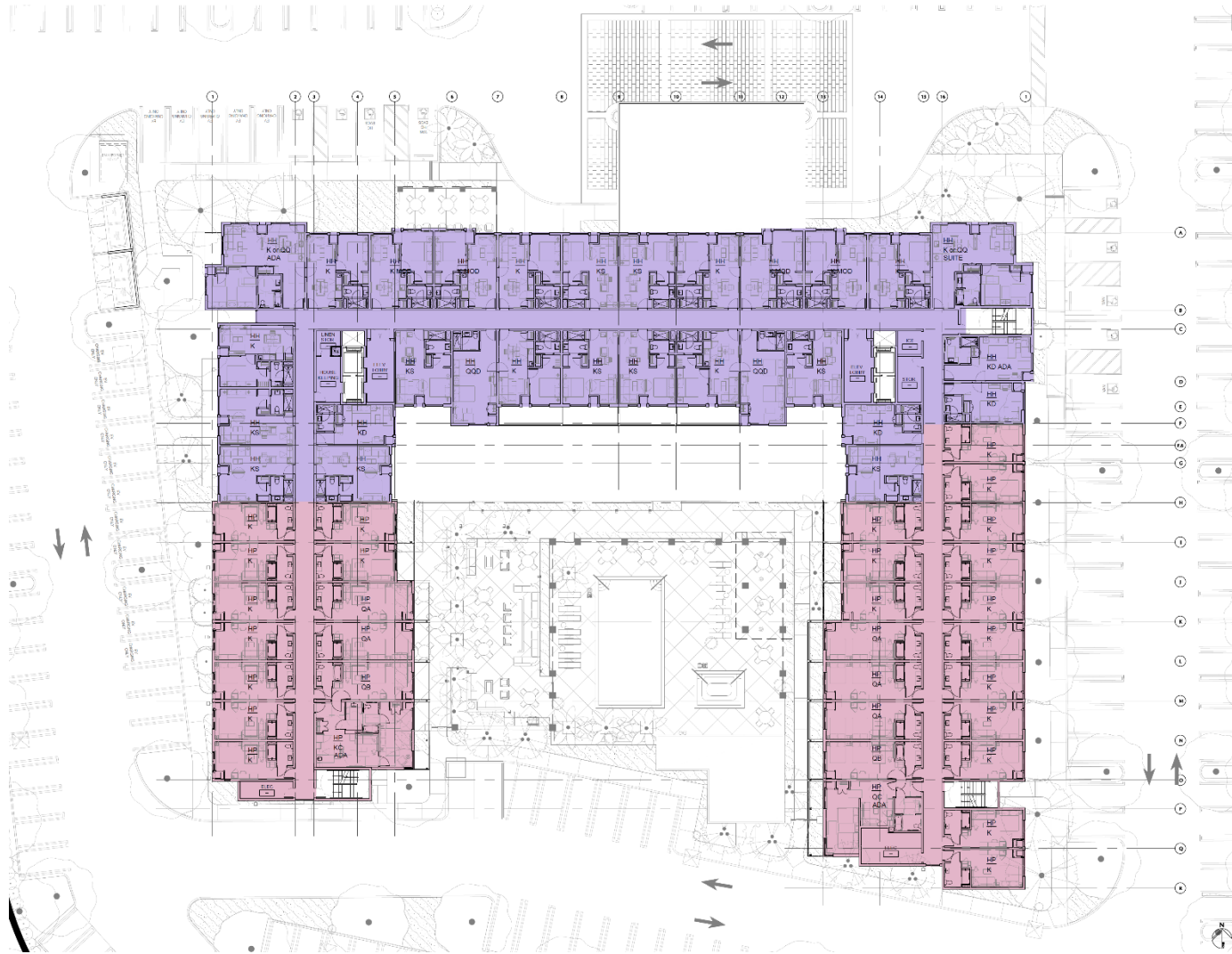
REFUSE AND RECYCLING MINIMUM WEEKLY SERVICE REQUIREMENTS	
<b>FUTURE RESTAURANT</b>	
REQUIRED:	TWO (3) 4 CY BINS WEEKLY
PROVIDED:	TWO (3) 4 CY BINS WEEKLY
<b>HOTEL</b>	
158,208 SF / 2,500 SF = 63.28 CY YARDS (1 CY PER 2,500 SF)	
63.28 CY / 4 CY BINS = 15.82 BINS WEEKLY	
PROPOSED SERVICE TO BE 3 TIMES A WEEK	
15.82 BINS/3 = 5.3 BINS	
REQUIRED BINS: (5.3) 4 CY BINS	
PROVIDED BINS: SIX (6) 4 CY BINS, TOTAL 3 TRASH ENCLOSURES	







