CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

September 24, 2019

Ontario City Hall 303 East "B" Street, Ontario, California 91764

6:30 PM

WELCOME to a meeting of the Ontario Planning/Historic Preservation Commission.

All documents for public review are on file in the Planning Department located at 303 E. B Street, Ontario, CA 91764.

- Anyone wishing to speak during public comment or on a particular item should fill out a green slip and submit it to the Secretary.
- Comments will be limited to 5 minutes. Speakers will be alerted when their time is up. Speakers are then to return to their seats and no further comments will be permitted.
- In accordance with State Law, remarks during public comment are to be limited to subjects within the Commission's jurisdiction. Remarks on other agenda items will be limited to those items.
- Remarks from those seated or standing in the back of the chambers will not be permitted. All those wishing to speak including Commissioners and Staff need to be recognized by the Chair before speaking.
- The City of Ontario will gladly accommodate disabled persons wishing to communicate at a public meeting. Should you need any type of special equipment or assistance in order to communicate at a public meeting, please inform the Planning Department at (909) 395-2036, a minimum of 72 hours prior to the scheduled meeting.
- Please turn off <u>all</u> communication devices (phones and beepers) or put them on non-audible mode (vibrate) so as not to cause a disruption in the Commission proceedings.

ROLL CALL								
DeDiemar	Downs	Gage	Gregorek	Reyes	Ricci	Willoughby		
PLEDGE OF ALLEGIANCE TO THE FLAG								

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

Citizens wishing to address the Planning/Historic Preservation Commission on any matter that is not on the agenda may do so at this time. Please state your name and address clearly for the record and limit your remarks to five minutes.

Please note that while the Planning/Historic Preservation Commission values your comments, the Commission cannot respond nor take action until such time as the matter may appear on the forthcoming agenda.

CONSENT CALENDAR ITEMS

All matters listed under CONSENT CALENDAR will be enacted by one summary motion in the order listed below. There will be no separate discussion on these items prior to the time the Commission votes on them, unless a member of the Commission or public requests a specific item be removed from the Consent Calendar for a separate vote. In that case, the balance of the items on the Consent Calendar will be voted on in summary motion and then those items removed for separate vote will be heard.

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of August 27, 2019, approved as written.

- A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-013: A Development Plan to construct a 33,408 square foot commercial building on 3.96 acres of land, located at 1623 and 1625 East Holt Boulevard, within the BP (Business Park) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Developments) 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: 0110-081-03 and 0110-081-10) submitted by Holt Boulevard, LLC.
- A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-022: A Development Plan to construct a 124,777 square foot industrial building on 5.47 acres of land, located at 1650 South Vineyard Avenue, within the IG (General Industrial) zoning district. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport

Land Use Compatibility Plan (ALUCP); (APN: 0113-394-31) submitted by Vineyard Avenue Industrial, LLC.

A-04. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-008: A Development Plan to construct 432 conventional single-family homes on 86.64 acres of land located south of Eucalyptus Avenue, between Archibald Avenue and Cucamonga Creek Channel, and north of Merrill Avenue, within the Conventional Small Lot Residential district of Planning Area 1 of the Subarea 29 Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Subarea 29 Specific Plan, for which an Environmental Impact Report (SCH# 2004011009) was certified by the City Council on October 17, 2006. This application introduces no new significant environmental impacts, and all previouslyadopted 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). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APN: 0218-271-22) submitted by LS-Ontario LLC.

PUBLIC HEARING ITEMS

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

PLANNING COMMISSION ITEMS

B. ENVIRONMENTAL ASSESSMENT, VARIANCE, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR19-001 AND PDEV19-003: A Variance (File No. PVAR19-001) to exceed the maximum fence height within a portion of the street landscape setback area, from 3 feet to 6 feet, and a Development Plan (File No. PDEV19-003) to construct a 2,886-square foot industrial building on 0.18 acre of land located at the southeast corner of Ontario Boulevard and Bon View Avenue, at 902 East Ontario Boulevard, within the IG (General Industrial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32: In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-193-01 & 1049-193-02) submitted by HDC Construction, Inc.

No Action Required

ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT19-002 (PM 20126): A Tentative Parcel Map to subdivide 0.47 acre of land into two single-family residential lots located at the southwest corner of Francis Street and San Antonio Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1050-341-06) submitted by Fernando Valenzuela.

1. CEQA Determination

No action necessary – Exempt: <u>CEQA Guidelines Section § 15315</u>

2. File No. PMTT19-002 (Parcel Map)

Motion to Approve/Deny

ENVIRONMENTAL ASSESSMENT, VARIANCE AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR19-006 AND PDEV19-018: A Variance (File No. PVAR19-006) to reduce the front drive aisle setback from 20 feet to 2.5 feet, in conjunction with a Development Plan (File No. PDEV19-018) to construct a 3,033-square foot fast-food restaurant with drive-thru, on 0.34 acres of land located at 624 West Holt Boulevard, within the MU-1 (Downtown Mixed-Use) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use) and Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1048-591-30) submitted by Holt-San Antonio LLC.

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Sections § 15305 & 15332

2. File No. PVAR19-006 (Variance)

Motion to Approve/Deny

3. File No. PDEV19-018 (Development Plan)

Motion to Approve/Deny

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-006: A Development Plan for the construction of an 88-unit apartment complex on 3.5 acres of land located south of Sixth Street and west of the San Bernardino County Flood Control channel, at 1402 North Virginia Avenue, 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: 1047-432-22 & 1047-443-01) submitted by SC Property Fund LLC.

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File No. PDEV18-006 (Development Plan)

Motion to Approve/Deny

F. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT18-007: A Tentative Tract Map (TM 20198) to subdivide 9.57 acres of land into 18 single-family lots, located at 1103 South Benson, within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1011-431-01 & 1011-521-06) submitted by TK Management Services LLC.

1. CEQA Determination

Motion to Approve/Deny a Mitigated Negative Declaration

2. File No. PMTT18-007 (Tract Map)

Motion to Approve/Deny

G. ENVIRONMENTAL ASSESSMENT, PLANNED UNIT DEVELOPMENT, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PUD18-001 AND PDEV18-035: A Planned Unit Development to establish development standards and guidelines to facilitate the development of a high density residential apartment project (30.3 dwelling units per acre); and a Development Plan to construct a three-unit apartment building on 0.102-acre of land located at 418 East Transit Street, within the MU-1 (Downtown Mixed Use) 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: 1049-067-04) submitted by Richard Southerland. City Council action is required for File No. PUD18-001.

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines § 15332

2. File No. PUD18-001 (Planned Unit Development)

Motion to recommend Approval/Denial

3. File No. PDEV18-035 (Development Plan)

Motion to Approve/Deny

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation (Standing): Met on September 12, 2019
- 2) New Business
- 3) Nominations for Special Recognition
 - Les Schwab Tire Center 1044 N. Milliken Ave.
 - Fashion Alley SW entrance at Ontario Mills 1 Mills Circle

DIRECTOR'S REPORT

1) Monthly Activity Report

If you wish to appeal any decision of the Planning/Historic Preservation Commission, you must do so within ten (10) days of the Commission action. Please contact the Planning Department for information regarding the appeal process.

If you challenge any action of the Planning/Historic Preservation Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning/Historic Preservation Commission at, or prior to, the public hearing.

* * * * * * * * * * *

I, Gwen Berendsen, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **September 20, 2019**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

Gwen Berendsen, Secretary Pro Tempore

Cathy Wahlstrom, Planning Director Planning/Historic Preservation Commission Secretary

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING

MINUTES

August 27, 2019

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CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING

MINUTES

August 27, 2019

REGULAR MEETING: City Hall, 303 East B Street

Called to order by Chairman Willoughby at 6:30 PM

COMMISSIONERS

Present: Chairman Willoughby, Vice-Chairman DeDiemar, Downs, Gage,

Reyes and Ricci

Absent: Gregorek

OTHERS PRESENT: Planning Director Wahlstrom, Assistant Planning Director

Zeledon, City Attorney Graham, Senior Planner D. Ayala, Associate Planner Chen, Development Administrative Officer Womble, Traffic Manager Bautista, and Planning Secretary

Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Downs.

ANNOUNCEMENTS

Ms. Wahlstrom stated there was a request to move the Jay Littleton Ballpark Historic Structure Report presentation to the beginning of the meeting. She introduced Galvin Preservation and Associates representative Emily Rinalde, the historic architectural historian, who has been working on the project for the last 9 months.

GPA Consulting presented their Historic Structural Report for the Jay Littleton Ballpark.

Mr. Gage remanist about the Jay Littleton Ballpark and stated he was so glad this was done to help preserve this treasure within our city.

Mr. Downs wanted clarification if any hazardous materials were found during their investigation.

Ms. Emily stated they didn't do a study of hazardous materials, but most likely due to the age of the ballpark it could potentially have lead paint.

Mr. Willoughby wanted to know if any movies were filmed there.

Ms. Emily stated that while doing research she found that "The X Files" and some scenes from "A League of Their Own" where filmed there.

Ms. Wahlstrom stated that being that we are a certified local government we are fortunate to get funds to allow us to go through this process and this is really the best practice to budget and plan future improvements and to have a playbook like this as a guide, is golden.

Ms. DeDiemar wanted to know if there is any inconsistency between historic preservation and continued use of the ballpark as a modern facility.

Ms. Emily stated they looked at the city's project objectives for the continued use and many of those had to do with accessibility and adding accessible restrooms. In the report Spectra looked at where they could most sensitively add these objectives.

Ms. DeDiemar asked if the future use would distract from the historic nature of the ballpark.

Ms. Emily stated they looked at the best defining features and the alterations that would have the least effect on these features.

Mr. Willoughby thanked Ms. Emily and GPA for the presentation.

Ms. Wahlstrom stated this document will be forwarded to city council.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of July 23, 2019, approved as written.

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

It was moved by Ricci, seconded by DeDiemar, to approve the Consent Calendar, including Planning Commission Minutes of July 23, 2019, as written and the Development Plan, File No. PDEV18-043. The motion was carried 6 to 0, with Downs and Gage abstaining from the Minutes vote as they were not at the last meeting.

PUBLIC HEARING ITEMS

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

Assistant Planning Director Zeledon presented the staff report. He described the location and the surrounding area. He explained the reason for the item being continued and the meetings held to work together to address concerns raised from the property owner to the west, regarding drive-thru circulation, accessibility and parking. He explained the proposed site layout for the parcel map and the accessibility, parking and improvements to the property being made. He clarified the changes made in the proposed site plans and the parking increases, and the circulation. He described the architecture that is consistent with the existing buildings and the landscaping. He stated that staff is recommending the Planning Commission approve File Nos. PMTT19-001 and PDEV19-004, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

- Mr. Reyes asked how many tenants are proposed.
- Mr. Zeledon stated there would be three.
- Mr. Downs wanted clarification about the parking in front of the building.

Mr. Zeledon stated it started with 11, but after reconfiguring the site there is now 14 including handicap access.

PUBLIC TESTIMONY

Don Webb with Covenant Group thanked the Planning department, who were helpful in working with their partner, the dental group. He stated they wanted to bring more circulation for more visibility to the dental office, and adding the drive-thru is a draw for people.

Mr. Reyes wanted clarification on how many tenants and if allowance was made for outdoor seating areas or shade in the future, for the restaurant customers.

Mr. Webb stated they designed for interior seating; however there is a large sidewalk area next to

the drive-thru restaurant pad and a possibility for future use there.

Mr. Willoughby wanted to know if theses would be three even parcels.

Mr. Webb stated the drive thru food parcel is larger at approximately 2500 square feet and the southern end-cap is approximately 1500 square feet, with the center medium portion remaining.

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

Mr. Reyes complimented on how they worked the pad into the sight. He stated he would hope the applicant would work with staff regarding a bistro area.

PLANNING COMMISSION ACTION

It was moved by Downs, seconded by Gage, to adopt a resolution to approve the Tentative Parcel Map, File No., PMTT19-001, and the Development Plan, File No., PDEV19-004, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Downs, Gage, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Gregorek. The motion was carried 6 to 0.

- C. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT18-002: A Tentative Tract Map (File No. PMTT18-002 / TTM 20157) to subdivide 81.35 acres of land into 6 lots and 5 lettered lots for residential, public streets, landscape neighborhood edges, and common open space purposes, for properties generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Esperanza Specific Plan (File No. PSP05-002) Environmental Impact Report (SCH # 2002061047) certified by the City Council on February 6, 2007. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0218-252-07, 0218-252-08 and 0218-252-09) submitted by RWT Preserve Holdings, LLC.
- **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NOS. PMTT18-003, PMTT18-004, AND PMTT18-005:** A request for the following Tentative Tract Map entitlements: 1) File No. PMTT18-003 (TTM 20158) to subdivide 15.41 acres of land into 31 lots and 15 lettered lots; 2) File No. PMTT18-004 (TTM 20159) to subdivide 13.94 acres of land into 15 lots and 5 lettered lots; and 3) File No. PMTT18-005 (TTM 20160) to subdivide 22.84 acres of land into 113 lots and 32 lettered lots for residential and public streets, landscape neighborhood edges and common open space purposes, generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Esperanza Specific Plan (File No. PSP05-002) Environmental Impact Report (SCH # 2002061047) certified by the City Council on

February 6, 2007. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0218-252-07, 0218-252-08 and 0218-252-09) **submitted by RWT Preserve Holdings, LLC.**

E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW FOR FILE NO. PDA19-002: A Development Agreement (File No. PDA19-002) between the City of Ontario and SLV LC Center, LLC; HCW LC Center, LLC; Strack Farms Land, LLC; RHV Edison Avenue, LLC; MV Edison Avenue, LLC; and EPC Holdings 938, LLC, to establish the terms and conditions for the development of Tentative Tract Map 20157 (PMTT18-002), for property located at the southeast corner of Mill Creek Avenue and Old Edison Road, within Planning Areas 1 through 4 (RD-4, RD-6, RD-7, and RD-8) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Esperanza Specific Plan (File No. PSP05-002) Environmental Impact Report (SCH # 2002061047) certified by the City Council on February 6, 2007. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0218-252-07, 0218-252-08, 0218-252-09, 0218-252-10). Submitted by Richland Communities. City Council action is required.

Assistant Planning Director Zeledon presented the staff report. He described the location and the surrounding area. He explained each map and the map subdivision proposed within each map, and the phasing proposed. He explained the conceptual ideas for the parking, trash circulation and park areas. He explained the key points to the Development Agreement. He stated that staff is recommending the Planning Commission approve File Nos. PMTT18-002, PMTT18-003, PMTT18-004, and PMTT18-005 and recommend approval to City Council, File PDA19-002, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Reyes wanted clarification on the infrastructure map and how is this balanced out between the different departments.

Mr. Zeledon stated there is a master infrastructure plan and the specific plans lay out more detail, but the development agreement comes in when the infrastructure is built out and they need to connect it to their project, then we negotiate the cost for the development, as things change depending on the type of product proposed. He stated that Planning works with Engineering, using the master plan for streets, water and sewer structure, to get the best product.

Mr. Willoughby wanted clarification on what had been approved for the southern portion of the area of PA4.

Mr. Zeledon stated a map was proposed a few years back but the property got sold and a new project will be coming through soon.

PUBLIC TESTIMONY

Mike Byer with Richland Communities appeared and thanked staff and explained their focus on working on the parks and parking. He commented that in regards to PA4, they are working together for a future phase.

Mr. Willoughby asked if this is something they were thinking of acquiring.

Mr. Byer stated they don't build but only design and working on finding an end user.

Mr. Downs wanted clarification on the affordable housing requirement average cost and what units those are.

Mr. Womble stated the affordable housing requirement can either build it or pay an in-lieu fee of \$2.61 per square foot for each residential unit built. He stated that this project is paying the inlieu fees and this money can then be used by the city for affordable housing.

Mr. Willoughby wanted clarification on the southern portion for the 6 packs and are those not going to have driveways.

Mr. Byer stated the 6 packs will have driveways and drive isle entries.

Mr. Willoughby wanted clarification regarding the street to north right in the middle, if those 6 houses facing the street, would be different.

Mr. Zeledon stated yes, usually there are a few extra lots that will be single family conventional and the key is the length for the driveway to park two cars, but these will have at least 5 feet driveways.

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

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Ricci, seconded by Downs, to adopt a resolution to approve the Tentative Tract Map, File No., PMTT18-002, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Downs, Gage, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Gregorek. The motion was carried 6 to 0.

It was moved by Reyes, seconded by Gage, to adopt a resolution to approve the Tentative Tract Maps, File Nos., PMTT18-003, PMTT18-004 and PMTT18-005, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Downs, Gage, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Gregorek. The motion was carried 6 to 0.

It was moved by Downs, seconded by DeDiemar, to recommend adoption of a

resolution to approve the Development Agreement, File No., PDA19-002, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Downs, Gage, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Gregorek. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee did not meet on August 8, 2019 due to lack of quorum.

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

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

New Business

NOMINATIONS FOR SPECIAL RECOGNITION

Mr. Reyes wanted to make the nominations for:

- Les Schwab Tire Center at Ontario Mills based on the creativity of how they used the site to get this in and still have frontage and the architectural design of the building and the use that compliments the use of the mall.
- New expansion of the Ontario Mills mall the southwest corner of the mall based on the site and how they were able to expand the mall and make it seamless and the architectural and frontage are well done.

Mr. Willoughby wanted to know how old the expansion is.

Mr. Zeledon stated it has been about 2 or so years, but the Blaze Pizza upgrade was done about a year ago. He stated the Ontario Mills is going through a change. He stated that the Les Schwab was designed very well by Mr. Noh and they fought to make it screened and the design so it wouldn't look like a tire center, and this is one of our better projects.

DIRECTOR'S REPORT

Ms. Wahlstrom explained that the GE Clubhouse had another fire and is now in a state that needs to be demolished. She stated the clubhouse means a lot to the city's history and community life of the city, as it was the first community center of sorts. However, it has been vacant for some time now as it was difficult to reuse because of the limited accessibility and the surrounding uses. She stated this was a Tier 1 structure and has been burnt beyond repair and will need to be demolished, as it has been red tagged by the Building Official. She stated they would follow code and see what needs to be done regarding fines to the property owner, as it has been an ongoing code case for years. She stated currently it is a safety issue in our community and needs to be taken care of quickly.

Mr. Willoughby wanted clarification on the fines being accessed.

Attorney Graham stated staff is working with the Fire Department as this is an ongoing investigation as to the cause of the fire. He stated the code does have provisions regarding neglects of property to the point of demolition and staff is looking at what is appropriate.

- Mr. Willoughby wanted clarification if the owner is responsible for the demolition.
- Ms. Wahlstrom stated yes.
- Mr. Gage asked if there are things that can be saved in it.
- Ms. Wahlstrom stated it is too dangerous to evaluate any further.
- Ms. Ayala stated we have construction documents and it has been photographed.
- Mr. Gage stated his concerns about the GE factory plant not being taken care of.

Ms. Ayala stated the GE plant has been brought up to code and they currently have tenants. Ms. Ayala stated they may be able to salvage the river rock on the frontage of the clubhouse and the fireplace.

ADJOURNMENT

ľ	Mr.	Gage 1	motioned	to adjourn.	The meeting	was adjourned	l at	8:1	. 1	PI	M.

Secretary Pro Tempore
Chairman, Planning Commission



FILE NO.: PDEV19-013

SUBJECT: A Development Plan to construct a 33,408-square foot commercial building on 3.96 acres of land, located at 1623 and 1625 East Holt Boulevard, within the BP (Business Park) zoning district; (APNs: 0110-081-03 and 0110-081-10) **submitted by Holt Boulevard, LLC.**

PROPERTY OWNER: Holt Boulevard, LLC.

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PDEV19-013 pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 3.96 acres of land located at 1623 and 1625 East Holt Boulevard, within the BP (Business Park) zoning district, and is depicted in Figure 1: Project Location, below. The properties to the north of the Project site are within the MDR-11 (Medium Density Residential – 5.1 to 11.0 DUs/Acre) zoning

district and is developed with single-family residences. The property to the east is within the BP (Business Park) zoning district, and is developed with an office (County of San Bernardino Transitional Assistance Department). The properties to the south (across Holt Boulevard) and west are within the BP (Business Park) zoning district and are undeveloped.

PROJECT ANALYSIS:

[1] <u>Background</u> — The Applicant is requesting Development Plan (File No. PDEV19-013) approval to construct an office building totaling 33,408 square feet. The proposed building will be leased by the County of San Bernardino and



Figure 1: Project Location

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	Cally
Submittal Date:	February 25, 2019

Hearing Body	Date	Decision	Action
DAB	09/16/2019	Approved	Recommend
PC	09/24/2019		Final
CC			

File No.: PDEV19-013 September 24, 2019

occupied by one their social services program/departments. The County of San Bernardino presently leases three buildings located east of the project site, which includes the Transitional Assistance Department, CalFresh/CalWORKS (Food Stamp Program); and Women, Infant, and Children (WIC) offices.

- [2] <u>Site Design/Building Layout</u> The front of the building is oriented to the south, facing Holt Boulevard. The building is situated on the southern portion of the site and is setback 94.67 feet from Holt Boulevard (south property line), 74.67 feet to the interior property line to the west, 80.33 feet to the interior property line to the east, and over 250 feet to the interior property line to the north. Parking will surround the building on all four sides, for use by office employees and visitors. Two employee outdoor patio areas will be provided at the northwest and northeast corners of the building. The design of the patio areas will reviewed through the construction tenant improvement phase of the project. The conceptual design includes an overhead patio structure, low wall, landscaping and decorative paving.
- [3] <u>Site Access/Circulation</u> There are two points of vehicular access proposed for the project site, both along Holt Boulevard. 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.
- [4] Parking The Project has provided off-street parking pursuant to the "General Business Office" parking standards specified in the Development Code. The office building requires a total of 134 parking spaces, and 240 spaces have been provided. Pursuant to the Development Code, parking spaces in excess of 10 percent above the required number shall be allowed only upon approval by the Planning Commission, based upon proven need. An excess of 106 spaces, approximately 79 percent above the required number of spaces, has been proposed by the Applicant. The proposed building will be leased by the County of San Bernardino, which according to the Applicant, requires a higher parking ratio (8:1) than traditional "general business offices" due to both an increased number of employees, as-well-as an increased number of anticipated visitors to the site. The County of San Bernardino leases three buildings east of the project site (located at 1627, 1637, and 1647 East Holt Boulevard) which are occupied by the Transitional Assistance Department, CalFresh/CalWORKS (Food Stamp Program), and Women, Infant, and Children (WIC) offices. These uses all experience a higher demand for parking, which has been provided. Staff, supports the applicants request to provide additional parking for the site since the proposed building will serve as a County Regional office that attracts a high a volume of visitors, thereby requiring additional parking spaces to support their offices.
- [5] <u>Architecture</u> The architectural style proposed consists of a modern interpretation of the Mediterranean style, with a simple box form and accent elements at entries, flat roofs with parapet detailing, archways, and awnings. The mixture of building materials proposed includes medium and course textured stucco finishes with a neutral brown color palette and metal reveals, aluminum cantilevered awnings, crown molding,

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brown tinted glazing for the windows and storefronts, and river rock placed at the base of the building. Additionally, mechanical equipment will be roof-mounted and obscured from public view by parapet walls (see Exhibits C—Elevations and D—Elevations, attached).

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 parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall; and
- A mix of exterior materials, finishes and fixtures; and
- Incorporation of base and top treatments defined by changes in color, materials and recessed wall areas.
- 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.

[6] Landscaping — The project provides substantial landscaping along the Holt Boulevard frontage, and around the project perimeter and parking lot area. The Development Code requires a minimum of 15 percent landscape coverage, which the project exceeds (26 percent coverage has been provided). 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 36-inch and 24-inch box trees along Holt Boulevard, which includes a mix of Erect Bottlebrush, Coral Gum, Raywood Ash, Chinese Pistache, and California Sycamore trees. In addition, a mix of 15-gallon and 24-inch box accent and shade trees will be provided throughout the project site, including Canary Island Pine and Brisbane Box 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).

[7] <u>Utilities (drainage, sewer)</u> — 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 drains and culverts.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan

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(General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

[2] Vision.

Distinctive Development:

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

[3] Governance.

Decision Making:

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

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU2: Compatibility between a wide range of uses.
- ➤ <u>LU2-6</u>: <u>Infrastructure Compatibility</u>: We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

• Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

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➤ <u>CE2-1 Development Projects</u>. We require new development and redevelopment to create unique, high-quality places that add value to the community.

- ➤ <u>CE2-2 Development Review</u>. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.
- ➤ <u>CE2-4 Protection of Investment</u>. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.
- ➤ <u>CE2-5 Private Maintenance</u>. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.
- ➤ <u>S1-1 Implementation of Regulations and Standards</u>. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

- Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.
- ➤ <u>CD2-1 Quality Architecture</u>. We encourage all development projects to convey visual interest and character through:
- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.
- ➤ <u>CD2-7 Sustainability</u>. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural

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daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

- ➤ <u>CD2-8 Safe Design</u>. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.
- ➤ <u>CD2-9 Landscape Design</u>. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- ➤ <u>CD2-10 Surface Parking Areas</u>. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.
- ➤ <u>CD2-11 Entry Statements</u>. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.
- ➤ <u>CD2-12 Site and Building Signage</u>. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.
- ➤ <u>CD2-13 Entitlement Process</u>. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.
- Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.
- ➤ <u>CD3-1 Design</u>. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.
- ➤ <u>CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas</u>. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

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➤ <u>CD3-3 Building Entrances</u>. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

- ➤ <u>CD3-5 Paving</u>. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.
- ➤ <u>CD3-6 Landscaping</u>. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.
- <u>Goal CD5</u>: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- ➤ <u>CD5-1 Maintenance of Buildings and Property</u>. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.
- ➤ <u>CD5-2 Maintenance of Infrastructure</u>. We require the continual maintenance of infrastructure.

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

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

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, meeting each of the following conditions: [1] 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; [2] the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; [3] the project site has no value as habitat for endangered, rare, or threatened species; [4] approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and [5] the Project site can be adequately served by all required utilities and public services.

CONDITIONS OF APPROVAL: See attached department reports.

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TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Vacant	Business Park (BP)	Business Park (BP)	N/A
North	Single Family Residence	Low-Medium Density Residential (LMDR)	Medium Density Residential (MDR-11)	N/A
South	Vacant	Business Park (BP)	Business Park (BP)	N/A
East	County of San Bernardino Transitional Assistance Department	Business Park (BP)	Business Park (BP)	N/A
West	Vacant	Business Park (BP)	Business Park (BP)	N/A

General Site & Building Statistics

Item	Proposed	Min./Max. Standard	Meets Y/N
Project Area:	164,786 SF	N/A	Y
Lot/Parcel Size:	3.96 AC	1 AC (Min.)	Y
Building Area:	33,408 SF	N/A	Y
Floor Area Ratio:	0.18	0.60 (Max.)	Y
Building Height:	24 FT	45 FT (Max.)	Y

Off-Street Parking:

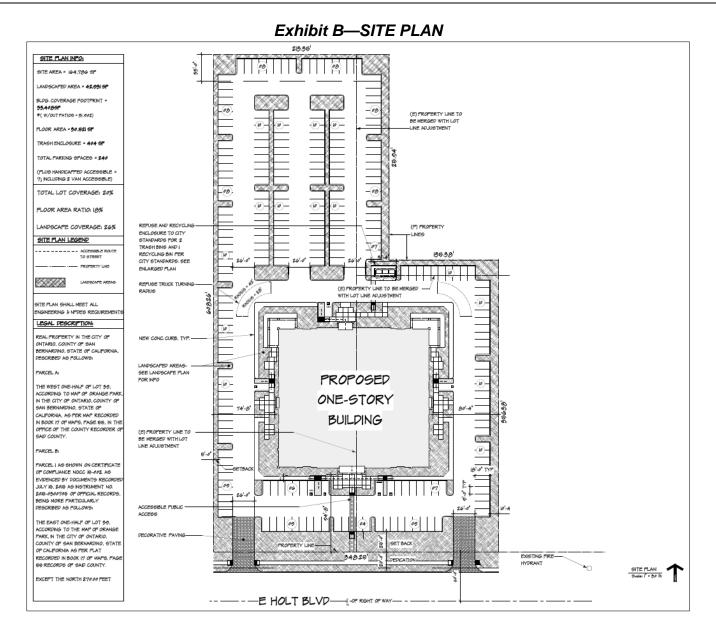
Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
General Business Office	33,408 SF	4 spaces per 1,000 SF (0.004/SF) of GFA	134	240
TOTAL			134	240

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Exhibit A—PROJECT LOCATION MAP File No. PDEV19-013 - Office DST. ELMA PRIVADO ELMAIST NOCTA PRIVADO Legend Project Site Streets HOLT BL Parcels 0 62.5 125

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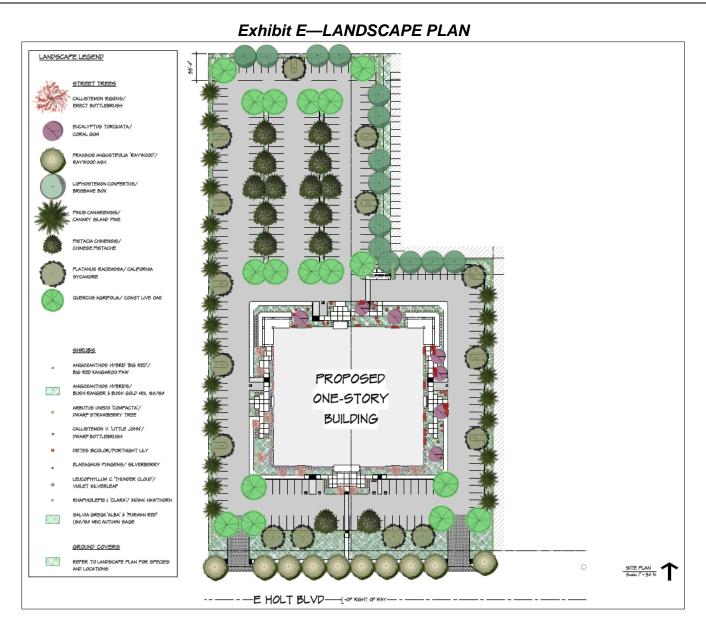
Exhibit D—ELEVATIONS (OPTIONAL VIEW WITH NO COVERED PATIO)











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RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-013, A DEVELOPMENT PLAN TO CONSTRUCT A 33,408 SQUARE FOOT COMMERCIAL BUILDING ON 3.96 ACRES OF LAND, LOCATED AT 1623 AND 1625 EAST HOLT BOULEVARD, WITHIN THE BP (BUSINESS PARK) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0110-081-03 AND 0110-081-10.

WHEREAS, HOLT BOULEVARD, LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-013, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 3.96 acres of land generally located at 1623 and 1625 East Holt Boulevard within the BP (Business Park) zoning district, and is currently vacant; and

WHEREAS, the property to the north of the Project site is within the MDR-11 (Medium Density Residential – 5.1 to 11.0 DUs/Acre) zoning district and is developed with single-family residences. The property to the east is within the BP (Business Park) zoning district, and is developed with an office (County of San Bernardino Transitional Assistance Department). The properties to the south (across Holt Boulevard) and west are within the BP (Business Park) zoning district and are undeveloped; and

WHEREAS, the Applicant is requesting Development Plan approval to construct an office building totaling 33,408-square feet. The proposed building will be leased by the County of San Bernardino and occupied by one their social services program/departments.; and

WHEREAS, the front of the building is oriented to the south, facing Holt Boulevard. The building is situated on the southern portion of the site and is setback 94.67 feet from Holt Boulevard (south property line), 74.67 feet to the interior property line to the west, 80.33 feet to the interior property line to the east, and over 250 feet to the interior property line to the north. Parking will surround the building on all four sides, for use by the office employees and visitors; and

WHEREAS, there are two points of vehicular access proposed for the project site, both along Holt Boulevard; and

WHEREAS, the Project has provided off-street parking pursuant to the "General Business Office" parking standards specified in the Development Code. The office building requires a total of 134 parking spaces, and 240 spaces have been provided. Pursuant to the Development Code, parking spaces in excess of 10 percent above the

required number shall be allowed only upon approval by the Planning Commission, based upon proven need. An excess of 106 spaces, approximately 79 percent above the required number of spaces, has been proposed by the Applicant. The proposed building will be leased by the County of San Bernardino, which requires a higher parking ratio (8:1) than traditional "general business offices" due to both a higher employee count, as-well-as an increased number of anticipated visitors to the site. The County of San Bernardino leases three buildings east of the project site (located at1627, 1637, and 1647 East Holt Boulevard), which are occupied by the Transitional Assistance Department, CalFresh/CalWORKS (Food Stamp Program), and Women, Infant, and Children (WIC) offices. These uses all experience a higher demand for parking, which has been provided. Staff, supports the applicants request to provide additional parking for the site since the proposed building will serve as a County Regional office that attracts a high a volume of visitors; and

WHEREAS, the architectural style proposed consists of a modern interpretation of the Mediterranean style, with a simple box form and accent elements at entries, flat roofs with parapet detailing, archways, and awnings. The mixture of building materials proposed includes medium and course textured stucco finishes with a neutral brown color palette and metal reveals, aluminum cantilevered awnings, crown molding, brown tinted glazing for the windows and storefronts, and river rock placed at the base of the building. Additionally, mechanical equipment will be roof-mounted and obscured from public view by parapet walls; and

WHEREAS, the project provides substantial landscaping along the Holt Boulevard frontage, and around the project perimeter and parking lot area. The Development Code requires a minimum of 15 percent landscape coverage, which the project exceeds (26 percent coverage has been provided); and

WHEREAS, public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground stormwater infiltration system for the project. Any overflow drainage will be conveyed to the public street by way of parkway drains and culverts; and

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 Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on September 16, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-059, recommending the Planning Commission approve the Application; and

WHEREAS, on September 24, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

<u>SECTION 1</u>: *Environmental Determination and Findings.* As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

- (1) The administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and
- (2) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, meeting each of the following conditions: [1] 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; [2] the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; [3] the project site has no value as habitat for endangered, rare, or threatened species; [4] approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and [5] the Project site can be adequately served by all required utilities and public services.
- (3) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and
- (4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

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

SECTION 3: Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for

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

<u>SECTION 4</u>: **Concluding Facts and Reasons.** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the Planning Commission hereby concludes as follows:

- (1) The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed Project is located within the BP (Business Park) land use district of the Policy Plan Land Use Map, and the BP (Business Park) 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.
- (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 BP (Business Park) zoning district, including standards relative to the particular land use proposed (office), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.
- (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.

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 ([insert land use]). 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.

<u>SECTION 5</u>: **Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

<u>SECTION 6</u>: *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.

<u>SECTION 7</u>: **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.

<u>SECTION 8</u>: **Certification to Adoption.** The Secretary shall certify to the adoption of the Resolution.

_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of September 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Nancy DeDiemar
Planning Commission Vice-Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

Planning Commission Resolution File No. PDEV19-013 September 24, 2019 Page 8	
STATE OF CALIFORNIA COUNTY OF SAN BERNARDINO CITY OF ONTARIO)))
City of Ontario, DO HEREBY CERTI	Pro Tempore of the Planning Commission of the FY that foregoing Resolution No was duly Commission of the City of Ontario at their regular by the following roll call vote, to wit:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Gwen Berendsen Secretary Pro Tempore

Planning Commission Resolution File No. PDEV19-013 September 24, 2019 Page 9

ATTACHMENT A:

File No. PDEV19-013 Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)



Planning Department Land Development Division Conditions of Approval

Meeting Date: September 24, 2019

File No: PDEV19-013

Project Description: A Development Plan (File No. PDEV19-013) to construct a 33,408 square foot commercial building on 3.96 acres of land, located at 1623 and 1625 East Holt Boulevard, within the BP (Business Park) zoning district. APNs: 0110-081-03 and 0110-081-10; **submitted by Holt Boulevard, LLC.**

Prepared By: Jeanie Irene Aguilo, Associate Planner

<u>Phone</u>: 909.395.2418 (direct) <u>Email</u>: 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.

Planning Department; Land Development Division: Conditions of Approval

File No.: PDEV19-013

Page 2 of 4

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** <u>Walls and Fences</u>. 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.

Planning Department; Land Development Division: Conditions of Approval

File No.: PDEV19-013

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(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** <u>Security Standards</u>. 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).
- **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, and 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** <u>Indemnification</u>. 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

Planning Department; Land Development Division: Conditions of Approval

File No.: PDEV19-013

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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.

- (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 <u>Plan Check</u> and <u>Inspection</u> fees shall be paid at the rate established by resolution of the City Council.

2.14 Additional Requirements.

(a) A Lot Line Adjustment shall be reviewed and approved by the City (if required by the Engineering Department) prior to building permit issuance.



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)

DEVELOPMENT PLAN OTHER		EL MAP TONDOMINIUM PUR	RACT MAP
	E NO. PDEV19-013 O(S)		
		REVISED: _/_/_	
CITY PROJECT ENGINEER 8	PHONE NO:	Antonio Alejos 🔏 🗚	(909) 395-2384
CITY PROJECT PLANNER &	PHONE NO:	Jeanie Aguilo	(909) 395-2418
DAB MEETING DATE:		September 16th, 2019	
PROJECT NAME / DESCRIPT	TION:	PDEV19-013, a Develop construct a 33,408-squ commercial building of land located.	are foot
LOCATION:		1623 and 1625 East Ho	It Boulevard
APPLICANT:		Holt Blvd LLC	, ,
REVIEWED BY:		Bryan Lirley, P.E. Rrincipal Engineer	9/5/19 Date
APPROVED BY:		Raymond Lee, P.E.	9/9/19 Date

Last Revised: 9/3/2019

Project File No. <u>PDEV19-013</u>
Project Engineer: <u>Antonio Alejos</u>
DAB Date: <u>09/16/19</u>



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



	1.10	Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.	Ш
	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.		Other conditions: OR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:	
2.	PRIO		
2.	PRIO	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:	
2.	PRIO	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: INERAL Inits includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance	
2.	A. GE (Perm	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: INERAL hits includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.	
2.	PRIO A. GE (Perm 2.01	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: INERAL hits includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario	
	PRIO A. GE (Perm 2.01 2.02 2.03	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL hits includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario per 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	



	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 .	
\boxtimes	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:	
	2.40	Dedicate to the City of Ontario the right-of-way described below:	
M	2.10		
\boxtimes	2.10	20-feet along Holt Boulevard property frontage for an ultimate right-of-way of 60-feet from street centerline.	
	2.10	20-feet along Holt Boulevard property frontage for an ultimate right-of-way of 60-feet from street	
		20-feet along Holt Boulevard property frontage for an ultimate right-of-way of 60-feet from street centerline.	
	2.11	20-feet along Holt Boulevard property frontage for an ultimate right-of-way of 60-feet from street centerline. Dedicate to the City of Ontario the following easement(s):	
	2.11	20-feet along Holt Boulevard property frontage for an ultimate right-of-way of 60-feet from street centerline. Dedicate to the City of Ontario the following easement(s):	
	2.11	20-feet along Holt Boulevard property frontage for an ultimate right-of-way of 60-feet from street centerline. Dedicate to the City of Ontario the following easement(s):	
	2.11	20-feet along Holt Boulevard property frontage for an ultimate right-of-way of 60-feet from street centerline. Dedicate to the City of Ontario the following easement(s):	

Project File No. <u>PDEV19-013</u> Project Engineer: <u>Antonio Alejos</u> DAB Date: <u>09/16/19</u>



\boxtimes	2.15	Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$84,000, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.	
П	2.16	Other conditions:	\Box



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):
	(checked boxes).