**Exhibit C—Floor Plans (continued)**



**SECOND/THIRD/FOURTH/FIFTH FLOOR PLANS**

**Exhibit D—EXTERIOR ELEVATIONS**





**Exhibit D—EXTERIOR ELEVATIONS (continued)**



**Exhibit E—LANDSCAPE PLANS**

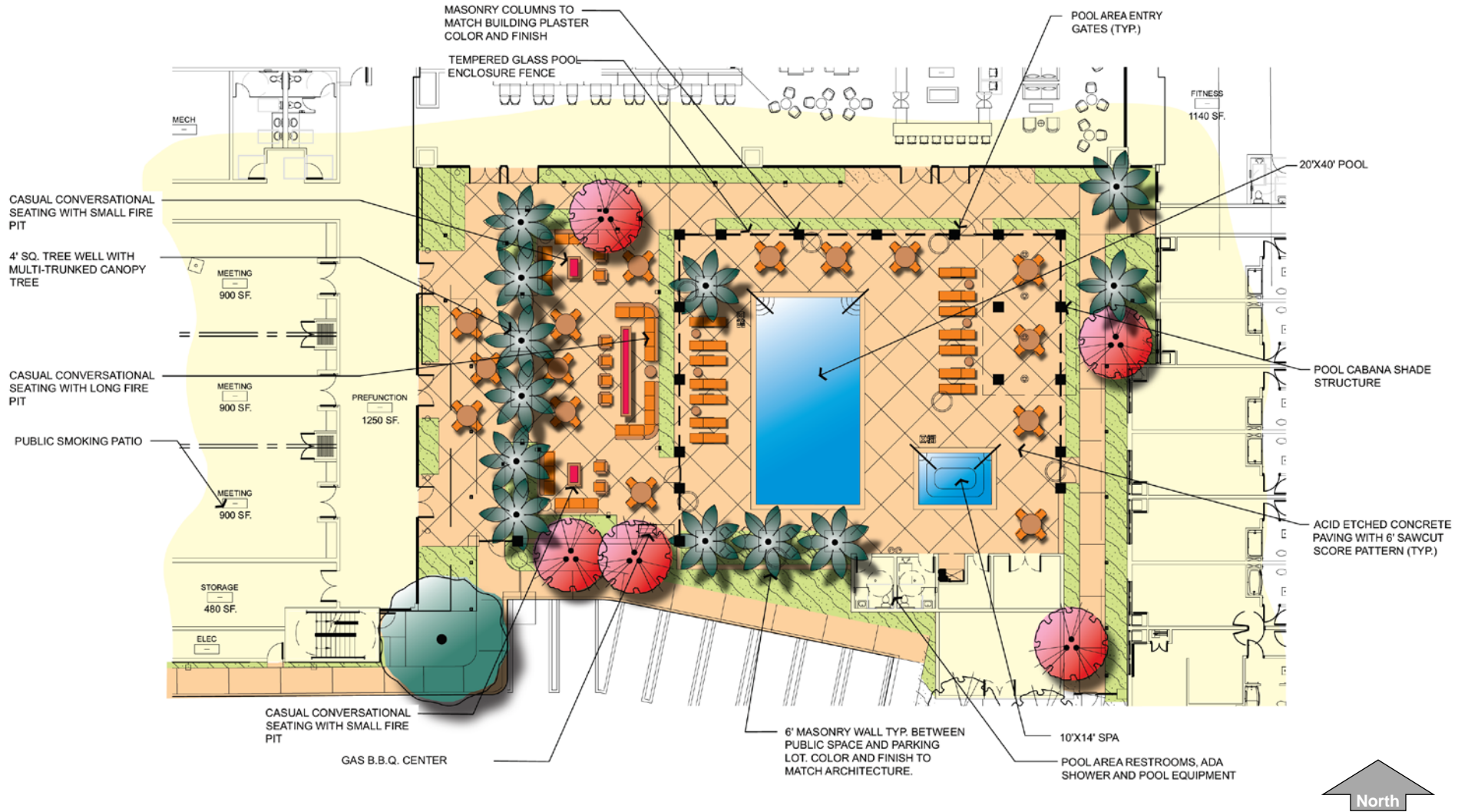


**OVERALL CONCEPTUAL LANDSCAPE PLAN**





**Exhibit E—LANDSCAPE PLANS (continued)**



**PUBLIC PLAZA AND POOL AREA ENLARGEMENT**

## 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:** June 15, 2020

**File No:** PCUP19-028

**Related Files:** PDEV19-067

**Project Description:** A Conditional Use Permit to establish and operate a 265-room limited-service dual-branded hotel and to conduct alcoholic beverage sales for consumption on the premises, including beer, wine, and distilled spirits (Type 70 ABC License) to the establishment's overnight guests or their invitees, on 4.94 acres of land, located at the southeast corner of Inland Empire Boulevard and Archibald Avenue, within the OH (Heavy Office) zoning district; **submitted by Ontario H Hotel, LLC.**

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

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

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

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

**2.1** Time Limits.

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

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

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

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

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

### **2.3** Landscaping.

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

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

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

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

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

### **2.5** Parking, Circulation and Access.

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

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

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

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

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

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

### **2.6** Outdoor Loading and Storage Areas.

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

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

## **2.7** Site Lighting.

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

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

## **2.8** Mechanical and Rooftop Equipment.

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

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

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

## **2.10** Signs.

**(a)** All Project signage shall comply with the requirements of Ontario Development Code Division 8.0 (Sign Regulations).

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

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

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

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

**(b)** 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.

#### **2.13 Alcoholic Beverage Sales—General.**

(a) No upgrade/change of an alcoholic beverage license type may occur until a minimum one-year of operations under the approved license type has occurred.

(b) The business shall be operated in strict compliance with the rules, regulations and orders of the State of California Department of Alcoholic Beverage Control. Failure to comply with this requirement shall be deemed just cause for revocation of conditional use permit approval.

(c) Coinciding with the annual Police Department inspection, the Planning Department shall conduct a review of the approved use and shall prepare for Zoning Administrator consideration, a status report identifying impacts associated with the use and any non-compliance with the conditions of approval. In addition, such status report shall contain a police report regarding calls for service to the subject premises during the prior one year period. Nothing herein shall modify or limit the City's ability to regulate the business or modify or revoke the permit upon the City's determination that the business is being operated in a manner adverse to the public health, safety and welfare.

(d) Signs shall comply with all City of Ontario sign regulations. No more than 25 percent 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.

(e) The rear doors shall be kept closed at all times during the operation of the premises, except in case of emergency or to permit deliveries.

(f) In the event that security problems occur as a result of the approved subject use and at the request of the Police Department, the permittee, at his/her own expense, shall provide a California licensed, uniformed security guard(s) on the subject premises, during such hours and in such number as requested by the Police Department.

(g) The licensee shall attend a LEAD (Licensee Education on Alcohol and Drugs) training secession sponsored by the State of California Department of Alcoholic Beverage Control, within 6 months following commencement of the approved use.

(h) A clearly legible copy of the herein-listed conditions of approval shall be posted at all times at a prominent place in the interior of the premises.

(i) Live entertainment shall be prohibited. Any future request for live entertainment shall require conditional use permit approval by the Zoning Administrator. Karaoke, DJs, live musical acts, and other similar forms of entertainment, are considered live entertainment.

(j) Amplified prerecorded music may be permitted; however, the sound emitted from the premises shall not be audible outside the walls of the business establishment.

(k) Electronic arcade and amusement games shall be prohibited on-site, unless specifically permitted by the Police Department and shown on the approved site plan.

#### **2.14** Alcoholic Beverage Sales—Restaurants.

(a) The establishment shall be operated as a “bona fide public eating place” as defined by Business and Professions Code Section 23038. The restaurant shall contain full kitchen facilities for the cooking of an assortment of foods required for ordinary meals. The kitchen shall be open for the serving of meals to guests during all hours the establishment is open. The establishment shall provide an assortment of foods commonly ordered at various hours of the day. The service of sandwiches or salads shall not be deemed in compliance with this requirement.

(b) The sale of alcoholic beverages shall be incidental to the sale of food. The quarterly gross sales of alcoholic beverages shall be less than 50 percent of the restaurants total sales, which includes all food, and alcoholic and non-alcoholic beverages. The owner of the establishment, upon request, shall provide the City of Ontario with an audited report of the sales ratio of food and non-alcoholic beverages to alcoholic beverages.

(c) No alcoholic beverage shall be consumed outside of the enclosed building, except within the approved outdoor eating area, which has been designed so as to be adequately separated from direct public access.

#### **2.15** Environmental Review.

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

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

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

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

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

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

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

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

**2.16** 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.

**2.17** 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.

**2.18** Additional Requirements.

**(a)** A Lot Line Adjustment shall be required upon Engineering Department approval.



**ENGINEERING DEPARTMENT  
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> <b>DEVELOPMENT PLAN</b> <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
<b>PROJECT FILE NO. PDEV19-067</b>  <b>RELATED FILE NO(S). PM 17422; PCUP19-028</b>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___	

<b>CITY PROJECT ENGINEER &amp; PHONE NO:</b>	Dean A. Williams, Associate Engineer (909) 395-2135
<b>CITY PROJECT PLANNER &amp; PHONE NO:</b>	Jeanie Irene Aguilo, Associate Planner (909) 395-2418
<b>DAB MEETING DATE:</b>	June 15, 2020
<b>PROJECT NAME / DESCRIPTION:</b>	Hyatt Place/Hyatt House Ontario Airport Center; 273-room 5-story Dual Hotel on 4.94 acres
<b>LOCATION:</b>	Southeast Corner of Inland Empire Boulevard and Archibald Avenue
<b>APPLICANT:</b>	Ontario H Hotel, LLC Gurvinder Singh (831) 840-5517
<b>REVIEWED BY:</b>	<div style="display: flex; align-items: center;"> <div style="margin-right: 10px;">for</div> <div style="text-align: center;">             Bryan Lirley, P.E.            Principal Engineer         </div> <div style="margin-left: 20px; text-align: center;">           6/10/20            Date         </div> </div>
<b>APPROVED BY:</b>	<div style="display: flex; align-items: center;"> <div style="margin-right: 10px;">for</div> <div style="text-align: center;">             Raymond Lee, P.E.            Assistant City Engineer         </div> <div style="margin-left: 20px; text-align: center;">           6/10/20            Date         </div> </div>



**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): \_\_\_\_\_
- 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 Management Services Department at (909) 395-2124 regarding this requirement.   
(1) \_\_\_\_\_  
(2) \_\_\_\_\_
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: [www.ci.ontario.ca.us](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 three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments: 
  - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
  - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
  - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: \_\_\_\_\_

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

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

- 2.01 Record Parcel Map/Tract Map No. \_\_\_\_\_ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcels are recognized parcels in the City of Ontario per Parcels 1-4 of Parcel Map No. 17422, as per map filed in Book 226, pages 64-65 of Parcel Maps; Document no. 2008-0068648, in the Office of the County Recorder of the County of San Bernardino.**
- 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 o, as instrument no. 2006-0632192f the parcel prior to the date of \_\_\_\_\_
- 2.05 Apply for a:  Certificate of Compliance with a Record of Survey;  **Lot Line Adjustment**   
 **Make a Dedication of Easement.**
- 2.06 **Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.**
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure



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

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

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

**Note: Developer/applicant shall procure a permit from Caltrans for any work within the Caltrans right-of-way or connection to a Caltrans drainage system.**

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

- 2.11 **Dedicate to the City of Ontario, the following easement(s):**   
**An easement for sidewalk purposes for public sidewalk proposed to be constructed at the back of the drive apron at the main entry drive approach on Inland Empire Boulevard. The proposed sidewalk shall provide connectivity for pedestrians/ADA path of travel from sidewalk west of the drive approach with existing sidewalk east of the site.**

- 2.12 **New Model Colony (NMC) Developments:** 
  - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
  - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
  - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).