Improvement	Holt BI	Street 2	Street 3	Street 4
Curb and Gutter	Remove and replace; 36-ft from C/L	New; ft.	I New; ft. from C/L	New; ft. from C/L
AC Pavement	Replacement	Replacement	Replacement	Replacement
PCC Pavement (Truck Route Only)	New Modify existing	New Modify existing	New Modify existing	New Modify existing
Drive Approach	New In-fill existing driveway approaches no longer to be used	New Remove and replace	New Remove and replace	New Remove and replace
Sidewalk	New Remove and replace	New	New r	New
ADA Access Ramp	New Remove and replace	New	New	New
Parkway	✓ Trees✓ Landscaping (w/irrigation)	Trees	Trees	Trees
Raised Landscaped Median	New	New	New	New
Fire Hydrant	New / Upgrade Relocation	New / Upgrade	New / Upgrade	New / Upgrade
Sewer (see Sec. 2.C)	Main Lateral	Main Lateral	Main Lateral	Main Lateral
Water (see Sec. 2.D)	New Service for Domestic Use Only w/ Backflow Device New Service for Irrigation Use Only w/ Backflow Device New Service for Fire Use Only w/ DCDA	Main Service	Main Service	Main Service



Traffic Signal	New Modify	New Modify	New	New Modify
System (see Sec. 2.F)	existing	existing	Modify existing	existing
Traffic Signing	New Modify	New Modify	New Modify	New Modify
and Striping (see Sec. 2.F)	existing	existing	existing	existing
Street Light	New / Upgrade Relocation	New / Upgrade	New / Upgrade	New / Upgrade
(see Sec. 2.F)		Relocation	Relocation	Relocation
Bus Stop Pad or	New New	New New	New	New
Turn-out (see Sec. 2.F)	L Modify existing	Modify existing	Modify existing	Modify existing
Storm Drain	Lateral	Main	Main	Main
(see Sec. 2G)	⊠ Catch Basin	Lateral	Lateral	Lateral
Fiber Optics (see Sec. 2K)	Conduit / Appurtenances	Conduit / Appurtenances	Conduit / Appurtenance	Conduit / Appurtenanc es
Overhead Utilities	Underground Relocate	Underground Relocate	Underground	Underground
	- Nelocate	The locate	Relocate	Relocate
Domeyal of	Abandon existing services/laterals no			
Removal of Improvements	longer to be used		_	_
Other			_	
Improvements				
pecific notes for imp	provements listed in item no	2.17, above:		
onstruct a 2" aspha	t concrete (AC) grind and o	verlay on the following	g street(s):	

2.18

2.19



	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. SI	EWER CONTROL OF THE C	
	2.23	Ainch sewer main is available for connection by this project in(Ref: Sewer plan bar code:)	
\boxtimes	2.24	Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 5 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 extend the existing 8-inch public sewer main in Holt Boulevard starting at the nearest sewer manhole (located near the existing driveway approach directly east of the project site) and ending at the westerly property line of the project site with a new sewer manhole.	
	D. W	ATER	
\boxtimes	D. W/ 2.27	A 12-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water plan bar code: <u>W11986</u>)	
	2.27 2.28	A 12-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water plan bar code: W11986) Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately feet away.	
	2.27	A 12-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water plan bar code: W11986) Design and construct a water main extension. A water main is not available for direct connection. The	
	2.27 2.28 2.29	A 12-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water plan bar code: W11986) Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately feet away. Other conditions:	
	2.27 2.28 2.29	A 12-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water plan bar code: W11986) Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately feet away. Other conditions:	
	2.27 2.28 2.29 E. RE	A 12-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water plan bar code: W11986) Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately feet away. Other conditions:	
	2.27 2.28 2.29 E. RE	A 12-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water plan bar code: W11986) Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately feet away. Other conditions: CYCLED WATER A inch recycled water main is available for connection by this project in	
	2.27 2.28 2.29 E. RE 2.30	A 12-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water plan bar code: W11986) Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately feet away. Other conditions: CYCLED WATER A inch recycled water main is available for connection by this project in (Ref: Recycled Water plan bar code:) Design and construct an on-site recycled water system for this project. A recycled water main does	
	2.27 2.28 2.29 E. RE 2.30 2.31	A 12-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water plan bar code: W11986) Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately feet away. Other conditions: CYCLED WATER A inch recycled water main is available for connection by this project in (Ref: Recycled Water plan bar code:) Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project. 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	
	2.27 2.28 2.29 E. RE 2.30 2.31 2.32	A 12-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water plan bar code: W11986) Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately feet away. Other conditions: CYCLED WATER A inch recycled water main is available for connection by this project in (Ref: Recycled Water plan bar code:) Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project. 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. 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	
	2.27 2.28 2.29 E. RE 2.30 2.31 2.32	A 12-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water plan bar code: W11986) Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately feet away. Other conditions: feet away. CYCLED WATER A inch recycled water main is available for connection by this project in (Ref: Recycled Water plan bar code:) Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project. 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. 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.	



F. TF	RAFFIC / 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. Holt Boulevard is designated as a divided arterial in the City's Master Plan of Streets and Highways. The proposed driveways on Holt Boulevard shall be limited to right-turn access only when the future median is installed.	
	 The applicant/developer shall be responsible to design and construct in-fill public street lights along its project frontage on Holt Boulevard. Street lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines. The applicant/developer's engineer-of-record shall meet with City Engineering staff prior to starting street lighting design plans. 	
	3. The applicant/developer shall install "No Parking Anytime" signs along Holt Boulevard property frontage.	
G. DR	AINAGE / HYDROLOGY	
2.38	A 60-inch storm drain main is available to accept flows from this project in Holt Boulevard. (Ref: Storm Drain plan bar code: D10800)	
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 predevelopment 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. STO	ORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM	
(NPDE		
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	
	2.47	component to facilitate maintenance and cleaning. Other conditions:	
	J. SP	ECIAL 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. FIE	BER 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, if available.	
	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. Sol	id 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	
\boxtimes	2.53	Other conditions: 1. The applicant/developer shall construct a new trash enclosure with a solid roof per the Refuse & Recycling Planning Manual. 1a. Provide three (3) bins to meet AB-341 and AB-1826.	



3.	PRIC	OR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:	100
	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.	
\boxtimes	3.05	Confirm payment of all Development Impact Fees (DIF) to the Building Department.	
\boxtimes	3.06	Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).	



EXHIBIT 'A'

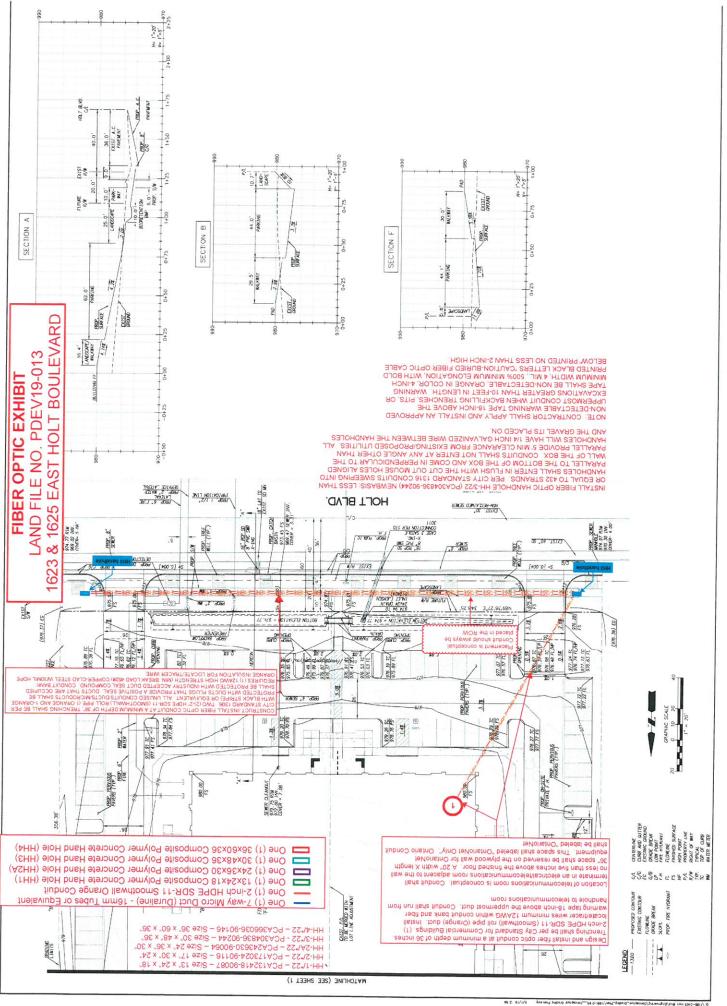
ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

	Project Number: PDEV 19-013, and/or Parcel Map/Tract Map No
<u>Tł</u>	ne 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 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

Project File No. <u>PDEV19-013</u> Project Engineer: <u>Antonio Alejos</u> DAB Date: <u>09/16/19</u>



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 Right-of-Way Dedication Form (include all items in Right-of-Way Dedication Application Checklist)



AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-013					Reviewed By:	
Address:	1623 & 1625 Ea	st Holt Blvd.	Lorena Mejia			
APN:	110-081-03 & 1	10-081-10			Contact Info:	
Existing Land Use:	Vacant				909-395-2276	
					Project Planner:	
Proposed Land Use:	Development Pl	an to construct one co	ommercial office	building totaling 30,664 SF	Jeanie Aguilo	
Site Acreage:	3.96	Propose	d Structure Heigl	ht: 23 FT	Date: 4/15/19	
ONT-IAC Project	t Review: n	 /a	· ·	-	CD No.: 2019-013	
Airport Influence	_	ONT			PALU No.: n/a	
Ti	ne project i	s impacted by	the followi	ing ONT ALUCP Compa	atibility Zones:	
Safe	ty	Noise Im	npact	Airspace Protection	Overflight Notification	
Zone 1		75+ dB CNE	ΞL	High Terrain Zone	Avigation Easement Dedication	
Zone 1A		70 - 75 dB (CNEL	FAA Notification Surfaces	Recorded Overflight	
Zone 2				•	Notification	
Zone 2		65 - 70 dB 0	SNEL	Airspace Obstruction Surfaces	Real Estate Transaction	
Zone 3		60 - 65 dB (CNEL	Airspace Avigation	Disclosure	
Zone 4		_		Easement Area		
Zone 5				Allowable 110 FT		
	The proje	ct is impacted	l by the follo	owing Chino ALUCP Sa	fety 7 ones•	
Zone 1		one 2	Zone 3	Zone 4 Zone		
			2011		20110	
Allowable Heig	jht:					
	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.						
	\mathcal{L} , \mathcal{L}					

Airport Planner Signature:

CITY OF ONTARIO MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Irene Aguilo

FROM: BUILDING DEPARTMENT, Kevin Shear

DATE: February 28, 2019

SUBJECT: PDEV19-013

\bowtie	i ne pia	n does adequately	address the	departmental	concerns at this time).

☐ No comments

Conditions of Approval

1. The site address will be: 1623 E Holt Blvd

- 2. The property line cannot be under the building. A lot line adjustment must be done
- 3. Standard conditions of approval apply.

KS:lm



CITY OF ONTARIO MEMORANDUM

TO: Jeaine Irene Aguilo, Associate Planner

Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal

Fire Department

DATE: March 14, 2019

SUBJECT: PDEV19-013 - A Development Plan to construct a 30,664-square feet

commercial building on 3.96 acres of land located at 1623 and 1625 East Holt Boulevard, within the BP (Business Park) zoning district (APN(s):

110-081-03 and 110-081-10).

☐ The plan <u>does</u> 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: V

B. Type of Roof Materials: Ordinary

C. Ground Floor Area(s): 30,664 Sq. Ft.

D. Number of Stories: 1

E. Total Square Footage: 30,664 Sq. Ft.

F. 2016 CBC Occupancy Classification(s): Not Listed (S)

CONDITIONS OF APPROVAL:

1.0 GENERAL

2.0 FIRE DEPARTMENT ACCESS

- ≥ 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.
- 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 <u>Standards #B-003</u>, <u>B-004</u> and <u>H-001</u>.

3.0 WATER SUPPLY

4.0 FIRE PROTECTION SYSTEMS

- ☑ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard Choose an item. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- □ 4.5 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 <u>Standard #C-001</u>. 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.
- ∑ 5.6 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 <u>Standard #H-001</u> 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



CITY OF ONTARIO MEMORANDUM

TO: Jeanie Aguilo, Planning Department

FROM: Douglas Sorel, Police Department

DATE: March 5, 2019

SUBJECT: PDEV19-013 – A DEVELOPMENT PLAN TO CONSTRUCT

COMMERCIAL BUILDING AT 1623 AND 1625 EAST HOLT BLVD.

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

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

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



Standard Conditions of Approval apply

Development Advisory Board.

The plan does not adequately address the departmental concerns.

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 REVISION NO.			
DATE:	June 28, 2019			
SUBJECT:	FILE #: PDEV19-013 Finance Acct#:			
The following of your DAB	project has been resubmitted for review. Please send one (1) copy and email one (1) copy report to the Planning Department by .			
PROJECT DESCRIPTION: A Development Plan to construct a 30,664-square foot commercial building on 3.96 acres of land located at 1623 and 1625 East Holt Boulevard, within the BP (Business Park) zoning district (APNs: 0110-081-03 and 0110-081-10).				
The plan does adequately address the departmental concerns at this time.				
	No comments			
	See previous report for Conditions			
Ø	Report attached (1 copy and email 1 copy)			

The conditions contained in the attached report must be met prior to scheduling for

CITY OF ONTARIO

LANDSCAPE PLANNING DIVISION

303 East "B" Street, Ontario, CA 91764

DAB CONDITIONS OF A	PPROVAL			
Sign Off				
Q.P.	07/25/2019			

		Jamie Richardson, Sr. Landscape	Planner	Date
	wer's Name:		Phone:	2645
Jam	ie Richardson, Sr. Landscape Planr	ier	(909) 395-	-2013
D.A.B	. File No.:		Case Planner	:
PDE	V19-013 rev1		Jeanie Agu	ilo
Projec	ct Name and Location:			
Offic	e Building			
1623	and 1625 East Holt Ave			
Applic	cant/Representative:			
Melis	ssa Hanson			
PO b	oox 9105			
Redl	ands, CA 92375			
\boxtimes	A Preliminary Landscape Plan (dated 06/28/2019) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.			
	A Preliminary Landscape Plan () has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.			below are
ΔRF	A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE			

Civil/ Site Plans

- 1. Show transformers set back and dimensioned 5' from paving all sides.
- Show backflow devices set back and dimensioned 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. 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.
- 5. 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.
- 6. Dimension all planters to have a minimum 5' wide inside dimension.
- 7. Add Note to Grading 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

- 8. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. 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.
- 9. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
- 10. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
- 11. Designer to provide agronomical soil testing and include report on landscape CD's.
- 12. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See http://www.ontarioca.gov/landscape-planning/standards
- 13. 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:

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



FILE NO.: PDEV19-022

SUBJECT: A Development Plan to construct a 124,777 square foot industrial building on 5.47 acres of land, located at 1650 South Vineyard Avenue, within the IG (General Industrial) zoning district. (APN: 0113-394-31) **submitted by Vineyard Avenue Industrial, LLC.**

PROPERTY OWNER: Vineyard Avenue Industrial, LLC.

RECOMMENDED ACTION: That the Planning Commission consider and adopt an Addendum and approve File No. PDEV19-022, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 5.47 acres of undeveloped land generally located at the southeast corner of Vineyard Avenue and Locust Street, at 1650 South Vineyard Avenue, within the IG (General Industrial) zoning district, and is depicted in Figure 1: Project Location, below. The property is relatively flat, with a gentle 1 to 2

percent slope toward the southwest corner of the site, and contains numerous mature trees around its perimeter, of varying size and species.

The property to the north of the Project site (across Locust Street) is within the IG (General Industrial) zoning district and is developed with warehouse land uses. The property to the east is within the IG (General Industrial) zoning district and is developed with service warehouse land uses. The property to the south is within the IG (General Industrial) zoning district and is developed with light manufacturing land uses. The property to the west (across Vineyard Avenue) is within the IG (General Industrial) zoning district, and is



Figure 1: Project Location

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	
Submittal Date:	04/04/2019

Hearing Body	Date	Decision	Action
DAB	09/16/2019	Approved	Recommend
PC	09/24/2019		Final
CC			

File No.: PDEV19-022 September 24, 2019

developed with service warehouse land uses.

PROJECT ANALYSIS:

[1] <u>Site Design/Building Layout</u> — The Applicant is requesting Development Plan approval to construct an industrial building totaling 124,777 square feet and having a floor area ratio (FAR) of 0.52. The front of the building is oriented to the north, facing Locust Street. The building is situated on the western portion of the site and is setback 20 feet from Vineyard Avenue to the west, 62 feet from Locust Street to the north, 64 feet from the interior southern property line, and over 132 feet from the interior eastern property line. Parking will be primarily situated to the north of the building, for use by tenants and visitors, and additional parking is situated to the south of the site.

A yard area, designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is located on the east side 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. The Applicant has proposed a screen wall at 8 feet in height to screen views from Locust Street, which is to be of tilt-up concrete construction, matching the architecture of the building. Tubular steel fencing at 8 feet in height has been proposed along the northern portion of the eastern property line. The southern half of the eastern property line has been developed by the adjacent property with an industrial building that sits along the eastern property line, along with a view obscuring fence. An outdoor employee patio area will be provided at center portion of the building along the north elevation facing Locust Street.

- [2] <u>Site Access/Circulation</u> There are two points of vehicular access proposed for the project site. The first access point is located at the northeast corner of the site, on Locust Street, and will be used for employee and visitor parking. The second access point is located at the southwest corner of the site, on Vineyard Avenue, and is intended for truck circulation through the project site. 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.
- [3] 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 73 parking spaces, and 81 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 14 dock-high loading doors proposed, requiring 4 tractor-trailer parking spaces, which have been provided.
- (a) <u>Architecture</u> 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

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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; and
- Articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall; and
- A mix of exterior materials, finishes and fixtures; and
- Incorporation of base and top treatments defined by changes in color, materials and recessed wall areas.
- 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.
- [4] Landscaping The project provides landscaping along the Vineyard Avenue 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, which includes a mix of Autumn Gold Maidenhair, Arizona Sycamore, Chinese Pistache, and Coast Live Oak 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 Autumn Golden Maidenhair, Arizona Sycamore, and Water Gum 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).
- [5] <u>Utilities (drainage, sewer)</u> 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.

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[6] <u>Burrowing Owls and Delhi Sands Flower-Loving Fly Surveys</u> — Rocks Biological Consulting conducted a Burrowing Owl and Delhi Sands Flower-loving Fly (DSF) surveys to document the presence or absence of Burrowing Owls and DSF within the boundaries of the project site. The final survey was conducted on January 25, 2019, indicating there were no burrowing owls, active burrows, or DSF observed on the project site. The biologist noted that the project site is composed entirely of active agriculture with disturbed, weedy vegetation at the edges of the agricultural fields. In addition, no potential burrows were observed or California ground squirrel activity were observed during the site visit. The biologist also noted that the project site is completely surrounded by existing industrial and commercial development and no longer has connectivity to areas upwind containing Delhi Fine Sand, areas subject to Aeolian (wind transport) processes, or areas supporting DSF populations.

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

[2] Vision.

Distinctive Development:

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

[3] Governance.

Decision Making:

• Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

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➤ <u>G1-2 Long-term Benefit</u>. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU2: Compatibility between a wide range of uses.
- ➤ <u>LU2-6</u>: <u>Infrastructure Compatibility</u>: We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.
- ➤ <u>CE2-1 Development Projects</u>. We require new development and redevelopment to create unique, high-quality places that add value to the community.
- ➤ <u>CE2-2 Development Review</u>. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.
- ➤ <u>CE2-4 Protection of Investment</u>. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.
- ➤ <u>CE2-5 Private Maintenance</u>. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Community Design Element:

- Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.
- ➤ <u>CD2-1 Quality Architecture</u>. We encourage all development projects to convey visual interest and character through:
- Building volume, massing, and height to provide appropriate scale and proportion;

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 A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and

- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.
- ➤ <u>CD2-7 Sustainability</u>. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.
- ➤ <u>CD2-8 Safe Design</u>. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.
- ➤ <u>CD2-9 Landscape Design</u>. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- ➤ <u>CD2-10 Surface Parking Areas</u>. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.
- ➤ <u>CD2-12 Site and Building Signage</u>. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.
- ➤ <u>CD2-13 Entitlement Process</u>. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.
- <u>Goal CD5</u>: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- ➤ <u>CD5-1 Maintenance of Buildings and Property</u>. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.
- ➤ <u>CD5-2 Maintenance of Infrastructure</u>. We require the continual maintenance of infrastructure.

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

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

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with an addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. The Addendum was prepared pursuant to CEQA, the State CEQA Guidelines and The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" which provides 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 not previously analyzed in the Environmental Impact Report. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference.

CONDITIONS OF APPROVAL: See attached department reports.

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TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Vacant	Industrial	General Industrial (IG)	N/A
North	Warehouse	Industrial	General Industrial (IG)	N/A
South	Light Manufacturing	Industrial	General Industrial (IG)	N/A
East	Service Warehousing	Industrial	General Industrial (IG)	N/A
West	Service Warehousing	Industrial	General Industrial (IG)	N/A

General Site & Building Statistics

ltem	Proposed	Min./Max. Standard	Meets Y/N
Project Area:	5.47 AC	N/A	Y
Lot/Parcel Size:	242,349 SF	10,000 SF (Min.)	Y
Building Area:	124,777 SF	N/A	Y
Floor Area Ratio:	0.51	0.55 (Max.)	Y
Building Height:	40 FT	55 FT (Max.)	Y

Off-Street Parking:

Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
Warehouse / Distribution	86,291 SF	One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF		81
warehouse / Distribution	00,291 3F	One tractor-trailer parking space per 4 dock-high loading doors (14 dock-high loading doors proposed)		4
Office	4,000 SF + 4,000 Mezzanine	Parking required when "general business offices" and other associated uses, exceed 10 percent of the building GFA (9,029 SF of office allowed)	0	0
TOTAL (excludes trac	73	81		

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN VINEYARD AVENUE BUILDING AREA 124,777 S.F. -\text{5} NOTE: SITE FLAN SHALL MEET ALL ENGINEERING & NPDES REQUIREMENTS. 7 14 DOCK DOORS TYP. (22)-POTENTIAL OFFICE 26' FIRE LANE

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Exhibit C—EXTERIOR ELEVATIONS (NORTH AND WEST)

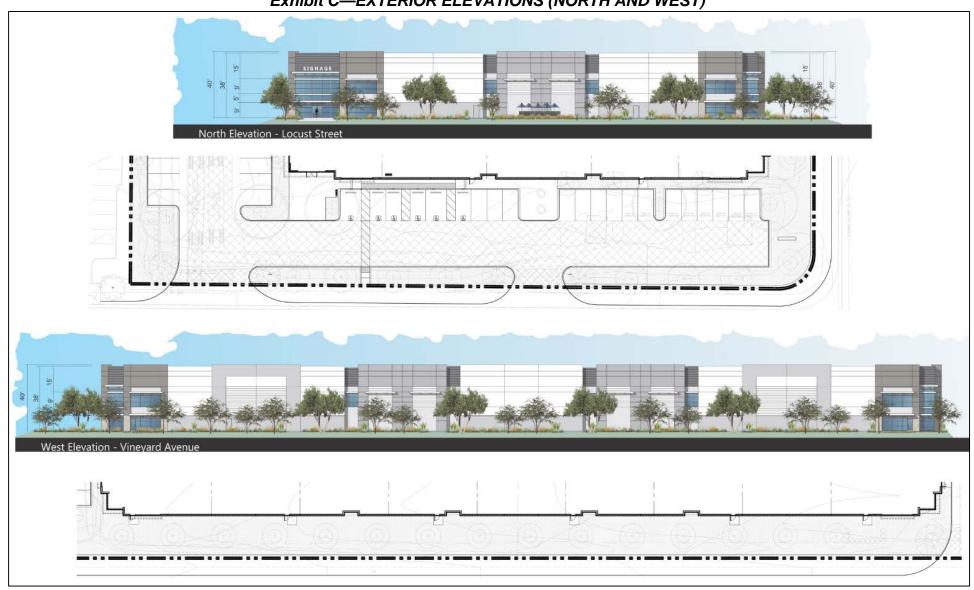


Exhibit C—EXTERIOR ELEVATIONS (EAST AND SOUTH)

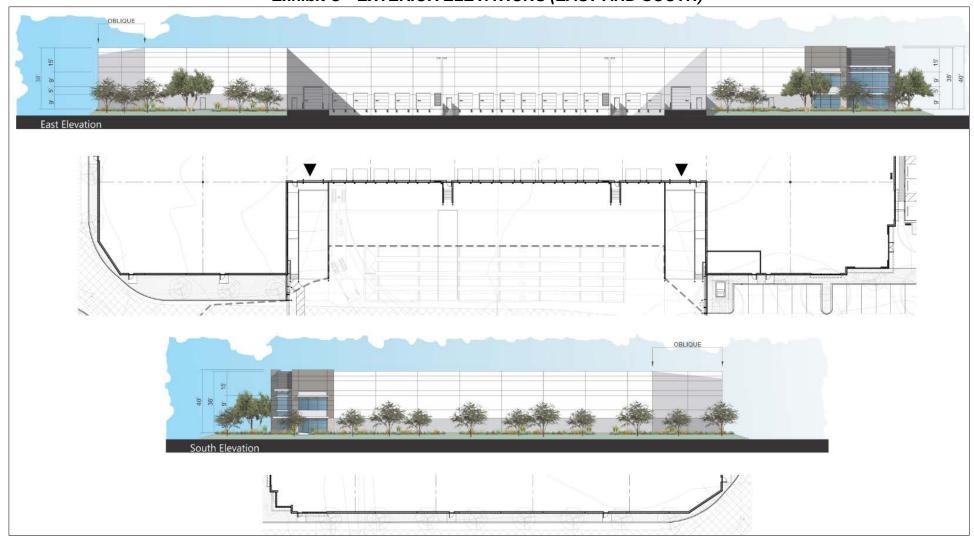


Exhibit D—LANDSCAPE PLAN





California Environmental Quality Act Initial Study/Addendum

Project Title/File No.: PDEV19-022

Lead Agency: City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036

Contact Person: Jeanie Irene Aguilo, Associate Planner, 909-395-2418

Project Sponsor: Vineyard Avenue Industrial, LLC, Jay Tanjuan, 20411 SW Birch Street, Suite 200, Irvine,

CA 92660

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 and 2, below, the project site is located 1650 South Vineyard Avenue (APN: 0113-394-31).

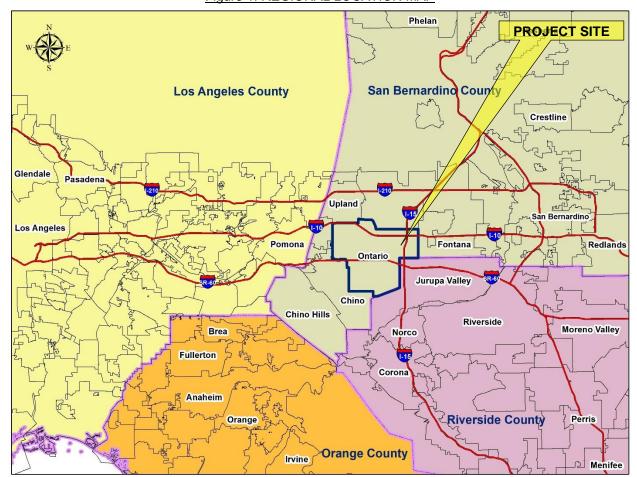


Figure 1: REGIONAL LOCATION MAP



Figure 2: VICINITY MAP

Description of Project: A Development Plan, File No. PDEV19-022, to construct a 124,777 square foot industrial building on the above-described project site.

General Plan Designation: Industrial

Zoning: General Industrial

Project Setting: The affected property is a vacant 5.47-acre parcel of land, which lies within the IG (General Industrial) zoning district. The property is relatively flat, with a gentle 1 to 2 percent slope toward the southwest corner of the site, and contains numerous mature trees around its perimeter, of varying size and species. Land uses surrounding the project site are characterized by industrial land uses, including warehousing and light manufacturing.

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site:	Vacant	Industrial	General Industrial (IG)	N/A
North:	Warehouse	Industrial	General Industrial (IG)	N/A
South:	Light Manufacturing	Industrial	General Industrial (IG)	N/A
East:	Service Warehousing	Industrial	General Industrial (IG)	N/A
West:	Service Warehousing	Industrial	General Industrial (IG)	N/A

Background: On January 27, 2010, the Ontario City Council adopted The Ontario Plan (TOP). TOP serves as the framework for the City's business plan and provides a foundation for the City to operate as a municipal corporation that consists of six (6) distinct components: 1) Vision; 2) Governance Manual; 3) Policy Plan; 4) Council Priorities; 5) Implementation; and 6) Tracking and Feedback. The Policy Plan component of TOP meets the functional and legal mandate of a General Plan and contains nine elements; Land Use, Housing, Parks and Recreation, Environmental Resources, Community Economics, Safety, Mobility, Community Design and Social Resources.

An Environmental Impact Report (EIR) was prepared for TOP (SCH # 2008101140) and certified by the City Council on January 27, 2010, that included Mitigation Findings and a Statement of Overriding Considerations pursuant to the California Environmental Quality Act (CEQA). TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan, in the Policy Plan and impacts resultant of population and employment growth in the City. The significant unavoidable adverse impacts that were identified in the EIR included; agriculture resources, air quality, cultural resources, greenhouse gas emissions, noise and transportation/traffic.

Analysis: According to CEQA Guidelines Section 15164, an Addendum to a previously certified EIR may be used if some changes or additions are necessary, but none of the conditions described in Section 15162, requiring the preparation of a subsequent Negative Declaration or EIR, have occurred. The CEQA Guidelines require that a brief explanation be provided to support the findings that no subsequent EIR or Negative Declaration are needed for further discretionary approval. These findings are described below:

- 1) Required Finding: Substantial changes are not proposed for the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified effects.
 - Substantial changes are not proposed by the project and project implementation will not require revisions to TOP EIR. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.
- 2) Required Finding: Substantial changes have not occurred with respect to the circumstances under which the project is undertaken, that would require major revisions of the previous Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Substantial changes have not occurred with respect to the circumstances under which the project was undertaken, that would require major revisions to TOP EIR in that the proposed changes would be in keeping with the surrounding area. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

3) Required Finding. No new information has been provided that would indicate that the proposed project would result in one or more significant effects not discussed in the previous EIR.

No new information has been provided that would indicate the proposed project would result in any new significant effects not previously discussed in TOP EIR. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

CEQA Requirements for an Addendum:

If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines Section 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines Section 15162(b)). When only minor technical changes or additions to the negative declaration are necessary and none of the conditions described in section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines Section 15164(b).)

Under Section 15162, a subsequent EIR or negative declaration is required only when:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes occur with respect to the circumstances under which the project is undertaken
 which will require major revisions of the negative declaration due to the involvement of any new
 significant environmental effects or a substantial increase in the severity of previously identified
 significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:
 - a) The project will have one or more significant effects not discussed in the previous negative declaration;
 - b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - 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 project proponents decline to adopt the mitigation measure or alternative; or
 - d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Thus, if the Project does not result in any of the circumstances listed in Section 15162 (i.e., no new or substantially greater significant impacts), the City may properly adopt an addendum to TOP EIR.

CEQA Initial Study/Addendum File Nos.: PDEV19-022

Conclusion:

Resources

The Ontario Plan Environmental Impact Report (TOP EIR), certified by City Council on January 27, 2010, was prepared as a Program EIR in accordance with CEQA, the State CEQA Guidelines, and the City's Rules for the Implementation of CEQA and in accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). The TOP EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Subsequent activities within TOP Program EIR have been evaluated to determine whether an additional CEQA document needs to be prepared.

Accordingly, and based on the findings and information contained in the previously certified TOP EIR, the analysis above, the attached Initial Study, and CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures. Therefore, pursuant to State CEQA Guidelines Section 15164, the Council hereby adopts this Addendum to TOP EIR.

Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): None

agre	ement): None						
			a Native American tribes traditioursuant to Public Resources Co				
ا	f "yes", has consultation be	gun?			Yes	□No	☐ Completed
ENV	IRONMENTAL FACTORS	POT	ENTIALLY AFFECTED				
			pelow would be potentially affe ificant Impact" as indicated by the Agriculture/Forestry Resources			n the follo	
	Biological Resources		Cultural Resources		Geolo	gy / Soils	3
	Greenhouse Gas Emissions Land Use / Planning		Hazards & Hazardous Materials Mineral Resources		Hydro Noise		ater Quality
	J						
	Population / Housing	Ш	Public Services	Ш	Recre		
	Transportation Tribal Cultural		Utilities / Service Systems Wildfire			atory Find cance v	dings of
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CEQA Initial Study/Addendum File Nos.: PDEV19-022

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On the basis of this initial evaluation:	
I find that the proposed project COULD NOT h NEGATIVE DECLARATION will be prepared.	nave a significant effect on the environment, and a
I find that although the proposed project could have not be a significant effect in this case because reverse by the project proponent. A MITIGATED NEGATION.	visions in the project have been made by or agreed to
□ I find that the proposed project MAY have ENVIRONMENTAL IMPACT REPORT is required.	•
mitigated" impact on the environment, but at lease earlier document pursuant to applicable legal st	tentially significant" or "potentially significant unless st one effect 1) has been adequately analyzed in artandards, and 2) has been addressed by mitigation cribed on attached sheets. An ENVIRONMENTAL e only the effects that remain to be addressed.
all potentially significant effects (a) have been applicable standards, and (b) have been avoided	ave a significant effect on the environment, because analyzed adequately in an earlier EIR pursuant to d or mitigated pursuant to that earlier EIR, including osed upon the proposed project, nothing further is
Signature)	September 6, 2019
Jeanie Irene Aguilo, Associate Planner	City of Ontario – Planning Department

EVALUATION OF ENVIRONMENTAL IMPACTS

Printed Name and Title

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

For

- All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D).

In this case, a brief discussion should identify the following:

- a) Earlier Analyses Used. Identify and state where they are available for review.
- b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP FEIR
1. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?				\boxtimes
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP FEIR
2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				
d. Result in the loss of forest land or conversion of forest land to non-forest use?				
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to nonforest use?				
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?				
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?				
c. Expose sensitive receptors to substantial pollutant concentrations?				
d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?				\boxtimes

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP FEIR
4. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any 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 Game or U.S. Fish and Wildlife Service?				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				
c. Disturb any human remains, including those interred outside of dedicated cemeteries?				
6. ENERGY. Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				
7. GEOLOGY AND SOILS. Would the project:				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP FEIR
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				\boxtimes
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				
ii. Strong seismic ground shaking?				
iii. Seismic-related ground failure, including liquefaction?				
iv. Landslides?				\boxtimes
b. Result in substantial soil erosion or the loss of topsoil?				
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				
d. Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code, creating substantial risks to life or property?				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?				
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP FEIR
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?				
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;				
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;				
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP FEIR
iv. impede or redirect flood flows?				\boxtimes
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				
11. LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?				\boxtimes
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				
12. MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				
13. NOISE. Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				
b. Generation of excessive groundborne vibration or groundborne noise levels?				
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				
14. POPULATION AND HOUSING. Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?				
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				\boxtimes
15. PUBLIC SERVICES. Would the project:				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP FEIR	
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
i. Fire protection?				\boxtimes	
ii. Police protection?				\boxtimes	
iii. Schools?					
iv. Parks?				\boxtimes	
v. Other public facilities?				\boxtimes	
16. RECREATION. Would the project:					
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				\boxtimes	
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?					
17. TRANSPORTATION/TRAFFIC. Would the project:					
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?					
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3 ¹ or will conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?					
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?					
d. Result in inadequate emergency access?					

¹ CEQA Guidelines section 15064.3(c) provides that a lead agency "may elect to be governed by the provisions" of the section immediately; otherwise, the section's provisions apply July 1, 2020. Here, the District has not elected to be governed by Section 15064.3. Accordingly, an analysis of vehicles miles traveled (VMT) is not necessary to determine whether a proposed project will have a significant transportation impact.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP FEIR
18. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?				
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				\boxtimes
20. WILDFIRES. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP FEIR
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				
21. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)				
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				
Note: Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09. Reference: Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th 1099, 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.				

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EXPLANATION OF ISSUES

1. **AESTHETICS.** Would the project:

a. Have a substantial adverse effect on a scenic vista?

<u>Discussion of Effects</u>: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, the Policy Plan (Policy CD1-5) requires all major require north-south streets be designed and redeveloped to feature views of the San Gabriel Mountain. The project site is located at the southeast corner of Vineyard Avenue and Locust Street, a principal arterial and local street, respectively, as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. Therefore, no adverse impacts are anticipated in relation to the project.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Substantially damage scenic resources, including, but not limited to, tress, rock outcroppings and historic buildings within a state scenic highway?

<u>Discussion of Effects</u>: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east—west direction. I-15 traverses the northeastern portion of the City in a north—south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. In addition, there are no historic buildings or any scenic resources identified on or in the vicinity of the project site. Therefore, it will not result in adverse environmental impacts.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Substantially degrade the existing visual character or quality of the site and its surroundings?

<u>Discussion of Effects</u>: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by industrial development and is surrounded by urban land uses.

The proposed project will substantially improve the visual quality of the area through development of the site with industrial building, which will be consistent with the policies of the Community Design Element of the Policy Plan (General Plan) and zoning designations on the property, as well as with the industrial development in the surrounding area. Therefore, no adverse impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

<u>Discussion of Effects</u>: New lighting will be introduced to the site with the development of the project. Pursuant to the requirements of the City's Development Code, project on-site lighting will be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures will be selected and located to confine the area of illumination to within the project site and minimize light spillage.

Site lighting plans will be subject to review by the Planning Department and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance). Therefore, no adverse impacts are anticipated.

- 2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:
- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

<u>Discussion of Effects</u>: The site is presently vacant and does not contain any agricultural uses. Further, the site is identified as Urban and Built-up Land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. As a result, no adverse environmental impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

<u>Discussion of Effects</u>: The project site is not zoned for agricultural use. The project site zoned is General Industrial. The proposed project is consistent with the development standards and allowed land uses of the proposed zone. Furthermore, there is no Williamson Act contract in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with existing or Williamson Act contracts.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?

<u>Discussion of Effects</u>: The project would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. The project is zoned General Industrial. The proposed project is consistent with the Land Use Element (Figure LU-6) of the Policy Plan (General Plan) and the development standards and allowed land uses of the General Industrial zone. Therefore, no adverse impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Result in the loss of forest land or conversion of forest land to non-forest use?

<u>Discussion of Effects</u>: There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code section 12220(g). Neither The Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, the proposed project would not result in the loss or conversion of forest land.

e. Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?

<u>Discussion of Effects</u>: The project site is currently zoned General Industrial and is not designated as Farmland. The project site is currently vacant and there are no agricultural uses occurring onsite. As a result, to the extent that the project would result in changes to the existing environment those changes would not result in loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither The Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

<u>Mitigation Required</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?

<u>Discussion of Effects</u>: The project will not conflict with or obstruct implementation of any air quality plan. As noted in The Ontario Plan FEIR (Section 5.3), pollutant levels in the Ontario area already exceed Federal and State standards. To reduce pollutant levels, the City of Ontario is actively participating in efforts to enhance air quality by implementing Control Measures in the Air Quality Management Plan for local jurisdictions within the South Coast Air Basin.

The proposed project is consistent with The Ontario Plan, for which the EIR was prepared and impacts evaluated. Furthermore, the project is consistent with the City's participation in the Air Quality Management Plan and, because of the project's limited size and scope, will not conflict with or obstruct implementation of the plan. However, out of an abundance of caution, the project will use Tier 4 construction equipment, low emission fuel, use low VOC architectural coatings, electric forklifts and implement an alternative transportation program (which may include incentives to participate in carpool or vanpool) as recommended by the South Coast Air Quality Management District's Air Quality modeling program.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

<u>Discussion of Effects</u>: The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality because of the limited size and scope of the project. Although no impacts are anticipated, the project will still comply with the air quality standards of the TOP FEIR and the SCAQMD resulting in impacts that are less than significant [please refer to Sections 3(a) and 3(b)].

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Expose sensitive receptors to substantial pollutant concentrations?

<u>Discussion of Effects</u>: Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. According to the SCAQMD, projects have the potential to create significant impacts if they are located within one-quarter mile of sensitive receptors and would emit toxic air contaminants identified in SCAQMD Rule 1401.

The project will not expose sensitive receptors to any increase in pollutant concentrations because there are no sensitive receptors located within close proximity of the project site. Further, there is limited potential for sensitive receptors to be located within close proximity of the site because the project site will be zoned General Industrial at the time of project approval. The types of uses that would potentially impact sensitive receptors would not be supported on the property pursuant to the Land Use Element (Figure LU-6) of the Policy Plan (General Plan) and zoning designations on the property. Therefore, no adverse impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?

<u>Discussion of Effects</u>: The uses proposed on the subject site, as well as those permitted within the General Industrial zoning district, do not create objectionable odors. Further, the project shall comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, no adverse impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

4. BIOLOGICAL RESOURCES. Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any 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 Game or U.S. Fish and Wildlife Service?

<u>Discussion of Effects</u>: Rocks Biological Consulting had conducted burrowing owl and Delhi Sands flower-loving fly (DSF) surveys to document the presence or absence of burrowing owls and DSFLF previously observed within the boundaries of the project site. The final survey was conducted on January 25, 2019 indicating there were no burrowing owls, active burrows, or DSF observed on the project site. The biologist noted that the project site is composed entirely of active agriculture with disturbed, weedy vegetation at the edges of the agricultural fields. In addition, no potential burrows were observed or California ground squirrel activity were observed during the site visit. The biologist also noted that the project site is completely surrounded by existing industrial and commercial development and no longer has connectivity to areas upwind containing Delhi Fine Sand, areas subject to Aeolian (wind transport) processes, or areas supporting DSF populations (See attached Exhibits A and B).

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<u>Discussion of Effects</u>: The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<u>Discussion of Effects</u>: No wetland habitat is present on site. Therefore, project implementation would have no impact on these resources.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<u>Discussion of Effects</u>: The site is part of a larger vacant property that is bounded on all four sides by development. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse environmental impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

<u>Discussion of Effects</u>: The City of Ontario does not have any ordinances protecting biological resources. Further, the site does not contain any mature trees necessitating the need for preservation. As a result, no adverse environmental impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?

<u>Discussion of Effects</u>: The site is not part of an adopted HCP, NCCP or other approved habitat conservation plan. As a result, no adverse environmental impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

5. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 4.5?

<u>Discussion of Effects</u>: The subject site has already been demolished and cleared of existing buildings that were not constructed more than 50 years of age and cannot be considered for eligibility for listing in the California Register of Historic Resources. Therefore, no adverse impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

<u>Discussion of Effects</u>: The Ontario Plan FEIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions have been imposed on the project that in the event of unanticipated archeological discoveries, construction activities will not continue or will moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Disturb any human remains, including those interred outside of formal cemeteries?

<u>Discussion of Effects</u>: The proposed project is in an area that has been previously disturbed by development. No known religious or sacred sites exist within the project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions have been imposed on the project that in the event of unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

6. ENERGY. Would the project:

- a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

<u>Discussion of Effects</u>: The main forms of available energy supply are electricity, natural gas, and oil. A description of the 2016 California Green Building Standards Code and the Building Energy Efficiency Standards, with which the proposed project would be required to comply, as well as discussions regarding the proposed project's potential effects related to energy demand during construction and operations are provided below.

California Green Building Standards Code

The 2016 California Green Building Standards Code, otherwise known as the CALGreen Code (CCR Title 24, Part 11), is a portion of the California Building Standards Code (CBSC), which became effective with the rest of the CBSC on January 1, 2017. The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout California. Requirements of the CALGreen Code include, but are not limited to, the following measures:

- Compliance with relevant regulations related to future installation of electric vehicles charging infrastructure in residential and non-residential structures;
- Indoor water use consumption is reduced through the establishment of maximum fixture water use rates;
- Outdoor landscaping must comply with the California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), or a local ordinance, whichever is more stringent to reduce outdoor water use:
- Diversion of 65 percent of construction and demolition waste from landfills;
- Mandatory use of low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particle board; and

Building Energy Efficiency Standards

The 2016 Building Energy Efficiency Standards is a portion of the CBSC, which expands upon energy efficiency measures from the 2013 Building Energy Efficiency Standards resulting in a 28 percent reduction in energy consumption from the 2013 standards for structures. Energy reductions relative to previous Building Energy Efficiency Standards are achieved through various regulations including requirements for

the use of high-efficacy lighting, improved water heating system efficiency, and high-performance attics and walls.