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

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



- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. The Storm Drain Development Impact Fee, approximately \$283,000.00, shall be paid to the Building Department. The final fee amount shall be determined based on the approved site plan and current fee schedule.**
- 2.16 Other conditions: Developer/applicant shall be responsible for any outstanding improvements for this project per the conditions of approval for Parcel Map No. 17422 and the Ontario Festival Specific Plan.**

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



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



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

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): \_\_\_\_\_
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide  water service  sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately \_\_\_\_\_, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: \_\_\_\_\_

**C. SEWER**

- 2.23 **An 8-inch sewer main is available for connection by this project along the westerly property line of the site, adjacent to the service station. (Ref: Sewer plan bar code: S13920)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions: 1) Developer/applicant shall provide a grease interceptor (GI) for each food shop and/or restaurant.**   
**2) Occupant/applicant shall apply for a Wastewater Discharge Permit for their establishment and shall comply with all requirements of the permit. Requirements of the Wastewater Discharge permit may include, but not be limited to, installation of wastewater pre-treatment equipment. For wastewater permit application questions, please contact Michael Birmelin, Environmental Programs Manager at (909) 395-2661.**

**D. WATER**

- 2.27 **A 12-inch water main is available for connection by this project in Inland Empire Boulevard. (Ref: Water plan bar codes: W11057)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.29 **Other conditions: Developer/applicant shall up-grade the existing fire hydrant on the Inland Empire Boulevard frontage to the City's current standard, Drawing No. 4101, with break-a-way check valve.**

**E. RECYCLED WATER**

- 2.30 **A 12-inch recycled water main is available for connection by this project in Inland Empire Boulevard. (Ref: Recycled Water plan bar code: P10132)**





- 2.31 **Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.**
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 **Submit two (2) hard copies and one (1) electronic copy of both on-site and off-site utilities layout in PDF and AutoCAD format.**

**Submit 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 Ms. Cynthia Herredia-Torres at the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.**

- 2.34 Other conditions: \_\_\_\_\_

#### F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: 
  - 1. On-site and off-site circulation
  - 2. Traffic level of service (LOS) at 'build-out' and future years
  - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 **New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.**
- 2.37 **Other conditions: 1) Developer/applicant shall design and construct a new traffic signal at the at the project's main entrance on Inland Empire Boulevard. The new traffic signal shall include a video detection control system, interconnect cable and conduit, emergency vehicle preemption system and bicycle detection in accordance with current City standards. Any necessary temporary easements required for construction of the traffic signal shall be obtained by the developer/applicant.** 
  - 2) Developer/applicant shall contact the adjacent property owner of the existing service station to discuss entering into a mutual reciprocal access and maintenance agreement for the existing drive approach and drive aisle between the two properties. Failure to enter into an agreement could result in future maintenance issues and access restrictions for both owners.
  - 3) Developer/applicant shall design and construct complete half-width street improvements along the frontage of Archibald Avenue and Inland Empire Boulevard that were conditions of approval for PM 17422 that were never completed. Improvements shall include, but not be limited to, sidewalk, landscaped parkways with street trees, access ramps and a raised median on Inland Empire Boulevard, all in accordance with current City standards.
  - 4) Developer/applicant shall design and install traffic signing, striping and markings along the property frontage of Inland Empire Boulevard to accommodate the proposed raised median.
  - 5) Developer/applicant shall replace existing street lights with LED cobra heads if they have not previously been up-graded.
  - 6) Developer/applicant's engineer-of-record shall meet with City Engineering/Traffic staff, prior to starting traffic signal and street lighting design plans.

#### G. DRAINAGE / HYDROLOGY



- 2.38 A \_\_\_-inch storm drain is available to accept flows from this project in \_\_\_\_\_  
(Ref: Storm Drain plan bar code: \_\_\_\_\_)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 **An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Developer/applicant shall design and construct a storm water detention facility on the project site. 100 year post-development peak flows shall be attenuated such that they do 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: \_\_\_\_\_

**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) based on the approved Preliminary Water Quality Management Plan (PWQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, for each 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: Developer/applicant shall obtain coverage for the project under the Construction General Permit (GCP). The owner is the legally responsible person (LRP) of the site and shall have a Storm Water 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 payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum 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 the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: \_\_\_\_\_

### K. FIBER OPTIC

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

### L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>   

Developer/applicant shall provide a final Solid Waste Handling Plan (SWHP) sheet that complies with the "Solid Waste Handling Plan Requirements" prior to approval of the precise grading plan for the site.

The proposed hotel shall have a minimum of six (6) 4-cubic yard bin trash enclosures. Pedestrian access to each bin shall meet ADA compliance.
- 2.53 Other conditions: Note: The future restaurant will require three (3) 4-cubic yard bins and a grease collection bin, totaling four (4) bins.

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

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02 Complete all requirements for recycled water usage. 
  - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
  - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
  - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.



- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 **Confirm payment of all Development Impact Fees (DIF) to the Building Department.**
- 3.06 **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).**

#### 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 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.**



## **EXHIBIT 'A'**

### **ENGINEERING DEPARTMENT First Plan Check Submittal Checklist**

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**Project Number: PDEV19-067**

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

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





- 23.  **One (1) copy of Preliminary Title Report (current within 30 days)**
- 24.  One (1) copy of Traverse Closure Calculations
- 25.  One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.
- 26.  **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
- 27.  Other: \_\_\_\_\_

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

<b>DAB CONDITIONS OF APPROVAL</b>	
Sign Off	
	06/01/2020
Jamie Richardson, Sr. Landscape Planner	Date

Reviewer's Name: <b>Jamie Richardson, Sr. Landscape Planner</b>	Phone: <b>(909) 395-2615</b>
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D.A.B. File No.: PDEV19-067	Plan check #:	Case Planner: Jeanie Aguilo
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Project Name and Location: 273-room 5-story Dual Hotel SEC Inland Empire Blvd & Archibald Ave
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Sent to: Tim Davis <a href="mailto:tim@wilsondavisassociates.com">tim@wilsondavisassociates.com</a> 2825 Litchfield Dr. Riverside, CA 92503
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<input checked="" type="checkbox"/>	<b>Plans dated (05/28/2020) accepted for construction with corrections required checked below. The Building Department has been notified. Any changes to approved plans require a re-submittal for review and written approval by the Landscape Planning</b>
<input type="checkbox"/>	<b>Corrections required. Plans received ( ) not accepted. Correct plans as noted. Resubmit <u>2 sets</u> to the Planning Department for routing to the Landscape Planning Division or submit electronically to <a href="mailto:landscapeplancheck@ontarioca.gov">landscapeplancheck@ontarioca.gov</a>.</b>
Response sheet required with resubmittal or plans will be returned incomplete.	

Civil/ Site Plans

1. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed.
2. Show transformers set back 5' from paving all sides; avoid bollards. Coordinate with landscape plans.
3. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide total monolithic concrete curb.