Mitigation: None required.

7. GEOLOGY & SOILS. Would the project:

- a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:
- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<u>Discussion of Effects</u>: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Ontario Plan FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

ii. Strong seismic ground shaking?

<u>Discussion of Effects</u>: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The TOP (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will be in compliance with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii. Seismic-related ground failure, including liquefaction?

<u>Discussion of Effects</u>: As identified in the TOP FEIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the project site during the winter months is estimated to be between 250 to 450 feet below ground surface. Therefore, the liquefaction potential within the project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

iv. Landslides?

<u>Discussion of Effects</u>: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Changing the General will not create greater landslide potential impacts than were identified in the Certified TOP FEIR. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Result in substantial soil erosion or the loss of topsoil?

<u>Discussion of Effects</u>: The project will not result in significant soil erosion or loss of topsoil because of the previously disturbed and developed nature of the project site and the limited size and scope of the project. Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. However, compliance with the California Building Code and review of grading plans by the City Engineer will ensure no significant impacts will occur. In addition, the City requires an erosion/dust control plan for projects located within this area. Implementation of a NPDES program, the Environmental Resource Element of the Policy Plan (General Plan) strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

<u>Discussion of Effects</u>: The project would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated with the project is less than significant. The Ontario Plan FEIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The project would not withdraw water from the existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

<u>Discussion of Effects</u>: The majority of Ontario, including the project site, is located on alluvial soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

<u>Discussion of Effects</u>: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system.

8. GREENHOUSE GAS EMISSIONS. Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

<u>Discussion of Effects</u>: The subject site was previously analyzed by The Ontario Plan FEIR as an industrial use. The impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases ("GHGs") was analyzed in the Environmental Impact Report ("EIR") for the Policy Plan (General Plan). According to the EIR, this impact would be significant and unavoidable. (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan's significant and unavoidable impacts, including that concerning the emission of greenhouse gases.

Development on the subject site will not create significantly greater impacts than were identified in the Certified TOP FEIR. Pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in The Ontario Plan EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in The Ontario Plan EIR; (3) the proposed project is consistent with The Ontario Plan. The proposed impacts of the project were already analyzed in the TOP EIR and the project will be built to current energy efficient standards. Potential impacts of project implementation will be less than significant with mitigation already required under the TOP EIR and current energy efficiency standards. No changes or additions to TOP FEIR analyses are necessary.

Mitigation Required: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary. The mitigation measures adopted as part of TOP FEIR adequately address any potential significant impacts and there is no need for any additional mitigation measures. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project: energy efficient design, efficient irrigation systems, electric vehicle charging stations, and compliance with Title 24 of the California Code of Regulations.

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

<u>Discussion of Effects</u>: The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15%), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation Required No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary

9. HAZARDS & HAZARDOUS MATERIALS. Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

<u>Discussion of Effects</u>: The project is not anticipated to involve the transport, use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

<u>Discussion of Effects</u>: The proposed project does not include the use of hazardous materials or volatile fuels. In addition, there are no known stationary commercial or industrial land uses within close proximity to the subject site, which use/store hazardous materials to the extent that they would pose a significant hazard to visitors/occupants to the subject site, in the event of an upset condition resulting in the release of a hazardous material.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

<u>Discussion of Effects</u>: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances or waste. Therefore, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

<u>Discussion of Effects</u>: The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?

<u>Discussion of Effects</u>: The entire City is located within the Airport Influence Area (AIA) of ONT and the location of the Safety Impact Zones are reflected in Policy Map 2-2 of the ONT ALUCP. The project site is located outside the ONT Safety Zones. The project site is located outside of the Chino Airport Influence Area. The proposed project is consistent with the policies and criteria of the ONT ALUCP, and, therefore, would not result in a safety hazard for people residing or working in the project area. Consequently, no impacts are anticipated.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

<u>Discussion of Effects</u>: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

<u>Discussion of Effects</u>: The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from everyday and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the project is required to comply with all applicable City codes, any impacts would be reduced to a less than significant level.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

<u>Discussion of Effects</u>: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

10. HYDROLOGY & WATER QUALITY. Would the project:

a. Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work) areas could result in a temporary increase in the amount of suspended solids, trash and debris, oil and grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System (NPDES) General Industrial Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance. Furthermore, the applicant for the subject site has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the subject sites' compliance with storm water discharge and water quality management 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 subject sites. Any overflow drainage will be conveyed to the public street by way of parkway culverts.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

<u>Discussion of Effects</u>: No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: No additional mitigation required.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increases in erosion of the project site or surrounding areas?

<u>Discussion of Effects</u>: The proposed project will not create greater impacts than were identified in the Certified TOP FEIR. The existing drainage pattern of the project site will not be significantly altered and it will have no significant impact on downstream hydrology. Stormwater generated by the development of the project site will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?

<u>Discussion of Effects</u>: The proposed project is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff (a&b) during construction and/or post-construction activity?

<u>Discussion of Effects</u>: The proposed project will not create greater impacts than were identified in the Certified TOP FEIR. It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" (WQMP), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master

drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities; therefore, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?

<u>Discussion of Effects</u>: Activities associated with the construction period, could result in a temporary increase in the amount of suspended solids in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide NPDES General Construction Permit and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)) to minimize water pollution. Thus it is anticipated that there is no potential for discharges of stormwater during construction that will affect the beneficial uses of the receiving waters. However, with the General Construction Permit requirement and implementation of the policies in The Ontario Plan, any impacts associated with the project would be less than significant.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

<u>Discussion of Effects</u>: The project site is not located within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. Therefore, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

h. Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?

<u>Discussion of Effects</u>: As identified in the Safety Element (Exhibit S-2) of the Policy Plan (General Plan), the site lies outside of the 100-year flood hazard area. Therefore, no adverse impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

<u>Discussion of Effects</u>: As identified in the Safety Element (Exhibit S-2) of The Ontario Plan, the site lies outside of the 100-year flood hazard area. No levees or dams are located near the project site. Therefore, no adverse impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

j. Expose people or structures to inundation by seiche, tsunami or mudflow?

<u>Discussion of Effects</u>: There are no lakes or substantial reservoirs near the project site; therefore, impacts from seiche are not anticipated. The City of Ontario has relatively flat topography, less than two percent across the City, and the chance of mudflow is remote. Therefore, no impacts are anticipated.

11. LAND USE & PLANNING. Would the project:

a. Physically divide an established community?

<u>Discussion of Effects</u>: The project site is located in an area that is currently developed with urban land uses. This project will be of similar design and size to surrounding development. No adverse impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Conflict with applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, airport land use compatibility plan, specific plan, or development code) adopted for the purpose of avoiding or mitigation an environmental effect?

<u>Discussion of Effects</u>: The proposed project is consistent with The Ontario Plan and does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

<u>Discussion of Effects</u>: There are no adopted habitat conservation plans in the project area. As such no conflicts or impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

12. MINERAL RESOURCES. Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<u>Discussion of Effects</u>: The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<u>Discussion of Effects</u>: There are no known mineral resources in the area. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

13. NOISE. Would the project result in:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<u>Discussion of Effects</u>: The subject site was previously analyzed by The Ontario Plan FEIR as an industrial use and the project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12). The subject site is surrounded on the north, west, and south, and east sides by industrial uses. No additional analysis will be required at the time of site development review.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

<u>Discussion of Effects</u>: The subject site was previously analyzed by The Ontario Plan FEIR as an industrial use and the uses associated with this project normally do not induce groundborne vibrations. As such, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

<u>Discussion of Effects</u>: The subject site was previously analyzed by The Ontario Plan FEIR as an industrial use and will not be a significant noise generator and will not cause a substantial permanent increase in ambient noise levels as analyzed in The Ontario Plan FEIR and described in Figure 5.12 of The Ontario Plan FEIR. Moreover, the proposed use will be required to operate within the noise levels permitted for commercial development, pursuant to City of Ontario Development Code. Therefore, no increases in noise levels within the vicinity of the project are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<u>Discussion of Effects</u>: Temporary construction activities will minimally impact ambient noise levels. All construction machinery will be maintained according to industry standards to help minimize the impacts. Normal activities associated with the project are unlikely to increase ambient noise levels.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?

<u>Discussion of Effects</u>: The proposed Amendment was reviewed and found to be located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. The project site is located within the 60-65 dB CNEL Noise Impact Zones and the proposed industrial use is consistent with the ONT ALUCP. In addition, the project site lies outside the boundaries of the Chino Airport Influence Area. Therefore, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<u>Discussion of Effects</u>: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

14. POPULATION & HOUSING. Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?

<u>Discussion of Effects</u>: The project is located in a developed area and will not induce population growth. Therefore, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

<u>Discussion of Effects</u>: The project site does not contain existing housing. The project site is currently undeveloped. Therefore, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

<u>Discussion of Effects</u>: The project site does not contain residential zoning. The project site is currently undeveloped. Therefore, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

15. PUBLIC SERVICES. Would the project:

a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i. Fire protection?

<u>Discussion of Effects</u>: The site is in a developed area currently served by the Ontario Fire Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

ii. Police protection?

<u>Discussion of Effects</u>: The site is in a developed area, currently served by the Ontario Police Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii. Schools?

<u>Discussion of Effects</u>: The project will be required to pay school fees as prescribed by state law prior to the issuance of building permits. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv. Parks?

<u>Discussion of Effects</u>: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

v. Other public facilities?

<u>Discussion of Effects</u>: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

16. RECREATION. Would the project:

a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<u>Discussion of Effects</u>: This project is not proposing any significant new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?

<u>Discussion of Effects</u>: This project is not proposing any new significant housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

17. TRANSPORTATION/TRAFFIC. Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited?

<u>Discussion of Effects:</u> The subject site was previously analyzed by The Ontario Plan FEIR as an industrial use and is surrounded on the north, west, east, and south by industrial uses. The project is in an area that is mostly developed with all street improvements existing. The number of vehicle trips per day is not expected to be increased significantly. Therefore, the project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Less than significant impacts are anticipated.

<u>Mitigation:</u> No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Conflict with an applicable congestion management program, including, but not limited to, level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

<u>Discussion of Effects</u>: The subject site was previously analyzed by The Ontario Plan FEIR as an industrial use and is surrounded on the north, west, east, and south by industrial uses. The project is in an area that is mostly developed with all street improvements existing. The project will not conflict with an applicable congestion management program or negatively impact the level of service standards on adjacent arterials, as the amount of trips to be generated are minimal in comparison to existing capacity in the congestion management program. Less than significant impacts are anticipated.

<u>Mitigation:</u> No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

<u>Discussion of Effects</u>: The project will not create a substantial safety risk or interfere with air traffic patterns at Ontario International Airport as the project is under FAA-imposed height restrictions. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

<u>Discussion of Effects</u>: The project is in an area that is mostly developed. All street improvements are complete and no alterations are proposed for adjacent intersections or arterials. The project will, therefore, not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Result in inadequate emergency access?

<u>Discussion of Effects</u>: The project will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. Result in inadequate parking capacity?

<u>Discussion of Effects</u>: The project meets parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

<u>Discussion of Effects</u>: The project does not conflict with any transportation policies, plans or programs. Therefore, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- **18. TRIBAL CULTURAL RESOURCES.** Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

<u>Discussion of Effects</u>: The subject site was previously analyzed by the TOP FEIR as an industrial use and is not listed in the California Register of Historic Resources or local register of historical resources. Development of the site will not create greater impacts than were identified in the Certified TOP FEIR.

<u>Mitigation</u>: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

<u>Discussion of Effects</u>: The subject site is not listed in the California Register of Historic Resources. No consultation had been initiated and no impacts are anticipated through Project implementation.

<u>Mitigation</u>: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

19. UTILITIES AND SERVICE SYSTEMS. Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

<u>Discussion of Effects</u>: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. The project is required to meet the requirements of the Ontario Engineering Department regarding wastewater. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<u>Discussion of Effects</u>: The proposed project is served by the City of Ontario sewer system and which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and this project will not cause RP-1 to exceed capacity. The project will therefore not require the construction of new wastewater treatment facilities, or the expansion of existing facilities. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<u>Discussion of Effects</u>: The proposed project is served by the City of Ontario. The project is required to meet the requirements of the Ontario Engineering Department regarding storm drain facilities. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).

<u>Discussion of Effects</u>: The project is served by the City of Ontario water system. There is currently a sufficient water supply available to the City of Ontario to serve this project. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

<u>Discussion of Effects</u>: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and this project will not cause RP-1 to exceed capacity. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

<u>Discussion of Effects</u>: City of Ontario serves the proposed project. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with sufficient capacity to handle the City's solid waste disposal needs. No impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g. Comply with federal, state, and local statutes and regulations related to solid waste?

<u>Discussion of Effects</u>: This project complies with federal, state, and local statues and regulations regarding solid waste. Therefore, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

20. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<u>Discussion of Effects</u>: The proposed project does not have the potential to reduce wildlife habitat and threaten a wildlife species. Therefore, no impacts are anticipated.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

<u>Discussion of Effects</u>: The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)

<u>Discussion of Effects</u>: The project does not have impacts that are cumulatively considerable.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

<u>Discussion of Effects</u>: The project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

<u>Mitigation</u>: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

EARLIER ANALYZES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

- 1) Earlier Analyzes Used. Identify earlier analyzes used and state where they are available for review.
 - a) The Ontario Plan Final EIR
 - b) The Ontario Plan
 - c) City of Ontario Zoning
 - d) Ontario International Airport Land Use Compatibility Plan
 - e) Ontario International Airport Land Use Compatibility Plan Negative Declaration (SCH 2011011081)

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

2) <u>Impacts Adequately Addressed</u>. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

CEQA Initial Study/Addendum File Nos.: PDEV19-022

MITIGATION MEASURES

(For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.)

The Mitigation Measures contained in the Certified TOP Environmental Impact Report adequately mitigate the impacts of the proposed project. These mitigation measures are contained in the Mitigation Monitoring Program.

No additional mitigation beyond that previously imposed is required.



MEMORANDUM

To: Jay Tanjuan, Panattoni Development Company, Inc.

From: Lee Ripma, Rocks Biological Consulting

Date: February 22, 2019

Subject: Habitat Assessment for Burrowing Owl on the Vineyard Avenue and Locust Street

Project Site, City of Ontario, San Bernardino County, California

This memorandum describes the results of a habitat assessment that Rocks Biological Consulting (RBC) conducted at the Vineyard Avenue and Locust Street Project (project) to evaluate the potential for burrowing owl (BUOW; *Athene cunicularia*) to occur on the project site. The 5.55-acre project parcel is located in the City of Ontario, San Bernardino County, California (Figure 1).

The project site is located southeast of the intersection of E Locust Street and S Vineyard Avenue (Figure 1) within the U.S. Geological Survey (USGS) 7.5' quadrangle (quad) map Guasti, Township 01S, Range 07W, and Sections 33 and 34. The proposed project would include development of an approximately 124,610 square foot warehouse building and associated parking and landscaping.

According to the San Bernardino County's Biotic Resources Overlay Map, the project site is located within the Burrowing Owl Overlay Zone (County of San Bernardino 2012). The California Department of Fish and Wildlife (CDFW) lists the BUOW as a species of special concern (SSC). Suitable habitat for the BUOW in California is typified by short, sparse vegetation with few shrubs, level to gently sloping topography, and well-drained soils (Haug et al. 1993). Grassland, shrub steppe, and desert are naturally occurring habitat types used by BUOW. In addition, BUOW may occur in some agricultural areas, ruderal fields, vacant lots and pastures if the vegetation structure is suitable and there are useable burrows and foraging habitat in proximity (Gervais et al. 2008). Because suitable burrows are usually dug by other species, particular attention to California ground squirrel (*Otospermophilus beecheyi*) burrows or activity is important in assessing BUOW occupation of a site. Natural rock cavities, debris piles, culverts, and pipes are also used by BUOW for nesting and roosting (Rosenberg et al. 1998).

On January 25, 2019, RBC Senior Biologist Lee Ripma conducted a field study to determine if the project site supports suitable BUOW habitat. Field binoculars (10x42) were used to aid in the observation and identification of avian species. The project site is composed entirely of active agriculture with disturbed, weedy vegetation at the edges of the agricultural fields (Figure 2). The site is surrounded by industrial and commercial development. No burrowing owls, active burrows,

or burrowing owl sign were observed on the project site or within the project buffer during the site visit on January 25, 2019. In addition, no potential burrows or California ground squirrel activity were observed during the site visit. Site photographs are provided as Attachment A.

Please call Lee Ripma at (619) 508-3803 with any questions or if you would like to schedule a site visit.

Sincerely,

Lee Ripma Senior Biologist

Jim Rocks

Principal Biologist

Attachments:

Figure 1 - Project Location

Figure 2 – Vegetation Map

Attachment A – Site Photographs

References:

California Burrowing Owl Consortium. 1993. Burrowing Owl Survey Protocol and Mitigation Guidelines.

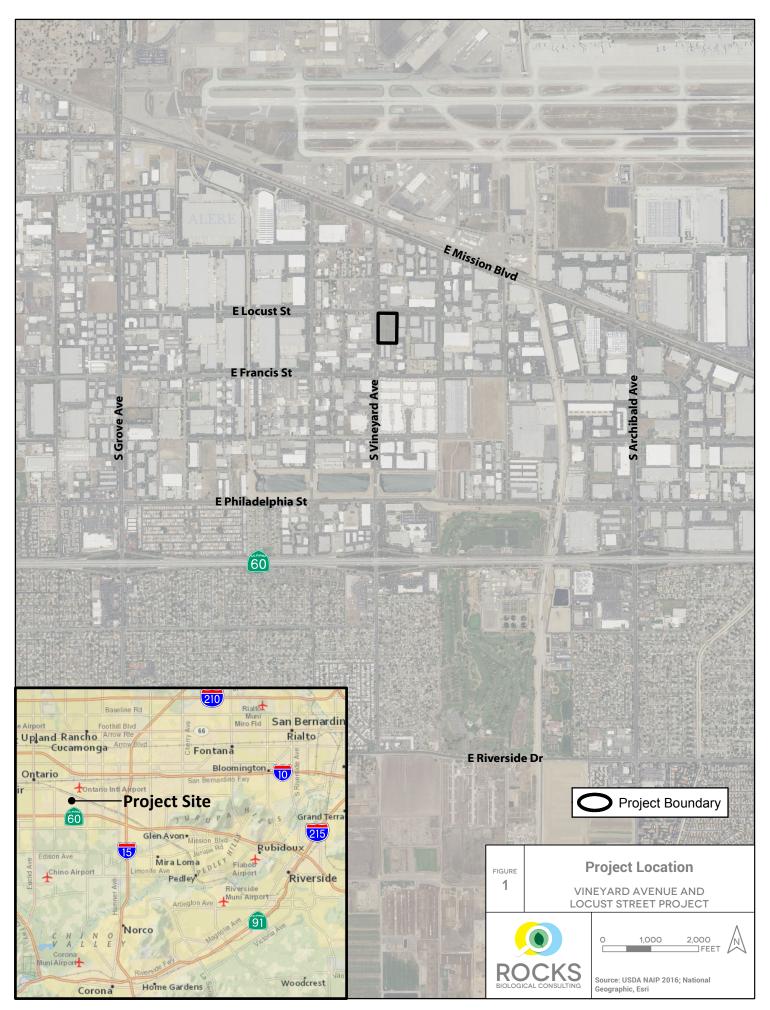
California Department Fish and Wildlife. 2019. California Department of Fish and Game Natural Diversity Database – Electronic Format.