Landscape Plans

4. Tree inventory: Add tree protection notes on construction and demo plans to protect trees to remain. Show existing trees to remain (on adjacent site) on the planting plan to avoid future canopy conflict with proposed site trees.
5. 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 on regular intervals.
6. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
7. Designer or developer to provide agronomical soil testing and include report on landscape construction plans.
8. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
9. 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—more than 5 acres .....	\$2,326.00
Inspection—Construction (up to 3 inspections per phase) .....	\$278.00
Total.....	\$2,604.00
Inspection—Field – any additional.....	\$83.00

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:** Jeanie Irene Aguilo, Associate Planner  
Planning Department

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

**DATE:** December 18, 2019

**SUBJECT:** PDEV19-067 – A Development Plan to construct a 273-room, 5-story dual hotel on 4.94 acres of land located at the southeast corner of Inland Empire Boulevard and Archibald Avenue, within the OH (Heavy Office) zoning district (APNs: 0210-191-29, 0210-191-30, 0210-191-31, and 0210-191-32).  
Related File: PCUP19-028.

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

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

- A. 2016 CBC Type of Construction: Not Listed (Type V)
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 35,088
- D. Number of Stories: 5
- E. Total Square Footage: 158,208 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): R1

## **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](http://www.ontarioca.gov), click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

### **2.0 FIRE DEPARTMENT ACCESS**

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 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 2016 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. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- 4.6 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.
- ☒ 4.8 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

## **5.0 BUILDING CONSTRUCTION FEATURES**

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.6 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.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Associate Planner

**FROM:** Officer Emily Hernandez, Police Department

**DATE:** December 9, 2019

**SUBJECT:** PDEV19-067 AND PCUP19-028: A DEVELOPMENT PLAN AND  
CONDITIONAL USE PERMIT TO CONSTRUCT AND ESTABLISH A  
273-ROOM 4-STORY DUAL HOTEL AT THE SOUTHEAST CORNER  
OF INLAND EMPIRE BOULEVARD AND ARCHIBALD 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 walkways, driveways, doorways, parking lots, hallways, stairwells, and other areas used by the public shall be provided. Lights shall operate via photosensor. Updated photometrics demonstrating required lighting levels for the project area, including the rear parking lot and pool area, shall be provided to the Police Department. The photometric plans shall 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 building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- First floor stairwells shall be constructed so as 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. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.

Refer to ABC conditions for additional conditions of approval. The approval of this Conditional Use Permit shall not be construed so as to permit the sale of alcohol on the premises. The Applicant shall apply for a modification to this Conditional Use Permit should they desire to sell alcohol.

The Applicant is invited to contact Officer Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Jeanie Aguilo  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** December 03, 2019  
**SUBJECT:** PDEV19-067

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

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### Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-067 & PCUP19-028

Address: Southeast Corner of Archibald Ave & Inland Empire Blvd

APN: 0210-1941-29, 30, 31& 32

Existing Land Use: Vacant

Proposed Land Use: A Development Plan to construct 157,370 SF hotel and 5,000 SF restaurant pad

Site Acreage: 4.94 Proposed Structure Height: 77 FT

ONT-IAC Project Review: No

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 6/11/20

CD No.: 2019-089

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

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>105 FT</u>	
<input type="radio"/> Zone 5			

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

See Attached

Airport Planner Signature: \_\_\_\_\_



# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2019-089  
PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

The maximum height limit for the project site is 105 feet and as such, any construction equipment such as cranes or any other equipment exceeding 105 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.



# Development Advisory Board Decision

June 15, 2020

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

**FILE NO.:** PDEV19-067

**DESCRIPTION:** A Development Plan to construct a 157,370-square foot dual-branded hotel (Hyatt Place and Hyatt House) and establish a 5,000 square foot restaurant pad on 4.94 acres of land located at the southeast corner of Inland Empire Boulevard and Archibald Avenue, within the OH (Heavy Office) zoning district; (APNs: 0210-191-29, 0210-191-30, 0210-191-31, 0210-191-32) **submitted by Ontario H Hotel, LLC. Planning Commission action is required.**

## **Part I—BACKGROUND & ANALYSIS**

ONTARIO H HOTEL, LLC, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-067, 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 4.94 acres of land generally located at the southeast corner of Inland Empire Boulevard and Archibald 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:

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>	<b>Specific Plan Land Use</b>
<i>Site:</i>	Vacant	Community Commercial	OH (High Intensity Office)	N/A
<i>North:</i>	Shopping Center	Mixed Use	SP (Specific Plan)	Garden Commercial (Ontario Festival SP)
<i>South:</i>	Interstate 10	Interstate 10	Interstate 10	Interstate 10
<i>East:</i>	Offices	Community Commercial	SP (Specific Plan)	Garden Commercial (Transpark SP)
<i>West:</i>	Vacant	Mixed Use	SP (Specific Plan)	Urban Commercial (Meredith International Center SP)

(2) **Project Description:**

(a) **Background** — The Applicant is requesting approval of a Development Plan, File No. PDEV19-067, to construct a 157,370 square foot, limited-service dual-branded hotel (Hyatt Place and Hyatt House) and establish a 5,000 square foot freestanding restaurant pad. The Application was filed in conjunction with a request for approval of a Conditional Use Permit, File No. PCUP19-028, to establish and operate the hotel and to conduct alcoholic beverage sales for consumption on the premises, including beer, wine, and distilled spirits (Type 70 ABC License) to the establishment’s overnight guests or their invitees.

The hotel is five stories in height and contains a total of 265 guestrooms. Guest amenities proposed for the Project will be shared by both hotel brands and include:

- Swimming pool and spa with an accompanying 612 square foot pool side cabana
- Outdoor gathering and seating areas with associated fire pits
- Large porte-cochere for arriving guests
- Pre-function area (1,250 square feet), meeting rooms (three at 900 square feet, each, with removable wall between rooms) and a gathering room (730 square feet)
- Fitness room (1,140 square feet)
- Restaurant (2,226 square foot dining area)
- Guest bar and lounge (2,886 square feet)

Guestrooms range from 297 to 691 square feet in area for the Hyatt House brand and 291 to 626 square feet for the Hyatt Place brand. Nine room configurations are proposed, including five room configurations for the Hyatt House brand, as follows:

- Single King Studio (400 square feet)
- Single King Den (297 square feet)
- Single King (447 square feet)
- Double Queen Den (400 square feet)
- Double Queen Suite (691 square feet)

The Hyatt Place brand includes four room configurations, as follows:

- Single King Studio (291 square feet)
- Double Queen Studio (357 square feet)
- King Suite (626 square feet)
- Double Queen Suite (537 square feet)

(b) Site Design/Building Layout —The proposed hotel is located toward the south end of the site and is oriented to Interstate 10 and Archibald Avenue. The building is in a U-shaped configuration, which wraps around a large outdoor amenity area containing the pool/spa and outdoor gathering/seating areas.

Off-street parking is distributed around the building perimeter, resulting in substantial building setbacks from both Interstate 10 and Archibald Avenue. Ample landscaped areas have been provided immediately adjacent to the hotel and throughout the off-street parking areas. Additionally, decorative hardscape treatments have been provided at the main building entrance and throughout the pool/spa and outdoor gathering/seating areas. Enhanced paving is also provided at the porte-cochere and at the Project site's vehicular entry points.

The proposed restaurant pad is situated in front of the proposed hotel, adjacent to the Project's Inland Empire Boulevard street frontage, with off-street parking distributed around the north, east, and south sides of the building pad. This application will only establish the building pad location on the site. The building layout and architecture will be reviewed under a separate Development Plan application.

(c) Site Access/Circulation — Access to the Project site is proposed from two driveways along the site's Inland Empire Boulevard frontage. The driveways include an existing shared access with the neighboring Mobil service station and a new access at the northeast corner of the Project site. The access shared with the Mobil service station will be limited to right-in, right-out only, as a raised median will be constructed on Inland Empire Boulevard. The new site access point on Inland Empire Boulevard will be a signalized full access driveway, which will align with a driveway for the shopping center across the street (Airport Gateway Plaza).

(d) Parking — The minimum parking requirements for the proposed Project have been exceeded. The minimum parking requirement for hotels is one parking space for each guestroom, with no fewer than one space for each 2 beds. A total of 265 parking spaces are required for the hotel, which have been provided.

The minimum parking requirement for restaurants is 10 parking spaces for each 1,000 square feet of gross floor area (includes outdoor seating area up to 25 percent of gross floor area). A total of 28 parking spaces have been provided for the restaurant pad, while a total of 50 parking spaces is required for a 5,000 square foot restaurant. However, The Development Code provides that multiple uses may use joint parking facilities when operations for the respective uses are not normally conducted during the same hours, or when hours of peak use differ. It is Staff's experience that the hours of peak use for restaurants and hotels occur at different times and that the required number of parking spaces will be available during the periods of peak parking demand for each use. A shared parking analysis is required to be provided in conjunction with a future Development Plan requesting approval to construct the restaurant building, which will be subject to Planning Commission review and approval.

(e) Architecture — Architecturally, a building design in a contemporary modern vernacular has been proposed, incorporating stucco exterior walls in combination with various accent walls clad in cement board, metal and wood siding, stone veneer at the first floor, and clear vision and spandrel glazing. The applicant has proposed a development, which embodies the type of high-quality architecture promoted by the City's design guidelines for commercial developments. This is exemplified through the Project's use of:

- Significant articulation in the building footprint, which correspond to changes in the planes of exterior walls
- A main entrance defined by a large porte-cochere, which has been enhanced through the use of stone veneers and decorative columns
- A mix of exterior finishes/materials and architectural detailing, including the incorporation of stucco walls in combination with the liberal use of cultured stone veneers, decorative metal panels, and color blocking used to define changes in wall planes
- Varied building massing, incorporating multiple changes in plane in the exterior building walls
- Varied roof elements/forms, incorporating significant changes in roof and parapet lines

(f) Landscaping — The Project provides substantial landscaping the full length of the Archibald Avenue and Inland Empire Boulevard street frontages, throughout off-street parking areas, and throughout stormwater retention areas, for an overall landscape coverage of 15.5 percent. A variety of accent and shade trees in 15 gallon, 24-inch, 36-inch, and 48-inch box sizes have been proposed to enhance the Project. Moreover, decorative paving and lighting will be provided at vehicular entries, pedestrian walkways, and other key locations throughout the Project.

(g) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground stormwater infiltration system. Any overflow drainage will be conveyed to an existing Caltrans drainage ditch accessed at the southeast corner of the site.

### **Part II—RECITALS**

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("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 June 15, 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 recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines, as the Project consists of infill development that meets all the following conditions: [i] the Project is consistent with the applicable general plan designation (Community Commercial) and all applicable



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

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

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

**SECTION 2: 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 3: 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.

**SECTION 4: 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 specific findings set forth in Sections 1 through 3, 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 Community Commercial land use district of the Policy Plan Land Use Map, and the OH (High Intensity Office) 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 OH (High

Intensity Office) zoning district, including standards relative to the particular land use proposed (Full Service Hotel), 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 Development Code are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

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

**SECTION 5: *Development Advisory Board Action.*** Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby RECOMMENDS THE PLANNING COMMISSION APPROVE the Application subject to each and every condition set forth in the Departmental Conditions of Approval included as Attachment A of this Decision, and incorporated herein by this reference.

**SECTION 6: *Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

**SECTION 7: *Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

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APPROVED AND ADOPTED this 15th day of June 2020.

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Development Advisory Board Chairman

**Exhibit A—PROJECT LOCATION MAP**



**Exhibit B—SITE PLAN**

TOTAL GROSS SITE AREA:	215,061 SF (4.94 ACRES)						
TOTAL NET SITE AREA:	187,900 SF (4.31 ACRES)						
ADDRESS:	2800 EAST INLAND EMPIRE BLVD., ONTARIO, CA 91764						
PARCEL MAP NO.	17422						
EXISTING LAND USE DESIGNATION:	AIRPORT SERVICE COMMERCIAL						
PROPOSED LAND USE DESIGNATION:	HOTEL						
ZONING:	(OH) HIGH INTENSITY OFFICE ZONING DISTRICT						
FREEWAY SETBACK:	20 FEET						
ARCHIBALD AVE. SETBACK:	20 FEET						
INLAND EMPIRE BLVD. SETBACK:	20 FEET						
INTERIOR SETBACK:	0 FEET						
PROPOSED LOT COVERAGE:	19%						
PROPOSED FAR:	0.75						

GUEST ROOM COUNT								
HYATT HOUSE								
LEVELS	TYPES	KING STUDIO	KING DEN	KING ONE BEDRM	DBL QUEEN DEN	DBL QUEEN ONE BEDRM	DBL QUEEN ONE BED MOD	TOTAL KEYS
(1) GROUND			2	0	0	1		3
(2) SECOND		8	4	13	2	2		29
(3) THIRD		8	4	13	2	2		29
(4) FOURTH		8	4	13	2	2		29
(5) FIFTH		8	4	13	2	2		29
<b>TOTAL</b>		<b>32</b>	<b>18</b>	<b>52</b>	<b>8</b>	<b>9</b>	<b>0</b>	<b>119</b>
		27%	15%	44%	7%	8%	0%	

HYATT PLACE						
LEVELS	TYPES	KING STUDIO	KING ONE BEDRM	DBL QUEEN STUDIO		TOTAL KEYS
(1) GROUND		13	0	5		18
(2) SECOND		23	1	8		32
(3) THIRD		23	1	8		32
(4) FOURTH		23	1	8		32
(4) FIFTH		23	1	8		32
<b>TOTAL</b>		<b>105</b>	<b>4</b>	<b>37</b>		<b>146</b>
		72%	3%	25%		
		<b>TOTAL KEYS</b>				<b>265</b>

AREA INFORMATION		ADJ. GROSS SF
LEVELS		
(1) LEVEL 1 (LOBBY, DINING, MEETING ROOMS)		34,586
(2) LEVEL 2		30,696
(3) LEVEL 3		30,696
(4) LEVEL 4		30,696
(5) LEVEL 5		30,696
<b>TOTAL</b>		<b>157,370</b>

NOTE: ALL AREAS ARE CALCULATED TO EXTERIOR FACE OF WALL EXCLUDING ALL VERTICAL SHAFTS.