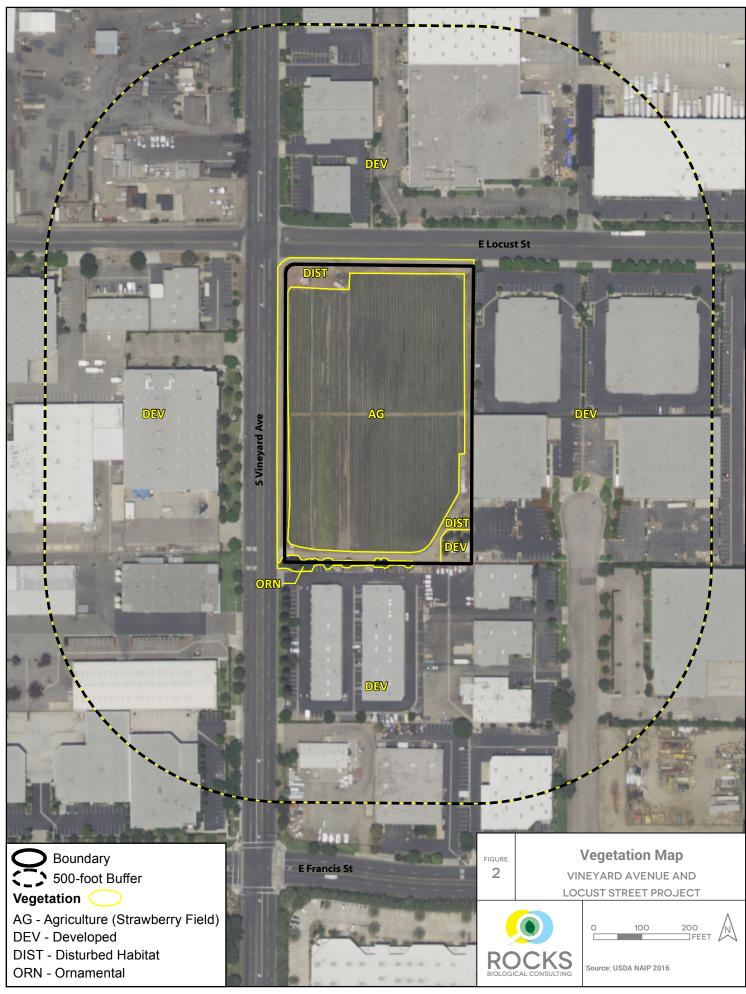
County of San Bernardino. 2012. Biotic Resources Overlay Map. http://www.sbcounty.gov/Uploads/lus/BioMaps/cnty_all_biotic_resources_map_final.pdf.

Gervais, J. A., D. K. Rosenberg, and L. A. Comrack. Burrowing Owl (Athene cunicularia) In: Shuford, W.D. and T. Gardali, editors. 2008. California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento, California, USA.

Haug, E. A., B. A. Millsap, and M. S. Martell. 1993. Burrowing owl (*Speotyto cunicularia*). In: Poole and F. Gill, editors, The Birds of North America, The Academy of Natural Sciences, Philadelphia, Pennsylvania, and The American Ornithologists' Union, Washington, D.C., USA.

Rosenberg, D. K., J. A. Gervais, H. Ober, and D. F. DeSante. 1998. An adaptive management plan for the burrowing owl population at Naval Air Station Lemoore, California, USA. Publication 95, Institute for Bird Populations, P.O. Box 1346, Pt. Reyes Station, CA. 94956.





Attachment A Vineyard Avenue and Locust Street Project Site Photographs January 25, 2019



Photo 1: Disturbed land and active agriculture on the project site. Photo taken from the northwest side of the project site facing south.



Photo 2: Disturbed land and active agriculture on the project site. Photo taken from the southern edge of the project site facing north.



Photo 3: Active agriculture and disturbed land on the project site. Photo taken from the eastern corner of the project site facing north.



Photo 4: Disturbed land on the project site. Photo taken from the northwest corner of the project site facing west.



MEMORANDUM

To: Jay Tanjuan, Panattoni Development Company, Inc.

From: Lee Ripma, Rocks Biological Consulting

Date: February 5, 2019

Subject: Vineyard Avenue and Locust Street, City of Ontario, San Bernardino County,

California

This memorandum describes the results of a habitat assessment that Rocks Biological Consulting (RBC) conducted at the Vineyard Avenue and Locust Street Project (project) to evaluate the potential for Delhi Sands flower-loving fly (DSFLF; *Rhaphiomidas terminatus abdominalis*) to occur on the project site. The 5.55-acre project parcel is located in the City of Ontario, San Bernardino County, California (Figure 1).

The project site is located southeast of the intersection of E Locust Street and S Vineyard Avenue (Figure 1) within the U.S. Geological Survey (USGS) 7.5' quadrangle (quad) map Guasti, Township 01S, Range 07W, and Sections 33 and 34. The proposed project would include development of an approximately 124,610 square foot warehouse building and associated parking and landscaping.

On January 25, 2019, RBC Senior Biologist Lee Ripma conducted a field study to determine if the project site supports suitable DSFLF habitat. According to the Natural Resources Conservation Service (NRCS) soils map the southern half of the project site was historically mapped as Delhi Fine Sand and the northern half of the project site was mapped as Tujunga loamy sand (Figure 2). The NRCS soils maps were produced in 2013 from maps originally created in 1977 and digitized. The project site is composed entirely of active agriculture with disturbed, weedy vegetation at the edges of the agricultural fields. All soils currently present on the project site have a loamy texture and a chroma of 10YR 3/3 (moist). The soil texture and chroma are not consistent with Delhi Fine Sand. Site photographs are provided as Attachment A.

There are no DSFLF locations mapped within the USFWS service database in the project vicinity. The CNDDB results are only on the quad map level. Of the six DSFLF populations recorded in the CNDDB for the project quad, four are presumed extirpated and two are presumed extant. One population was documented in 1998 at a site described as a 40-acre, linear corridor serving as a transmission line easement with relatively undisturbed Delhi Fine Sand. The exact location is not provided, but no area matching that description occurs within or adjacent to the project site. The sixth population was recorded in 2001 in an area with duned Delhi Fine Sand. The exact location of this population is also not provided, but no area matching that description occurs within or

adjacent to the project site. No Delhi Fine Sand was observed during the site visit on January 25, 2019 on the project site or in the project vicinity.

The project site is completely surrounded by industrial and commercial development. The project site no longer has connectivity to areas upwind containing Delhi Fine Sand, areas subjected to Aeolian (wind transport) processes, or areas supporting DSFLF populations.

Based on the results of the field study the site does not support Delhi Fine Sand or suitable DSFLF habitat.

Please call Lee Ripma at (619) 508-3803 with any questions or if you would like to schedule a site visit.

Sincerely,

Lee Ripma

Senior Biologist

Jim Rocks

Principal Biologist

Attachments:

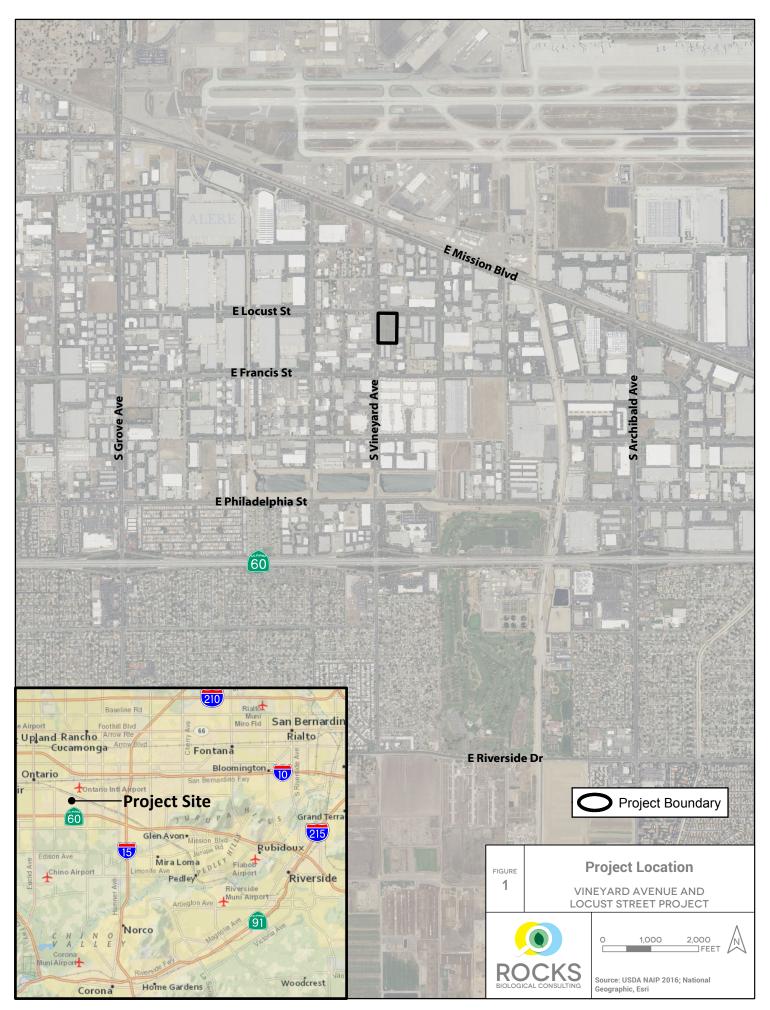
Figure 1 – Project Location

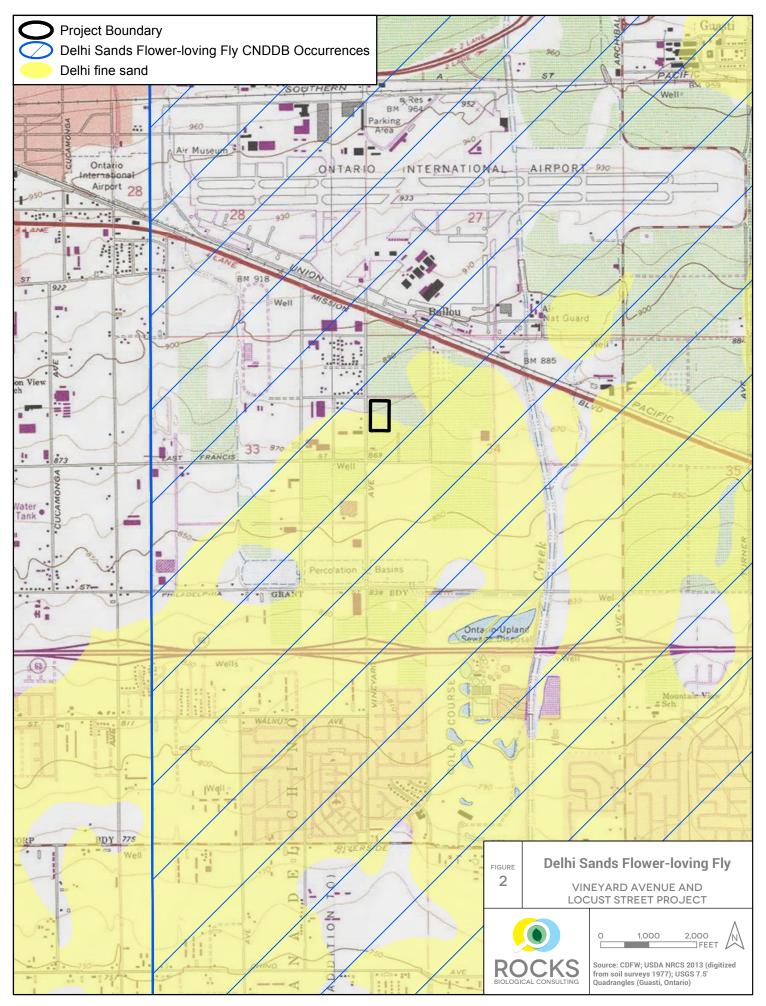
Figure 2 – Delhi Sands Flower-loving Fly

Attachment A – Site Photographs

References:

U.S. Fish and Wildlife Service. 2008. Delhi Sands Flower-loving Fly (*Rhaphiomidas terminatus abdominalis*) 5-Year Review: Summary and Evaluation.





Attachment A Vineyard Avenue and Locust Street Project Site Photographs January 25, 2019



Photo 1: Disturbed land and active agriculture on the project site. Photo taken from the northwest corner of the project site facing south.



Photo 2: Disturbed land and active agriculture on the project site. All soils observed had a chroma of 10YR 3/3 and a loamy texture. Photo taken from the southern edge of the project site facing north.



Photo 3: Active agriculture and disturbed land on the project site. Photo taken from the eastern edge of the project site facing north.



Photo 4: Disturbed land on the project site. Photo taken from the northwest corner of the project site facing north.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO APPROVING AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH # 2008101140), FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PDEV19-022; APN: 0113-394-31

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario prepared and approved for attachment to the certified Environmental Impact Report, an addendum to The Ontario Plan (TOP) certified Environmental Impact Report (SCH # 2008101140) — for File No. PGPA19-002, PDEV18-041, and PDEV18-042 (hereinafter referred to as "EIR Addendum"), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, File No. PDEV19-022 analyzed under the EIR Addendum, consists of a Development Plan to construct a 124,777 square foot industrial building on 5.47 acres of land, located at 1650 South Vineyard Avenue, within the IG (General Industrial) zoning district, in the City of Ontario, California (hereinafter referred to as the "Project"); and

WHEREAS, the EIR Addendum 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 Ontario Plan Environmental Impact Report (SCH# 2008101140) adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

WHEREAS, pursuant to California Environmental Quality Act ("CEQA") Guidelines Section 15164(a), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to a project, but the preparation of a subsequent or supplemental EIR is not required; and

WHEREAS, the City determined that none of the conditions requiring preparation of a subsequent or supplemental EIR would occur from the Project, and that preparation of an addendum to the EIR was appropriate; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Planning Commission is the decision-making authority for the requested approval to construct and otherwise undertake the Project; and

WHEREAS, the Planning Commission has reviewed and considered the EIR Addendum for the Project, has concluded that none of the conditions requiring preparation of a subsequent of supplemental EIR have occurred, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the EIR Addendum for the Project are on file in the Planning Department, located at 303 East B Street, Ontario, CA 91764, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

<u>SECTION 1</u>: *Environmental Determination and Findings.* As the decision-making authority for the Project, The Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

- (1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001.
- (2) The EIR Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and
- (3) 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.
- (4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference.
- (5) The EIR Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

- (6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and
- <u>SECTION 2</u>: **Additional Environmental Review Not Required.** Based on the Addendum, all related information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Environmental Impact Report 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.
- <u>SECTION 3</u>: **Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 and 2, above, the Planning Commission hereby finds that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby approve the EIR Addendum, attached hereto as "Attachment A," and incorporated herein by this reference.

<u>SECTION 4</u>: *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.

<u>SECTION 5</u>: *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.

<u>SECTION 6</u>: **Certification to Adoption.** The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of September 24, 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Nancy DeDiemar
Planning Commission Vice-Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and

Secretary to the Planning Commission

Planning Commission Resolution File No. PDEV19-022 September 24, 2019 Page 5	
STATE OF CALIFORNIA COUNTY OF SAN BERNARDINO CITY OF ONTARIO))
City of Ontario, DO HEREBY CERTI passed and adopted by the Planning	y Pro Tempore of the Planning Commission of the IFY that foregoing Resolution No was duly g Commission of the City of Ontario at their regular 9, by the following roll call vote, to wit:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Gwen Berendsen Secretary Pro Tempore

ATTACHMENT A:

Addendum to The Ontario Plan (TOP) Environmental Impact Report

(Addendum to follow this page)

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-022, A DEVELOPMENT PLAN TO CONSTRUCT A 124,777 SQUARE FOOT INDUSTRIAL BUILDING ON 5.47 ACRES OF LAND, LOCATED AT 1650 SOUTH VINEYARD AVENUE, WITHIN THE IG (GENERAL INDUSTRIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0113-394-31.

WHEREAS, VINEYARD AVENUE INDUSTRIAL, LLC (hereinafter referred to as "Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-022, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the project site is comprised of 5.47 acres of undeveloped land generally located at the southeast corner of Vineyard Avenue and Locust Street, at 1650 South Vineyard Avenue, within the IG (General Industrial) zoning district. The property is relatively flat, with a gentle 1 to 2 percent slope toward the southwest corner of the site, and contains numerous mature trees around its perimeter, of varying size and species; and

WHEREAS, the property to the north of the Project site (across Locust Street) is within the IG (General Industrial) zoning district and is developed with warehouse land uses. The property to the east is within the IG (General Industrial) zoning district and is developed with service warehouse land uses. The property to the south is within the IG (General Industrial) zoning district and is developed with light manufacturing land uses. The property to the west (across Vineyard Avenue) is within the IG (General Industrial) zoning district, and is developed with service warehouse land uses; and

WHEREAS, the Applicant is requesting Development Plan approval to construct an industrial building totaling 124,777-square feet and having a floor area ratio (FAR) of 0.52. The front of the building is oriented to the north, facing Locust Street. The building is situated on the western portion of the site and is setback 20 feet from Vineyard Avenue to the west, 62 feet from Locust Street to the north, 64 feet from the interior southern property line, and over 132 feet from the interior eastern property line. Parking will be primarily situated to the north of the building, for use by tenants and visitors, and additional parking is situated to the south of the site; and

WHEREAS, a yard area, designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is located on the east side 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. The Applicant has proposed a screen wall at 8feet in height to screen views from Locust Street, which is to

be of tilt-up concrete construction, matching the architecture of the building. Tubular steel fencing at 8 feet in height has been proposed along the northern portion of the eastern property line. The southern half of the eastern property line has been developed by the adjacent property with an industrial building that sits along the eastern property line, along with a view obscuring fence; and

WHEREAS, there are two points of vehicular access proposed for the project site. The first access point is located at the northeast corner of the site, on Locust Street, and will be used for employee and visitor parking. The second access point is located at the southwest corner of the site, on Vineyard Avenue, and is intended for truck circulation through the Project site; and

WHEREAS, 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 73 parking spaces, and 81 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 14 dock-high loading doors proposed, requiring 4 tractor-trailer parking spaces, which have been provided; and

WHEREAS, 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. Additionally, mechanical equipment will be roof-mounted and obscured from public view by parapet walls; and

WHEREAS, the project provides landscaping along the Vineyard Avenue 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; and

WHEREAS, public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground stormwater infiltration system for the project. Any overflow drainage will be conveyed to the public street by way of parkway culverts; and

WHEREAS, Rocks Biological Consulting conducted a Burrowing Owl and Delhi Sands Flower-loving Fly (DSF) surveys to document the presence or absence of

Burrowing Owls and DSF within the boundaries of the project site. The final survey was conducted on January 25, 2019, indicating there were no burrowing owls, active burrows, or DSF observed on the project site. The biologist noted that the project site is composed entirely of active agriculture with disturbed, weedy vegetation at the edges of the agricultural fields. In addition, no potential burrows were observed or California ground squirrel activity were observed during the site visit. The biologist also noted that the project site is completely surrounded by existing industrial and commercial development and no longer has connectivity to areas upwind containing Delhi Fine Sand, areas subject to Aeolian (wind transport) processes, or areas supporting DSF populations; and

WHEREAS, the environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. The Addendum was prepared pursuant to CEQA, the State CEQA Guidelines and The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" which provides 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 not previously analyzed in the Environmental Impact Report. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference; and

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

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

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

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

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

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

WHEREAS, on September 16, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the initial study, Addendum, and the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-061, recommending the Planning Commission approve the Application; and

WHEREAS, on September 24, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, as the first action on the Project, on September 24, 2019, the Planning Commission adopted an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) adopted by City Council on January 27, 2010, for File No. PGPA06-001. The Addendum finds that the proposed project introduces no new significant environmental impacts, and all previously adopted mitigation measures are incorporated into the Project by reference; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

- <u>SECTION 1</u>: *Environmental Determination and Findings.* As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:
- (1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001.

- (2) The Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and
- (3) 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.
- (4) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and
- (5) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and
- (6) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the Certified EIR, and all mitigation measures previously adopted by the Certified EIR, are incorporated herein by this reference.
- <u>SECTION 2</u>: **Additional Environmental Review Not Required.** Based on the Addendum, all related information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:
- (1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- (2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.
- (3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:
- (a) The project will have one or more significant effects not discussed in the Certified EIR; or

- (b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or
- (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or
- (d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

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

SECTION 4: Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as "ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

<u>SECTION 5</u>: **Concluding Facts and Reasons.** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing,

and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

- (1) The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed Project is located within the 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.
- (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.
- (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.
- (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.

<u>SECTION 6</u>: *Planning Commission Action*. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

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

<u>SECTION 8</u>: *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.

<u>SECTION 9</u>: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of September 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Nancy DeDiemar
Planning Commission Vice-Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

File No. PDEV19-022 September 24, 2019 Page 10	
STATE OF CALIFORNIA COUNTY OF SAN BERNARDINO CITY OF ONTARIO)))
City of Ontario, DO HEREBY CERTII	Pro Tempore of the Planning Commission of the FY that foregoing Resolution No was duly Commission of the City of Ontario at their regular by the following roll call vote, to wit:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Gwen Berendsen Secretary Pro Tempore

Planning Commission Resolution File No. PDEV19-022 September 24, 2019 Page 11

ATTACHMENT A:

File No. PDEV19-022 Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)



Planning Department Land Development Division Conditions of Approval

Meeting Date: September 24, 2019

File No: PDEV19-022

Project Description: A Development Plan (File No. PDEV19-022) to construct a 124,777 square foot industrial building on 5.47 acres of land, located at 1650 South Vineyard Avenue, within the IG (General Industrial) zoning district. APN: 0113-394-31; **submitted by Vineyard Avenue Industrial, LLC.**

Prepared By: Jeanie Irene Aguilo, Associate Planner

<u>Phone</u>: 909.395.2418 (direct) <u>Email</u>: 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.

Planning Department; Land Development Division: Conditions of Approval

File No.: PDEV19-022

Page 2 of 4

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** <u>Walls and Fences</u>. 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.

Planning Department; Land Development Division: Conditions of Approval

File No.: PDEV19-022

Page 3 of 4

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

- **(d)** Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:
- (i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or
- (ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.
- **(e)** The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

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

2.7 <u>Site Lighting</u>.