COMMERCIAL PAD		GROSS SF
RESTAURANT		5,000
<b>TOTAL</b>		<b>5,000</b>

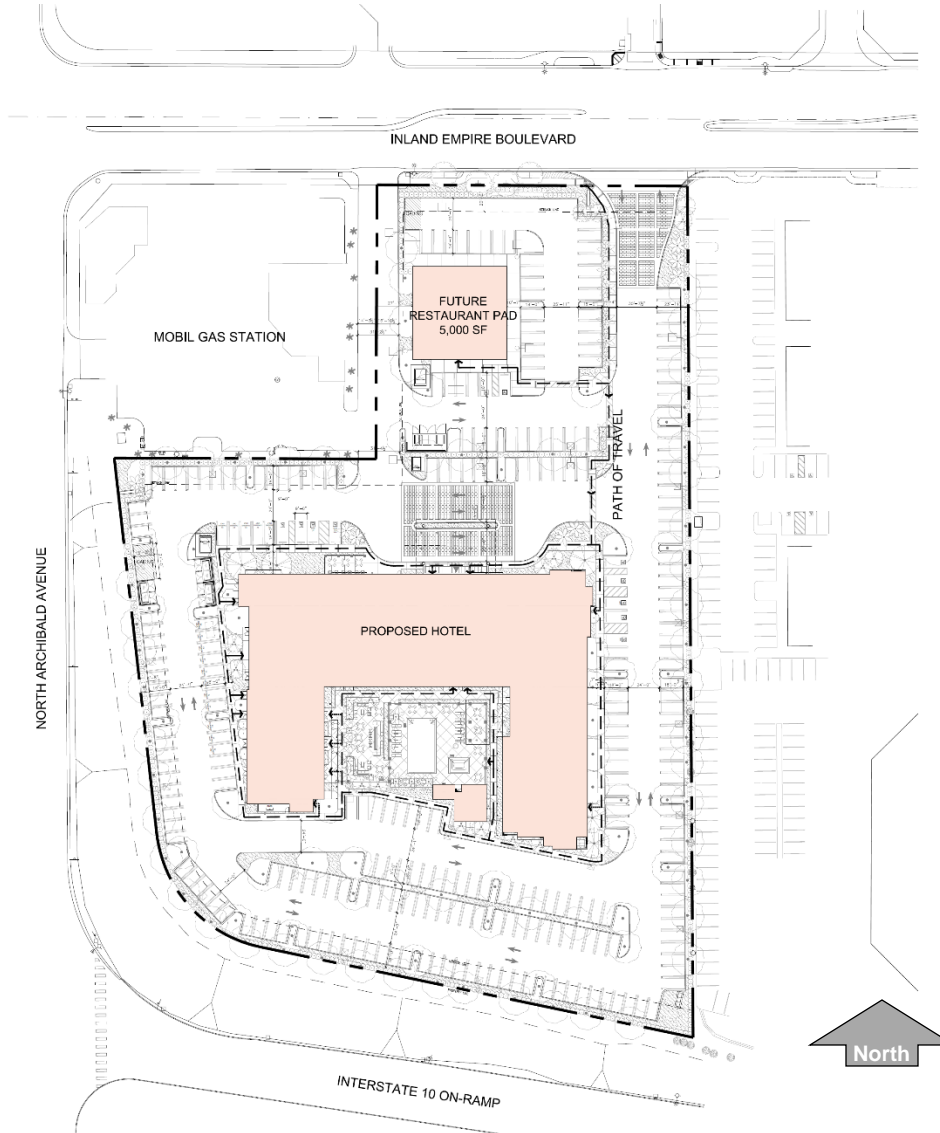
PARKING REQUIRED		
HOTEL	(1 PER ROOM)	265
RESTAURANT	(1/100 SF OF DINING AREA)	50
<b>TOTAL</b>		<b>315</b>

PARKING PROVIDED		
SURFACE PARKING		293
	%COMPLIANT OF TOTAL REQ.	93.0%

REFUSE AND RECYCLING MINIMUM WEEKLY SERVICE REQUIREMENTS	
<b>FUTURE RESTAURANT</b>	
REQUIRED:	TWO (3) 4 CY BINS WEEKLY
PROVIDED:	<b>TWO (3) 4 CY BINS WEEKLY</b>
<b>HOTEL</b>	
158,208 SF / 2,500 SF = 63.28 CY YARDS (1 CY PER 2,500 SF)	
63.28 CY / 4 CY BINS = 15.82 BINS WEEKLY	
PROPOSED SERVICE TO BE 3 TIMES A WEEK	
15.82 BINS/3 = 5.3 BINS	
REQUIRED BINS:	(5.3) 4 CY BINS
PROVIDED BINS:	<b>SIX (6) 4 CY BINS, TOTAL 3 TRASH ENCLOSURES</b>

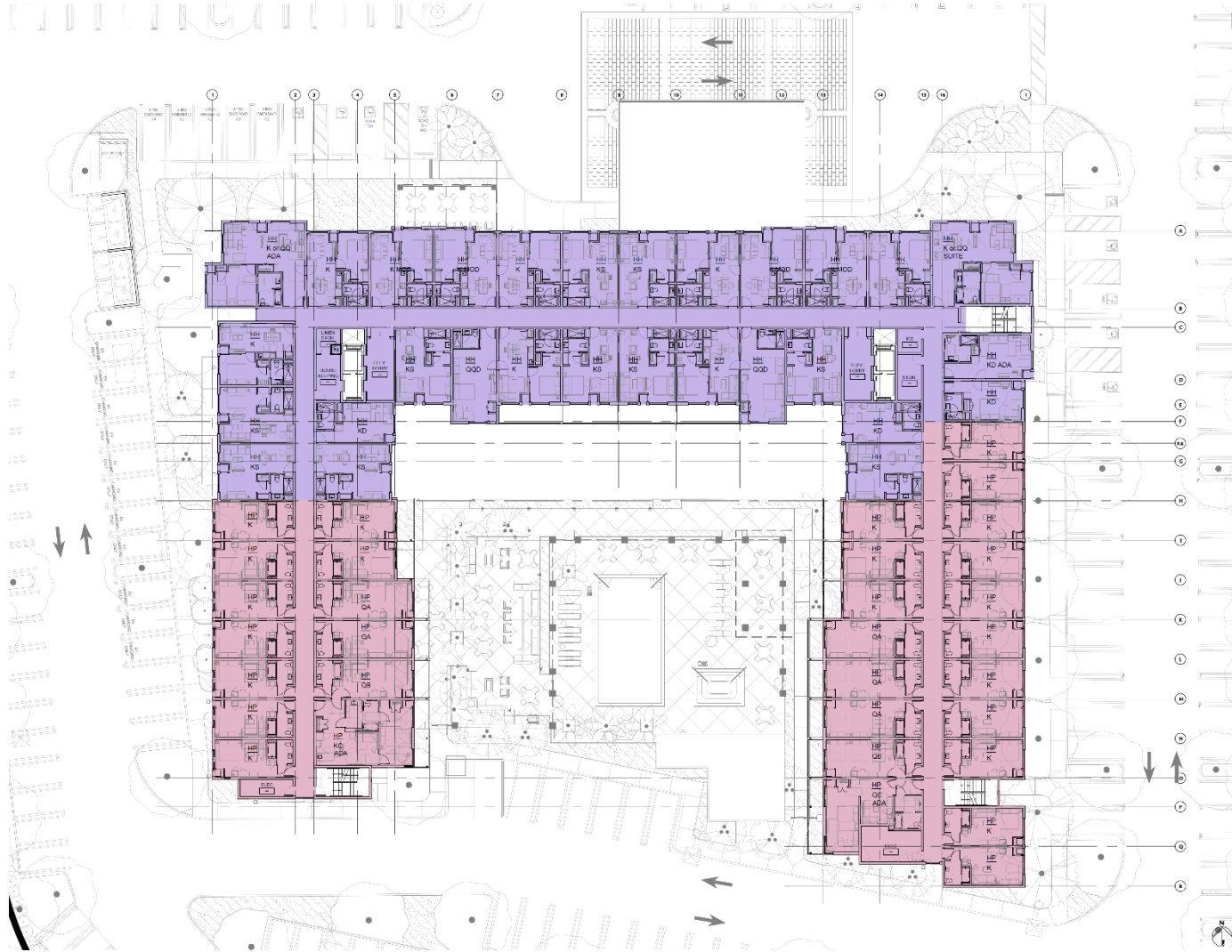








**Exhibit C—Floor Plans (continued)**



**SECOND/THIRD/FOURTH/FIFTH FLOOR PLANS**

**Exhibit D—EXTERIOR ELEVATIONS**



**SOUTH ELEVATION**



**NORTH ELEVATION**

**Exhibit D—EXTERIOR ELEVATIONS (continued)**





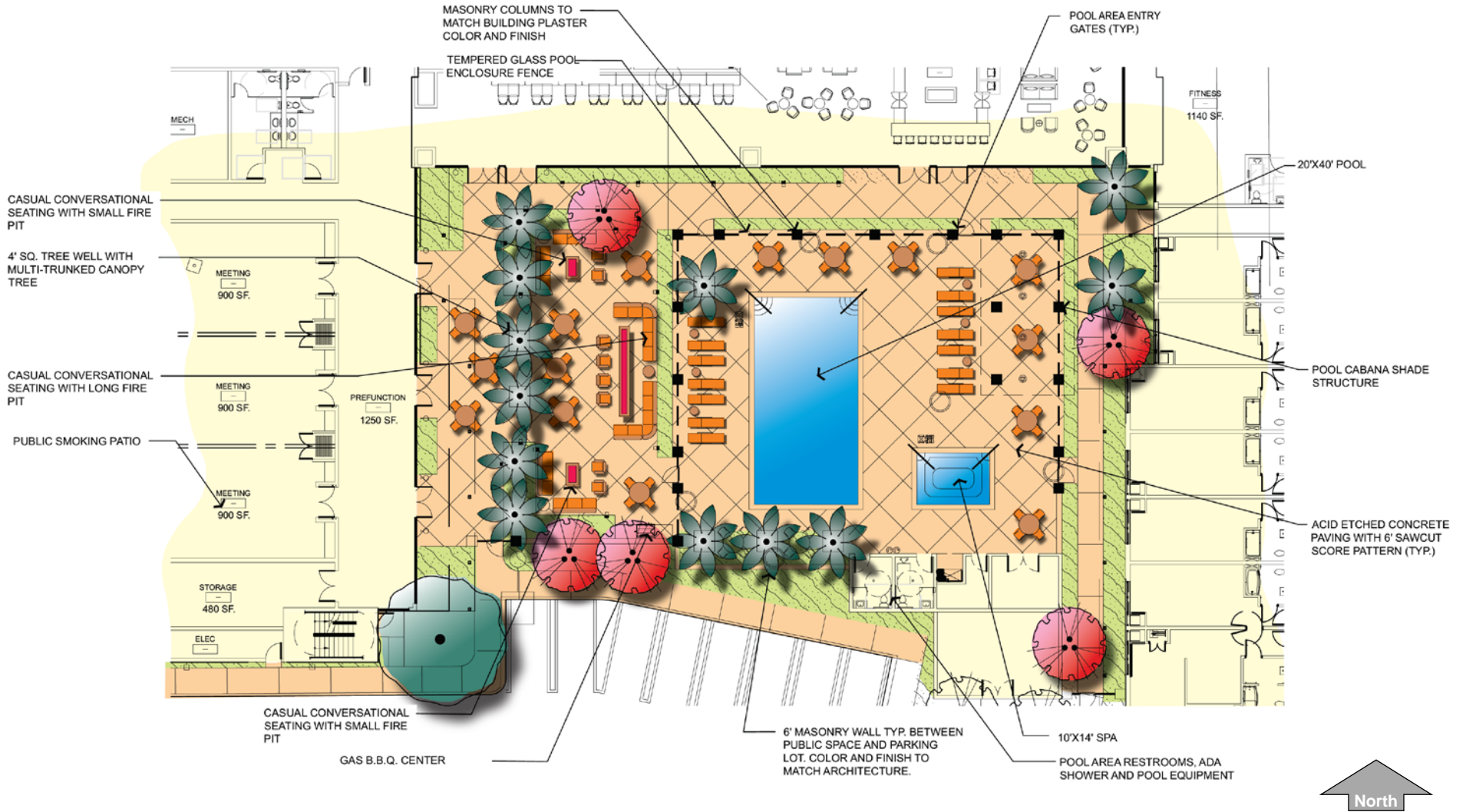
**Exhibit E—LANDSCAPE PLANS**



**OVERALL CONCEPTUAL LANDSCAPE PLAN**



**Exhibit E—LANDSCAPE PLANS (continued)**



**PUBLIC PLAZA AND POOL AREA ENLARGEMENT**



## 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***

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**Meeting Date:** June 15, 2020

**File No:** PDEV19-067

**Related Files:** PCUP19-028

**Project Description:** A Development Plan to construct a 157,370-square foot dual-branded hotel (Hyatt Place and Hyatt House) and establish a 5,000 square foot restaurant pad on 4.94 acres of land located at the southeast corner of Inland Empire Boulevard and Archibald Avenue, within the OH (Heavy Office) zoning district; (APNs: 0210-191-29, 0210-191-30, 0210-191-31, 0210-191-32) **submitted by Ontario H Hotel, LLC.**

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

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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.

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

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

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

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

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

**2.3**     Landscaping.

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

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

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

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

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

**2.5**     Parking, Circulation and Access.

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

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

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

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

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

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

**2.6** Outdoor Loading and Storage Areas.

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

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

**2.7** Site Lighting.

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

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

**2.8** Mechanical and Rooftop Equipment.

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

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

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

**2.10** Signs.

(a) All Project signage shall comply with the requirements of Ontario Development Code Division 8.0 (Sign Regulations).

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

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

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

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

(b) 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.

**2.13** Alcoholic Beverage Sales—General.

(a) No upgrade/change of an alcoholic beverage license type may occur until a minimum one-year of operations under the approved license type has occurred.

(b) The business shall be operated in strict compliance with the rules, regulations and orders of the State of California Department of Alcoholic Beverage Control. Failure to comply with this requirement shall be deemed just cause for revocation of conditional use permit approval.

(c) Coinciding with the annual Police Department inspection, the Planning Department shall conduct a review of the approved use and shall prepare for Zoning Administrator consideration, a status report identifying impacts associated with the use and any non-compliance with the conditions of approval. In addition, such status report shall contain a police report regarding calls for service to the subject premises during the prior one year period. Nothing herein shall modify or limit the City's ability to regulate the business or modify or revoke the permit upon the City's determination that the business is being operated in a manner adverse to the public health, safety and welfare.

(d) Signs shall comply with all City of Ontario sign regulations. No more than 25 percent 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.

(e) The rear doors shall be kept closed at all times during the operation of the premises, except in case of emergency or to permit deliveries.

(f) In the event that security problems occur as a result of the approved subject use and at the request of the Police Department, the permittee, at his/her own expense, shall provide a California licensed, uniformed security guard(s) on the subject premises, during such hours and in such number as requested by the Police Department.

(g) The licensee shall attend a LEAD (Licensee Education on Alcohol and Drugs) training secession sponsored by the State of California Department of Alcoholic Beverage Control, within 6 months following commencement of the approved use.

(h) A clearly legible copy of the herein-listed conditions of approval shall be posted at all times at a prominent place in the interior of the premises.

(i) Live entertainment shall be prohibited. Any future request for live entertainment shall require conditional use permit approval by the Zoning Administrator. Karaoke, DJs, live musical acts, and other similar forms of entertainment, are considered live entertainment.

(j) Amplified prerecorded music may be permitted; however, the sound emitted from the premises shall not be audible outside the walls of the business establishment.

(k) Electronic arcade and amusement games shall be prohibited on-site, unless specifically permitted by the Police Department and shown on the approved site plan.

#### **2.14** Alcoholic Beverage Sales—Restaurants.

(a) The establishment shall be operated as a “bona fide public eating place” as defined by Business and Professions Code Section 23038. The restaurant shall contain full kitchen facilities for the cooking of an assortment of foods required for ordinary meals. The kitchen shall be open for the serving of meals to guests during all hours the establishment is open. The establishment shall provide an assortment of foods commonly ordered at various hours of the day. The service of sandwiches or salads shall not be deemed in compliance with this requirement.

(b) The sale of alcoholic beverages shall be incidental to the sale of food. The quarterly gross sales of alcoholic beverages shall be less than 50 percent of the restaurants total sales, which includes all food, and alcoholic and non-alcoholic beverages. The owner of the establishment, upon request, shall provide the City of Ontario with an audited report of the sales ratio of food and non-alcoholic beverages to alcoholic beverages.

(c) No alcoholic beverage shall be consumed outside of the enclosed building, except within the approved outdoor eating area, which has been designed so as to be adequately separated from direct public access.

#### **2.15** Environmental Review.

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

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

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

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

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

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

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

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

**2.16** 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.

**2.17** 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.

**2.18** Additional Requirements.

(a) A Lot Line Adjustment shall be required upon Engineering Department approval.