- (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** <u>Security Standards</u>. 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).

Planning Department; Land Development Division: Conditions of Approval

File No.: PDEV19-022

Page 4 of 4

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 reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by 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.
- **(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.

- (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 <u>Plan Check</u> and <u>Inspection</u> 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 & General Services Department conditions incorporated)

		EL MAP TRACT MAP
PR	OJECT FILI	E NO. PDEV19-022
RELATED	FILE NO(S).	
⊠ OR	IGINAL 🗌	REVISED:/_/_
CITY PROJECT ENGINEER &	PHONE NO:	Dean A. Williams, Associate Engineer (909) 395-2135
CITY PROJECT PLANNER & I	PHONE NO:	Jeanie T. Aguilo, Associate Planner (909) 395-2418
DAB MEETING DATE:		September 16, 2019
PROJECT NAME / DESCRIPT	ION:	124,777 sf Industrial Building on 5.47 acres within the IG (General Industrial) Zoning District
LOCATION:		1650 S. Vineyard Avenue
APPLICANT:		Vineyard Avenue Industrial, LL Jay Tanjuan (949) 296-1919
REVIEWED BY:		Bryan Lirley, P.E. Principal Engineer
APPROVED BY:		Raymond Lee, P.E. Assistant City Engineer

Last Revised: 9/10/2019



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



	1.10	Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.	
	1.11	Provide a preliminary title report current to within 30 days.	
	1.12	File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.	
	1.13	New Model Colony (NMC) Developments:	
		☐ 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.	
		 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents). 	
		☐ 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).	
	1.14	Other conditions:	
		outer containence	
2.	PRIO	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:	
2.	A. GE	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:	
2.	A. GE	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:	
2.	A. GE (Perm	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance	
2.	A. GE (Perm 2.01	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.	
	A. GE (Perm 2.01	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario per Lot C of Lot Line Adjustment No. LL88-08 recorded November 4, 1988 as instrument no. 1988-373925 Official	
	A. GE (Perm 2.01 2.02 2.03	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario per Lot C of Lot Line Adjustment No. LL88-08 recorded November 4, 1988 as instrument no. 1988-373925 Official Records of the County of San Bernardino. 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	
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	2.07	For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at http://tceplumecleanup.com/), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658 .	
	2.08	Submit a soils/geology report.	
	2.09	Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:	
		State of California Department of Transportation (Caltrans) San Bernardino County Road Department (SBCRD) San Bernardino County Flood Control District (SBCFCD) Federal Emergency Management Agency (FEMA) Cucamonga Valley Water District (CVWD) for sewer/water service United States Army Corps of Engineers (USACE) California Department of Fish & Game Inland Empire Utilities Agency (IEUA) Other:	
\boxtimes	2.10	Dedicate to the City of Ontario the right-of-way described below:	
\boxtimes	2.10	Dedicate to the City of Ontario the right-of-way described below: Property line corner 'cut-back' required at the intersection of Vineyard Avenue and Locust Street to accommodate construction of a larger curb return.	
	2.10 2.11	Property line corner 'cut-back' required at the intersection of Vineyard Avenue and Locust	
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	2.11	Property line corner 'cut-back' required at the intersection of Vineyard Avenue and Locust Street to accommodate construction of a larger curb return. Dedicate to the City of Ontario the following easement(s): 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	
	2.11	Property line corner 'cut-back' required at the intersection of Vineyard Avenue and Locust Street to accommodate construction of a larger curb return. Dedicate to the City of Ontario the following easement(s):	
	2.11	Property line corner 'cut-back' required at the intersection of Vineyard Avenue and Locust Street to accommodate construction of a larger curb return. Dedicate to the City of Ontario the following easement(s):	



		Surveyor registered around the project Office.	d in the State of Cal site. These docum	ifornia detailing all ents are to be revie	existing survey mo wed and approved	numents in and by the City Survey
\boxtimes	2.15	Impact Fee, approx	nt Impact Fees (DIF) cimately \$125,000.00 ed on the approved), shall be paid to th	partment. Storm D ne Building Departn	Prain Development nent. Final fee shall
\boxtimes	2.16	provide a Final Utili	Developer/applicant ities Systems Map t ier, sewer, storm dr existing systems.	hat shows all existi	ng and proposed u	tilities (notable
		BLIC IMPROVEMEN ttached Exhibit 'A' fo		ittal requirements.)		
\boxtimes	2.17		ict full public impro standards and spec	vements in accorda	lans and the adopte	f Ontario Municipal ed specific plan for to, the following
		Improvement	Vineyard Avenue	Locust Street	Street 3	Street 4
		Curb and Gutter	New; ft. from C/L Replace damaged Remove and replace curb return	New; ft. from C/L Replace damaged Remove and replace curb return	New; ft. from C/L Replace damaged Remove and replace	New; ft. from C/L Replace damaged Remove and replace
		AC Pavement	Replacement 2" Grind and overlay to centerline of street	Replacement 2" Grind and overlay to centerline of street	Replacement 2" Grind and overlay to centerline of street	Replacement 2" grind and overlay to centerline of street
		PCC Pavement (Truck Route Only)	New Modify existing	New Modify existing	New Modify existing	New Modify existing
		Drive Approach	New Remove and replace replace	New Remove and replace replace	New Remove and replace replace	New Remove and replace replace
		Sidewalk	New Remove and replace	New Remove and replace	New Remove and replace	New Remove and replace
		ADA Access Ramp	New Remove and replace	New Remove and replace	New Remove and replace	New Remove and replace
		Parkway	Trees Landscaping (w/irrigation)	Trees Landscaping (w/irrigation)	Trees Landscaping (w/irrigation)	Trees Landscaping (w/irrigation)



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



		Other Improvements = = = = = = = = = = = = = = = = = = =	
		Specific notes for improvements listed in item no. 2.17, above:	
\boxtimes	2.18	Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): Vineyard Avenue and Locust Street. Grind and overlay shall include both frontages from the lip of gutter to the centerline and the southeast quadrant of the intersection.	
	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.	
\boxtimes	2.22	Other conditions: Drive approaches on Vineyard and Locust shall be designed and constructed in accordance with City Standard Drawing No. 1204, with geometry such that the design vehicle can enter and exit the site without conflict.	
	C. SE	WER	
\boxtimes	2.23	An 8-inch sewer main is available for connection by this project in Vineyard Avenue and Locust	
		Street. (Ref: Sewer plan bar code: S12694)	Ш
	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.	
\boxtimes	2.26	Other conditions: 1) Construct sewer monitoring manhole on site.	П
		2) Sewer lateral to the site shall be designed and constructed in accordance with City standards and requirements.	
	D. WA	ATER	
\boxtimes	2.27	An 8-inch DIP water main is available for connection by this project in Locust Street and a 12-inch DIP main is available in Vineyard Avenue. (Ref: Water plan bar codes: W10202 and W11994)	
	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) Developer/applicant shall abandon any existing water service to the site that will not be utilized. All abandonments shall be at the main.	
		2) All new services shall be designed and constructed in accordance with City standards and	



requirements.

3) Developer/applicant shall construct new fire hydrant assemblies on both frontages in accordance with City Standard Drawing No. 4101.

	E. RE	CYCLED WATER	
	2.30	Ainch 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. TR	AFFIC / TRANSPORTATION	
П	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	
		 Traffic level of service (LOS) at 'build-out' and future years 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	
Ц		number # 2-20-044-3877.	Ш
	2.37	Other conditions: 1) Developer/applicant shall design and construct in-fill public street lights along the project frontages of Vineyard Avenue and Locust Street. Street lighting shall be LED-type and in accordance with the City's Traffic and Transportation Design Guidelines.	
		2) Developer/applicant shall remove the existing curb return at the intersection of Vineyard Avenue and Locust Street. The curb return shall be designed and constructed in accordance with City Standard Drawing No. 1106.	
		3) All landscaping, block walls and other obstructions shall be compatible with the stopping site distance requirements per City Standard Drawing No.1309.	
		4) Vineyard Avenue shall be signed "No Stopping Anytime".	
	G. DR.	AINAGE / HYDROLOGY	
	2.38	Ainch storm drain main is available to accept flows from this project in	



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 pay an in lieu fee for one-half (1/2) of the estimated cost for construction of a portion of the master planned storm drain line in Vineyard Avenue from Locust Street to Francis Street. Developer/applicant's portion will be based on the site frontage of 600 L.F. at \$190 per foot or \$57,000.00. Note that this is an estimate only and final amount will be in accordance with the approved engineer's cost estimate for the project.	
H. ST (NPDE	ORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (S)	
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:	



	2.48	File an application, together with an initial payment deposit (if required), to establish a Communit Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. Th application and fee shall be submitted a minimum four (4) months prior to final subdivision may 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 low 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 Service Department at (909) 395-2353 to initiate the CFD application process.	e pof
	2.49	Other conditions:	
	K. FII	BER 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 shat terminate in the main telecommunications room for the building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.	e III
\boxtimes	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.	e 🗌
	L. So	lid Waste	
\boxtimes	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: Prior to approval and clearance for any building permit or start of any operation, a Solid Waste Handling Plan and Plan Sheet shall be submitted to the City/OMUC for review and approval. The SWHP Sheet shall demonstrate compliance with the services standards in the City's Solid Waste Planning Manual. See the SWHP Requirements for details.	
3.	PRIO	R TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:	LOS T
\boxtimes	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.	
\boxtimes	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.	



	0.04		
	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.	
\boxtimes	3.05	Confirm payment of all Development Impact Fees (DIF) to the Building Department.	
\boxtimes	3.06	Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studie and reports (i.e. hydrology, traffic, WQMP, etc.).	



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PDEV19-022

	Froject Number. PDEV 19-022
<u>Th</u>	e 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.	
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



27.	☐ Other:
26.	Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water—use
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.
24.	One (1) copy of Traverse Closure Calculations
23.	One (1) copy of Preliminary Title Report (current within 30 days)
22.	One (1) copy of approved Tentative Map

CITY OF ONTARIO

LANDSCAPE PLANNING DIVISION

PRELIMINARY PLAN CORRECTIONS

Sian Off

3	303 East "B" Street, Ontario, CA 91764	0.5	08/09/2019		
		Jamie Richardson, Sr. Landscape Planner	Date		
Revie	wer's Name:	Phone:			
Jam	ie Richardson, Sr. Landscape Plann	er (909) 3	95-2615		
D.A.B	. File No.:	Case Pla	ner:		
	V19-022	Jeanie A	Aguilo		
Projec	ct Name and Location:				
Vine	yard Ave Industrial				
1650	S Vineyard Ave				
Applic	cant/Representative:				
HPA	, Inc.				
2041	1 Birch St ste. 200				
New	port Beach				
	A Preliminary Landscape Plan (dated 07/23/2019) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.				
A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.					
A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE. Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov					

Civil/ Site Plans

- South and east sides and monopine site: 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.
- 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 valve 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 General Fund for city tree planting or city approved combination of the above items.
- Relocate utilities outside of proposed tree locations: move SD line along Vineyard to 2' from sidewalk to allow parkway trees and background tree clearance.
- Show any 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. A 25' wide landscape area allows for a 10' wide basin or swale. Show outline of basin or swale top of slope.

- 5. Show and dimension transformers 5' from paving all sides. Coordinate with landscape plans.
- 6. Show and dimension backflow devices set back 4' from paving all sides. Locate on level grade. Move west away from Building front entrance in between proposed street trees.
- 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. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at corners. Show 5' sidewalk and 7' parkway within the right of way per engineering.
- 9. Revise site plan to show 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 planters for shade trees on the south and west sides. Show ADA access and door/ path from building.
- 14. 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

- 15. Provide an arborist report and tree inventory as noted in #1.
- 16. 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.
- 17. Show corner ramp and sidewalk per city standard drawing 1213.
- 18. Show parking lot island tree planters at each row end (employee break area).
- 19. Show tree canopies at 2/3 mature diameter.
- 20. Designer or developer to provide agronomical soil testing and include report on landscape CD's
- 21. Call out all fences and walls, materials proposed and heights.
- 22. Show concrete mowstrips to identify property lines.
- 23. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
- 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

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-022				Reviewed By:					
Address: 1650 South Vineyard Ave				rena Mejia					
APN:	0113-394-31					Cor	ntact Info:		
Existing Land Use:	Vacant						9-395-2276		
						Proj	ject Planner:		
Proposed Land Use:	Development I	Plan to cons	struct a 124,777 SF Indus	strial I	Building	Jea	Jeanie Aguilo		
Site Acreage:	5.47 acres		Proposed Structure I	Heigh	t: 39 FT	Date			
ONT-IAC Projec	t Review:	n/a				CD	No.: 2019-032		
Airport Influence	e Area:	ONT				PAL			
TI	ne project	is impa	cted by the foll	owi	ng ONT ALUCP Compa	ıtib	ility Zones:		
Safe	ty		Noise Impact		Airspace Protection		Overflight Notification		
Zone 1		7	5+ dB CNEL		High Terrain Zone	(Avigation Easement Dedication		
Zone 1A		7	0 - 75 dB CNEL		FAA Notification Surfaces	,]	Recorded Overflight		
Zone 2		6	5 - 70 dB CNEL		Airspace Obstruction	L	Notification		
Zone 3			0 - 65 dB CNEL		Surfaces	(Real Estate Transaction Disclosure		
Zone 4		•	0 - 03 db CIVEE		Airspace Avigation Easement Area				
Zone 5					Allowable 200 ft +				
20lle 3					Height:				
	The proj	ect is ir	npacted by the	follo	owing Chino ALUCP Sa	fety	Zones:		
Zone 1		Zone 2	Zone 3	(Zone 4 Zone	e 5	Zone 6		
Allowable Heig	ght:								
	CONSISTENCY DETERMINATION								
This proposed Project is: Exempt from the ALUCP • Consistent Consistent with Conditions Inconsistent					ons 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.									
			Lanu	Lamen Win					

Page 1

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: April 22, 2019

SUBJECT: PDEV19-022 - A Development Plan to construct one industrial building

totaling 124,777 square feet on 5.47 acres of land located at 1650 South Vineyard Avenue, within the IG (General Industrial) zoning district.

(APN: 0113-394-31).

☐ The plan <u>does</u> 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, Assumed II-B

B. Type of Roof Materials: Panelized

C. Ground Floor Area(s): 122,777 Sq. Ft.

D. Number of Stories: 1 with Mezzanine

E. Total Square Footage: 122,777 Sq. Ft.

F. 2016 CBC Occupancy Classification(s): S

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ∑ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

3.0 WATER SUPPLY

- ⊠ 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.

4.0 FIRE PROTECTION SYSTEMS

- ☑ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard Choose an item. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- △ 4.6 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.
- ∑ 5.6 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 <u>Standard #H-001</u> 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

CITY OF ONTARIO MEMORANDUM

FROM: DATE: SUBJECT:	BUILDING DEPARTMENT, Kevin Shear April 11, 2019 PDEV19-022
☐ The p	lan does adequately address the departmental concerns at this time. No comments
\boxtimes	Report below.

PLANNING DEPARTMENT, Jeanie Irene Aguilo

Conditions of Approval

- 1. The Site address for this project will be 1900 W Locust St
- 2. Standard conditions of approval apply.

KS:Ir

TO:



CITY OF ONTARIO MEMORANDUM

TO: Jeanie Aguilo, Planning Department

FROM: Douglas Sorel, Police Department

DATE: April 17, 2019

SUBJECT: PDEV19-022 – A DEVELOPMENT PLAN TO CONSTRUCT AN

INDUSTRIAL BUILDING AT 1650 S. VINEYARD AVENUE

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

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

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



CITY OF ONTARIO

MEMORANDUM

то:	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:	April 09, 2019
SUBJECT:	FILE #: PDEV19-022 Finance Acct#:
your DAB re	project has been submitted for review. Please send one (1) copy and email one (1) copy of eport to the Planning Department by Tuesday, April 23, 2019. 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 DESCRIPTION: A Development Plan to construct one industrial building totaling 124,777
square fee Industrial)	et on 5.47 acres of land located at 1650 South Vineyard Avenue, within the IG (General zoning district. (APN: 0113-394-31).
The p	No comments
L	Report attached (1 copy and email 1 copy)
L S	Standard Conditions of Approval apply
_	olan does not adequately address the departmental concerns.
[_] The p	The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

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

Plan Check Sheet			
Sign Off			
Broadband Operations	04/17/2019		

Reviewer's Name: Anna Vaca, Sr. Systems Analyst Phone: 909-395-2349						
	. File No.: Plan check #: V19-022	Project Engineer:				
Proje	ct Name and Location:					
Dev	elopment plan to construct industrial building located at 1650 South	No Vineyard Avenue				
with	n the General Industrial zoning district	-				
Sent t	0:					
Jeanie Irene Aghuilo, Associate Planner						
\boxtimes	Plan does adequately address the departmental concerns at this time.					
	☐ Plan does not adequately address the departmental concerns at this time.					
×	It is recommended that the following conditions be incorporated into the Project's conditions of approval.					

CONDITIONS OF APPROVAL - (PDEV19-022) The City of Ontario is developing a fiber-optic telecommunications system throughout the city commonly \boxtimes 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. \boxtimes 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. The City requires public utility easement for fiber optics on all private aisles/alley ways. \boxtimes 3. \boxtimes 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 in parkway. Resulting conduit placement will typically 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, residential properties and multi-dwelling units. Structured Wiring - An integrated structured wiring system (low-voltage wiring) provides infrastructure for \boxtimes today's technology applications and the framework for the future technology advances. Requirements and benefits of a structured wiring system include: Residential (single-family and multi-family), commercial and industrial developments shall adhere to the City's Structured Wiring ordinance

[1] Rev. 06/06/2018 5:47 PM

CONDITIONS OF APPROVAL - (PDEV19-022)					
	 Allows for uniform receipt & distribution of technology services Ensures scalability of wiring for future technology advances Provides consistent & identical wiring protocols throughout developments Enables the property infrastructure to interface efficiently with broadband networks for highest bandwidth capacity Adoption of these standards will minimize retrofitting required to ensure new property owners at capable of the latest technologies and services 				
	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.			
\boxtimes	7.	Multi-family and commercial properties shall terminate conduit in a telecommunications/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 labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"			
\boxtimes	8.	A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecom/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.			
\boxtimes	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 all revisions			

Rev. 06/06/2018 5:47 PM

Item A-03 - 108 of 108

[2]



FILE NO: PDEV19-008

SUBJECT: A Development Plan to construct 432 conventional single-family homes on 86.64 acres of land located south of Eucalyptus Avenue, between Archibald Avenue and Cucamonga Creek Channel, and north of Merrill Avenue, within the Conventional Small Lot Residential district of Planning Area 1 of the Subarea 29 Specific Plan. (APN: 0218-271-22); **submitted by LS-Ontario LLC.**

PROPERTY OWNER: Arroyo Capital

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PDEV19-008 pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 86.64 acres of land located south of Eucalyptus Avenue, between Archibald Avenue and Cucamonga Creek Channel, and north of Merrill Avenue, within the Conventional Small Lot Residential district of Planning

Area 1 of the Subarea 29 Specific Plan, and is depicted in Figure 1: Project Location. The project site slopes gently from north to south and is currently rough graded. The property to the north of the project site is within the Medium Density Residential district of Planning Area 1 of the Parkside Specific Plan and is currently vacant. The properties to the east are within the Conventional Small and Medium Lot Residential districts of Planning Areas 3 thru 5 of the Subarea 29 Specific Plan and are currently developed with single-family residential developments. The property to the south is within the Business Park and Industrial districts of Planning Areas 1 and 2 of the Colony Commerce Center East Specific Plan and is currently vacant. The

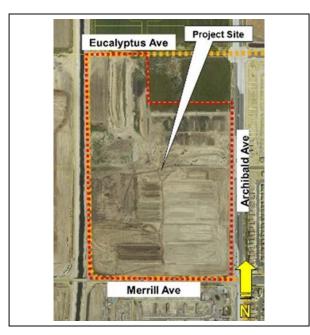


Figure 1: Project Location

Case Planner:	Henry K. Noh
Planning Director Approval:	
Submittal Date:	01/29/19

Hearing Body	Date	Decision	Action
DAB	9/16/19	Approve	Recommend
PC	9/24/19		Final
CC			

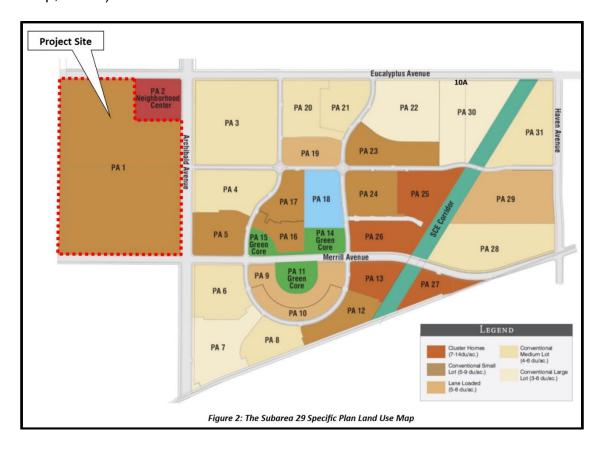
File No.: PDEV19-008 September 24, 2019

property to the west of the project site is the existing Cucamonga Creek Channel.