# CITY OF ONTARIO POLICE DEPARTMENT MEMORANDUM



**TO:** Jeanie Irene Aguilo, Associate Planner

**FROM:** Officer Erich Kemp, C.O.P.S.

**DATE:** January 7<sup>th</sup>, 2020

**SUBJECT:** FILE NO. PCUP19-028 – HYATT PLACE, 2800 E. Inland Empire Blvd.

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**The Police Department is placing the following conditions:**

### **RESTAURANT/BAR**

1. Alcohol sales may occur between 6:00 A.M. to 2:00 A.M., seven days a week.
2. No alcohol sales or service to minors.
3. No sales or service to intoxicated patrons.
4. No alcoholic beverages are to be sold or removed from the establishment for outside consumption.
5. No Smoking inside of establishment is permitted.
6. No narcotic sales or usage on the premises at any time.
7. No self serve alcohol displays allowed.
8. Employees engaged in serving alcohol beverages must be 21 years of age or older.
9. The applicant shall be responsible for maintaining premises free of graffiti to the premises over which the applicant has control, and shall be responsible for its removal within 72 hours of its appearance or upon notice of its appearance to the applicant.
10. No loitering shall be permitted on any property adjacent to the licensed premise, which is under the control of the applicant, and signs must be posted.

11. Applicant, security and all employees serving alcohol must attend an Alcohol Beverage Control (ABC) L.E.A.D. training class or a certified responsible beverage service class, which has been approved by ABC and Ontario Police Department, within three months of this dated conditional use permit. Proof of re-certification is required every 3 years.
12. Roof top numbers shall be installed on the flat part of the roof. The numbers shall be a minimum of 3 feet in length and 1 foot in width. Numbers shall be painted, and maintained, in reflective white paint on a flat black background away from roof obstacles. The bottom of the numbers must face the street in which it belongs.
13. Address to establishment must be illuminated for easy identification of safety personnel.
14. The parking lot lighting must provide adequate lighting from dusk to dawn.
15. Lighting within the establishment must be kept at a reasonable level as determined by city officials.
16. All hallways must be kept clear from merchandise, storage, and patrons blocking pathway.
17. Restrooms must be kept free of graffiti.
18. No pool tables or amusement games are permitted inside the establishment.
19. A no trespass letter will be on file with the Police Department.

### **POOL AREA CONDITIONS**

1. Alcohol consumption by guest may occur between the hours of 6:00 A.M. to 10:00 P.M., seven days a week in the pool area.
2. Alcoholic beverages may only be consumed out of plastic containers in the pool area.
3. Signs will be posted advising no glass containers allowed in the pool area.

### **COURTYARD/PATIO CONDITIONS**

1. Patio walls need to be raised in height to a minimum of 5 feet using Plexiglas or solid block walls, which will allow the sales and consumption of alcohol in the patio area.
2. If the patio height requirements are not met, alcohol may only be served if monitored by a server or restaurant staff.
3. Patio exits must be gated and closed at all times. Emergency sounding devices and panic hardware must be installed on gates.
4. Outdoor tables shall not be removed or rearranged to increase occupancy.

5. No sounds emitted to the patio shall be heard outside of the patio area.

### **SECURITY CONDITIONS**

1. Events held in the meeting rooms with the possible attendance of 500 or more, involving live entertainment (ex. dancing, live musicians, concerts) and/ or alcohol beverages will require the applicant to contact the police department for officers to staff the event.
2. The police department will be given a two week window, in order to have adequate time to determine how many police officers will be needed to staff an event.
3. In the event security problems occur as a result of the use, the Police Department may request a public hearing before the Zoning Administrator to consider modifications to the security including, but not limited to, the addition of security guards, additional hours for security guards, and replacement of security guards with Ontario Police officers. The public hearing process shall be conducted in accordance with the requirements of the City's Development Code.
4. Ontario Police Officers have the right to limit or reduce the occupancy inside the establishment, if situations arise that may compromise the safety of patrons and the officer. Any additional police resources requested to bring peace in the establishment may be charged to the business owner.
5. Security personnel used by the applicant will be required to follow Ontario Municipal Code Article 6, Title 3, Section 3-1.601-621 (security regulations).

### **ROOM SERVICE CONDITIONS**

1. Room service alcohol sales may occur between the hours of 6:00 A.M. to 12:00 A.M., seven days a week.
2. Employees engaged in the delivering of alcoholic beverages to rooms, must be 21 years of age.
3. Sales and service of alcohol beverages will only be to room guests that are 21 and over and have a bona fide ID.

Prior to opening, inspection of the premises will be conducted by the Ontario Police Department and the Ontario Planning Department.

The Police Department will conduct a review in six months to determine whether additional conditions are needed.



A copy of the listed conditions of approval must be posted with your ABC license at all times in a prominent place in the interior of the premises.

Any special event outside the scope of the Conditional Use Permit will require a TUP (Temporary Use Permit) which will be processed by the Planning Department and conditioned by the Ontario Police Department. (For example a radio station promotion held at the hotel, or an outdoor event with alcoholic beverages would be a special event requiring Police or security personnel, but a community service organization breakfast meeting would not be considered a special event and therefore would not require additional security.)

If alcohol related crimes at this location are higher than other similar establishments in the overall City during any quarter, the CUP will automatically be referred to the Zoning Administrator for review and re-conditioning or revocation of the permit. The Police Department may, at their sole discretion, request a revocation hearing if they determine that the establishment is being operated in violation of this CUP or has violated the laws of the State or City.

If you have any questions please call Officer Erich Kemp at (909) 408-1922.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Associate Planner

**FROM:** Officer Emily Hernandez, Police Department

**DATE:** December 9, 2019

**SUBJECT:** PDEV19-067 AND PCUP19-028: A DEVELOPMENT PLAN AND  
CONDITIONAL USE PERMIT TO CONSTRUCT AND ESTABLISH A  
273-ROOM 4-STORY DUAL HOTEL AT THE SOUTHEAST CORNER  
OF INLAND EMPIRE BOULEVARD AND ARCHIBALD 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 walkways, driveways, doorways, parking lots, hallways, stairwells, and other areas used by the public shall be provided. Lights shall operate via photosensor. Updated photometrics demonstrating required lighting levels for the project area, including the rear parking lot and pool area, shall be provided to the Police Department. The photometric plans shall 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 building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- First floor stairwells shall be constructed so as 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. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.

Refer to ABC conditions for additional conditions of approval. The approval of this Conditional Use Permit shall not be construed so as to permit the sale of alcohol on the premises. The Applicant shall apply for a modification to this Conditional Use Permit should they desire to sell alcohol.

The Applicant is invited to contact Officer Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Associate Planner  
Planning Department

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

**DATE:** December 18, 2019

**SUBJECT:** PCUP19-028 - A Conditional Use Permit to establish a 273-room, 5-story dual hotel on 4.94 acres of land located at the southeast corner of Inland Empire Boulevard and Archibald Avenue, within the OH (Heavy Office) zoning district (APNs: 0210-191-29, 0210-191-30, 0210-191-31, 0210-191-32). Related File: PDEV19-067.

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

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Jeanie Aguilo  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** December 3, 2019  
**SUBJECT:** PCUP19-028

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

KS:lr

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-067 & PCUP19-028

Address: Southeast Corner of Archibald Ave & Inland Empire Blvd

APN: 0210-1941-29, 30, 31& 32

Existing Land Use: Vacant

Proposed Land Use: A Development Plan to construct 157,370 SF hotel and 5,000 SF restaurant pad

Site Acreage: 4.94 Proposed Structure Height: 77 FT

ONT-IAC Project Review: No

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 6/11/20

CD No.: 2019-089

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

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>105 FT</u>	
<input type="radio"/> Zone 5			

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

See Attached

Airport Planner Signature: \_\_\_\_\_



# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2019-089  
PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

The maximum height limit for the project site is 105 feet and as such, any construction equipment such as cranes or any other equipment exceeding 105 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.