PROJECT ANALYSIS:

[1] <u>Background</u> — The Subarea 29 Specific Plan and Environmental Impact Report (EIR) were approved by the City Council on October 17, 2006. The Subarea 29 Specific Plan established the land use designations, development standards, and design guidelines for 540 acres of land, which included the potential development of 2,293 single-family units and 87,000 square feet of commercial.

On August 19, 2013, the Planning Commission approved Tentative Tract Map 18913 (referred to as an "A" Map) for the first phase of the Park Place Community within the Subarea 29 Specific Plan, which facilitated the backbone infrastructure improvements and the creation of park/recreational facilities and residential neighborhoods within the central portion of the Subarea 29 Specific Plan (Figure 2: Subarea 29 Specific Plan Land Use Map, below).



On August 28, 2018, the Planning Commission approved Tentative Tract Maps 18929 and 18930 (File Nos. PMTT13-016 and PMTT13-017) to subdivide 86.64 acres of land into 432 residential numbered lots and 50 lettered lots for public streets, pocket parks and landscape neighborhood edges.

File No.: PDEV19-008 September 24, 2019

[1] <u>Site Design/Building Layout</u> — The project proposes the development of 432 conventional single-family homes and includes five different product types (see Exhibit A—Site Plan, attached). The proposed single-family conventional homes will be oriented toward the street (architecture forward), with front entries and walks facing the street. Garage access will be taken from the public street.

All plans incorporate various design features such as horizontal and vertical building articulation, varied entry designs, front porches, optional California Rooms and a great room. In addition, each home will be provided a two- or three-car garage (three-car garage will feature a tandem or side-on garage space) and will be provided a two-car driveway. The homes feature mid-recessed garages, which locates the garage a minimum of 5- to 12-feet behind the front elevation/living space. To minimize visual impacts of garages, techniques such as horizontal and vertical massing of front porches and entries, second-story cantilever elements above the garage, and garage door header trim and details will be incorporated on the various elevations.

The 45-foot wide single-family conventional homes (consisting of 58 DUs) includes three floor plans with three architectural styles per plan. The three floor plans include the following:

- Plan 1: 2,263 square feet, 4 bedrooms, loft and 3 baths.
- Plan 2: 2,451 square feet, 4 bedrooms, loft, optional 5th bedroom and 3 baths.
- Plan 3: 2.673 square feet, 5 bedrooms, loft and 3 baths.

The 47-foot wide single-family conventional homes (consisting of 48 DUs) includes three floor plans with three architectural styles per plan (see Exhibit B—Floor Plans and Elevations, attached). The three floor plans include the following:

- Plan 1: 2,339 square feet, 4 bedrooms, loft and 3 baths.
- Plan 2: 2,479 square feet, 4 bedrooms, loft, optional 5th bedroom and 3 baths.
- Plan 3: 2,749 square feet, 5 bedrooms, loft and 3 baths.

The 50-foot wide single-family conventional homes (consisting of 111 DUs) includes three floor plans with three architectural styles per plan. The three floor plans include the following:

- Plan 1: 2,562 square feet, 4 bedrooms, loft and 3 baths.
- Plan 2: 2,837 square feet, 4 bedrooms, loft, optional 5th bedroom and 3 baths.
- Plan 3: 2,947 square feet, 5 bedrooms, loft, study/dining room and 3 baths.

The 55-foot wide single-family conventional homes (consisting of 109 DUs) includes four floor plans with three architectural styles per plan. The three floor plans include the following:

■ Plan 1: 2,216 square feet, 3 bedrooms, den, optional snore room and 2.5 baths.

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- Plan 1X: 2,810 square feet, 3 bedrooms, loft, den and 3.5 baths.
- Plan 2: 3,085 square feet, 5 bedrooms, loft and 4.5 baths.
- Plan 3: 3,382 square feet, 5 bedrooms, loft, den, optional multi-gen suite and 4.5 baths.

The 60-foot wide single-family conventional homes (consisting of 106 DUs) includes four floor plans with three architectural styles per plan. The three floor plans include the following:

- Plan 1: 2,312 square feet, 3 bedrooms, studio, option 4th bedroom and 2.5 baths.
- Plan 2: 3,426 square feet, 5 bedrooms, game room, bonus room, optional 6th bedroom, optional multi-gen suite, 4.5 baths and optional 5th bath.
- Plan 3: 3,742 square feet, 5 bedrooms, study/den, bonus room, optional multi-gen suite and 4.5 baths.
- [2] <u>Site Access/Circulation</u> The project street frontage improvements along Eucalyptus Avenue, Merrill Avenue, and Archibald Avenue are under construction as a condition of Tract Maps 18929 and 18930. The project is required to construct Eucalyptus Avenue and Merrill Avenue improvements to center line (42-feet), plus an additional 21-foot lane, 5-foot paved shoulder, 23-foot neighborhood edge, 13-foot multi-purpose trail, and a 12-foot parkway. Archibald Avenue is currently improved along the project frontage with a 5-foot paved shoulder and a 21-foot wide lane that provides for two south bond lanes of traffic. The project is required to complete the remaining street improvements along the project's Archibald Avenue frontage that will include an additional 24-foot wide lane, 20-foot wide parkway, and a 30-foot wide neighborhood edge. Additionally, the project will also construct the interior tract streets that will provide access to the future residential units.
- [3] Parking The proposed single-family conventional homes will each provide either an enclosed two-car or three-car garage (three-car garage will feature a tandem or side-on garage space), a standard two-car driveway. A total of 546 on-street parking spaces are provided, which is consistent with the requirements of the Subarea 29 Specific Plan and Development Code. As demonstrated in Table 1, below, the project is required to provide a total of 864 parking spaces that are within an enclosed garage. The project is providing a total of 2,460 parking spaces (garage, driveway and on-street parking). Based on the Specific Plan's minimum parking requirements for single-family conventional products, the development will be over parked by 1,596 parking spaces and will provide 5.70 spaces per unit, which should be more than adequate to accommodate both resident and visitor parking needs.

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Table 1: Summary of Parking Analysis								
Product	Number of Units	Required 2-Car Garage Spaces	Garage Spaces Provided	2-Car Driveway Spaces	On-Street Parking	Total Provided	+/- Parking	
SF Conventional	432	864	1050	864	546	2,460	+1,596	
						5.70spaces per unit		

- [4] <u>Architecture</u> The entire master planned community proposes a Transitional architectural theme, and incorporates Spanish, Prairie, Farmhouse, Mid-Century, and Ranch architectural styles. The proposed transitional architectural style combines elements of both traditional and modern architectural styles, creating an aesthetic that bridges both styles and brings them to a comfortable warm aesthetic. Transitional architectural styles incorporate modern materials and design elements into a traditional architectural style, form, elements, and massing. The architectural styles complement one another through the overall scale, massing, proportions, and details. The proposed home designs are consistent with the design guidelines of the Subarea 29 Specific Plan. Each architectural style will include the following:
 - Spanish: Varying gable, shed and flat roofs, with "S" concrete roof tiles; stucco finish; smooth trowel arched or formal front entries; stone and brick veneer; horizontal wood siding; arched/recessed windows; decorative tiles; faux chimney with decorative finial; decorative shutters; and decorative window/door framing.
 - <u>Prairie</u>: Varying hipped, shed and flat roofs, with flat concrete roof tiles; stucco finish; formal front entries; stone and brick veneer; horizontal wood siding; recessed windows; and decorative window/door framing.
 - <u>Farmhouse</u>: Varying gable and shed roofs, with flat concrete roof tiles; formal front entries; brick veneer; vertical wood siding; knee braces; decorative vents at gable ends; recessed windows; window shutters; and decorative window/door framing.
 - <u>Mid-Century</u>: Varying angled shed and flat roofs, with flat concrete roof tiles; exposed wood beam outlookers; formal front entries; stone veneer; horizontal wood siding; recessed windows; and decorative window/door framing.
 - Ranch: Varying gable and shed roofs, with flat concrete roof tiles; formal front entries; vertical and horizontal wood siding; recessed windows; and decorative window/door framing.
- [5] <u>Landscaping/Open Space</u> The approved related Tentative Tract Maps (File Nos. PMTT13-016/TT18929 and PMTT13-017/TT18930) will facilitate the construction of sidewalks, parkways, and open space areas within the project site. The Policy Plan component of The Ontario Plan (Policy PR1-1) requires new developments to provide a minimum of 2 acres of private park per 1,000 residents. The proposed project exceeds the required minimum 3.29 acres of private parks per Policy Plan private park

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requirement. To satisfy the park requirement, the applicant is constructing a 5,620-square foot clubhouse/recreation center on 2.32 acres of land. The clubhouse/recreation center will include a multi-purpose room, kitchen area, covered porch areas, a party pavilion with BBQ structures, men's and women's restrooms, shower facilities, a main pool, a tot pool, a spa, concrete fire pits, and cabanas centrally located within the project site. Additionally, a pocket park located within the southern portion of the community will be constructed on 1.44-acres of land. The pocket park will include a shade structure with picnic tables, a tot lot with a fabric shade structure, horseshoe/corn hole area, hammocks, a dog park, and a pedestrian bridge (see Exhibit C—Clubhouse/Recreation Center and Pocket Park Site Plan and Renderings, attached).

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

[2] Vision.

Distinctive Development:

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

[3] Governance.

Decision Making:

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

[4] Policy Plan (General Plan)

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Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
- ➤ <u>LU1-1 Strategic Growth</u>. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
- ➤ <u>LU1-6 Complete Community</u>: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).
 - Goal LU2: Compatibility between a wide range of uses.
- ➤ <u>LU2-6</u>: <u>Infrastructure Compatibility</u>: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.
- ➤ <u>H2-4 New Model Colony</u>. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.
- ➤ <u>H2-5 Housing Design</u>. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.
- Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

Community Economics Element:

• Goal CE1: A complete community that provides for all incomes and stages of life.

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- ➤ <u>CE1-6 Diversity of Housing</u>. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.
- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.
- ➤ <u>CE2-1 Development Projects</u>. We require new development and redevelopment to create unique, high-quality places that add value to the community.
- ➤ <u>CE2-2 Development Review</u>. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.
- ➤ <u>CE2-4 Protection of Investment</u>. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.
- ➤ <u>CE2-5 Private Maintenance</u>. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.
- ➤ S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

- <u>Goal CD1</u>: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.
- ➤ <u>CD1-1 City Identity</u>. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.
- ➤ <u>CD1-2 Growth Areas</u>. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

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

- ➤ <u>CD2-1 Quality Architecture</u>. We encourage all development projects to convey visual interest and character through:
- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.
- ➤ <u>CD2-2 Neighborhood Design</u>. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:
- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the "outdoor living room"), as appropriate; and
 - Landscaped parkways, with sidewalks separated from the curb.
- ➤ <u>CD2-7 Sustainability</u>. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.
- ➤ <u>CD2-8 Safe Design</u>. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

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

➤ <u>CD2-13 Entitlement Process</u>. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the maximum number of dwelling units (432) and density (4.99 DU/AC) specified within the Subarea 29 Specific Plan. Per the Available Land Inventory, the Subarea 29 Specific Plan is required to provide 2,291 dwelling units with an overall density range of 5 DU/AC.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: 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). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with the Subarea 29 Specific Plan, for which an Environmental Impact Report (SCH# 2004011009) was adopted by the City Council on October 17, 2006. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

CONDITIONS OF APPROVAL: See attached department reports.

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TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Rough Graded	Low Density Residential	Subarea 29 Specific Plan	Planning Area 1 (Conventional Small Lot Residential)
North	Vacant	Medium Density Residential	Parkside Specific Plan	Planning Area 1 (SFR) and Planning Area 4 (MFR)
South	Vacant	Business Park and Industrial	Colony Commerce Center East	Planning Areas 1 and 2 (Business Park and Industrial)
East	Single-Family Residential	Low Density Residential	Subarea 29 Specific Plan	Planning Areas 3, 4 and 5 (Conventional Small and Medium Lot Residential)
West	Cucamonga Creek Channel	Open Space-Non Recreation	N/A	N/A

General Site & Building Statistics:

Item	Required Min./Max.	Provided (Ranges)	Meets Y/N
Maximum coverage (in %):	55	53	Υ
Minimum lot size (in SF):	3,600 SF	4,270 SF-9,420 SF	Y
Front yard setback (in FT):	10	10	Y
Side yard setback (in FT):	5	5	Y
Rear yard setback (in FT):	10	10	Y
Maximum height (in FT):	35	31'-7"	Υ

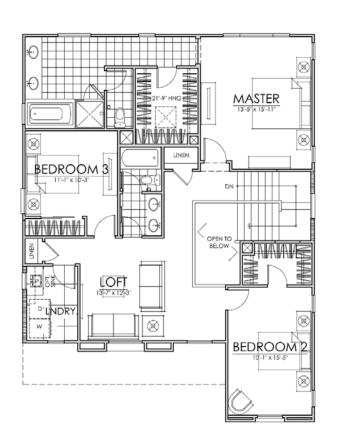
Exhibit A—SITE PLAN

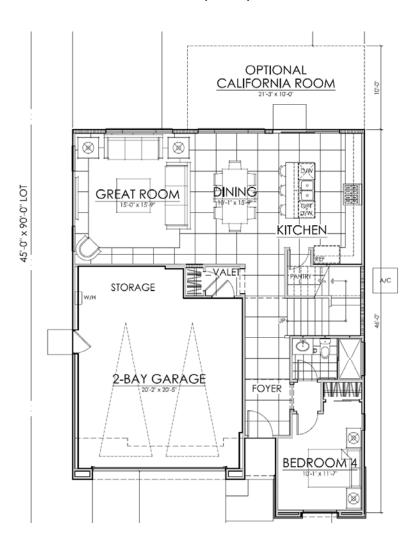


Exhibit A—SITE PLAN Cont'd



Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 45' and 47' – Wide Conventional (Plan 1)





-TRANSITIONAL PRAIRIE

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 45' and 47' - Wide Conventional (Plan 1) Cont'd



elevationA -TRANSITIONAL SPANISH





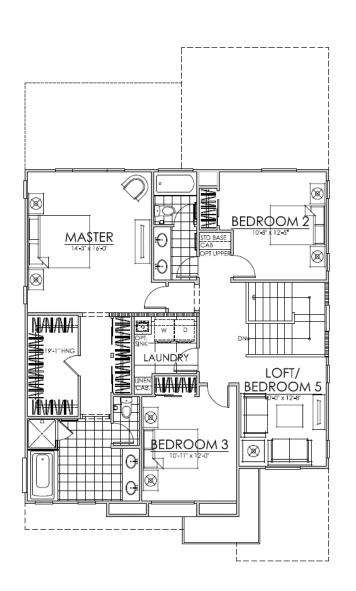


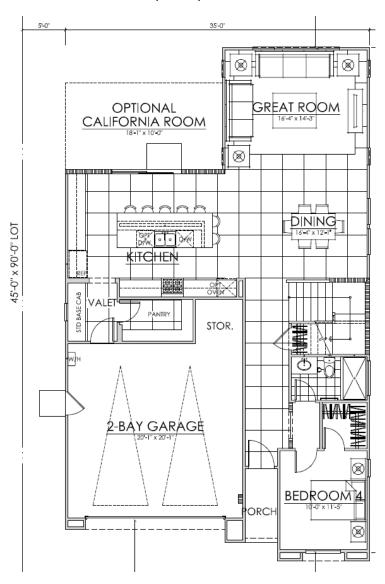
elevationC -TRANSITIONAL FARMHOUSE

File No.: PDEV19-008 September 24, 2019

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 45' and 47' – Wide Conventional (Plan 1) Cont'd

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 45' and 47' - Wide Conventional (Plan 2) Cont'd





elevationB -TRANSITIONAL PRAIRIE

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 45' and 47' - Wide Conventional (Plan 2) Cont'd



elevationA -TRANSITIONAL SPANISH



MATERIAL NOTES
-CONCRETE FLAT TILE
-STUCCO FINISH
-HORIZONTAL SIDING
-FOAM TRIM ® DOORS & WINDOWS
-CEMENTITIOUS TRIM ® SIDING

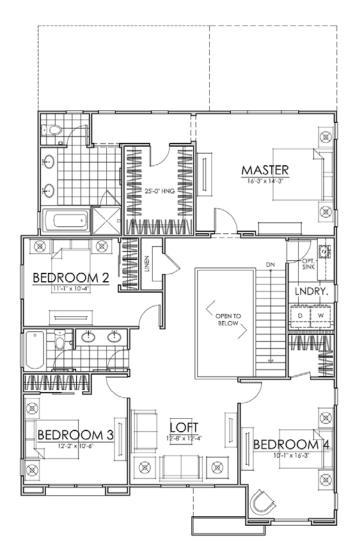


elevationC -TRANSITIONAL FARMHOUSE

File No.: PDEV19-008 September 24, 2019

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 45' and 47' – Wide Conventional (Plan 2) Cont'd

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 45' and 47' - Wide Conventional (Plan 3) Cont'd



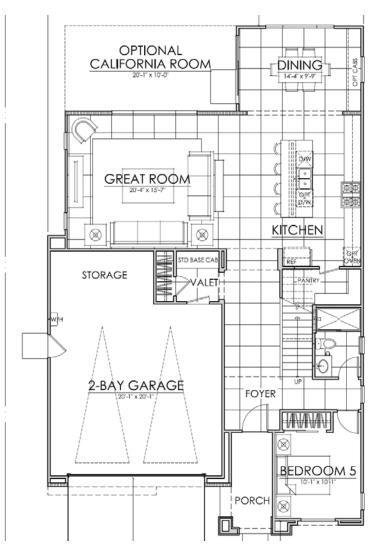


Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 45' and 47' - Wide Conventional (Plan 3) Cont'd



elevationA -TRANSITIONAL SPANISH



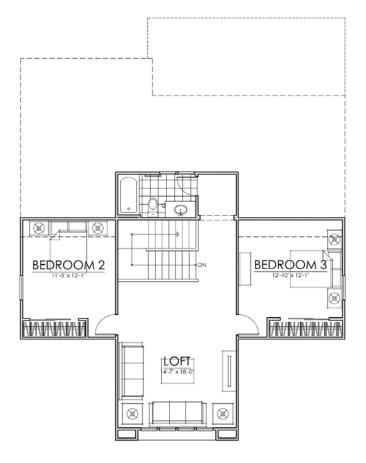
elevationC -TRANSITIONAL FARMHOUSE

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September 24, 2019

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 45' and 47' – Wide Conventional (Plan 3) Cont'd

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 50' - Wide Conventional (Plan 1) Cont'd



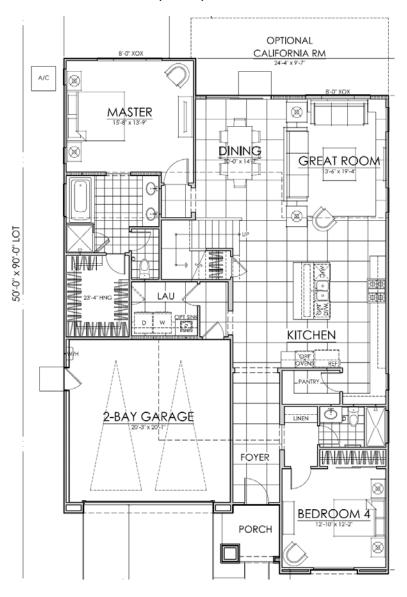


Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 50' - Wide Conventional (Plan 1) Cont'd



elevationA -TRANSITIONAL SPANISH





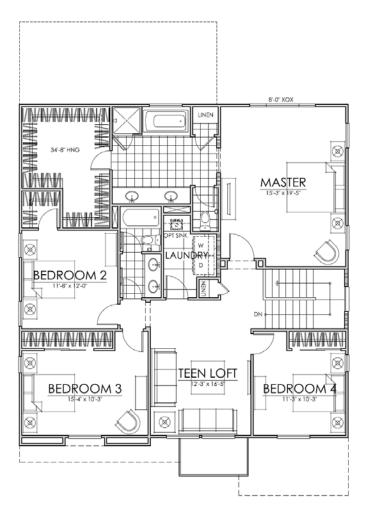
elevationD -TRANSITIONAL RANCH

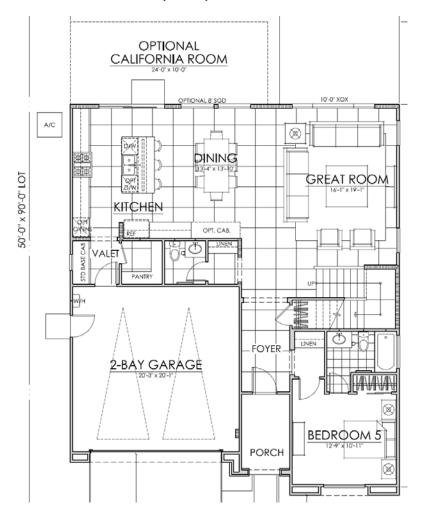
Planning Commission Staff Report File No.: PDEV19-008

File No.: PDEV19-008 September 24, 2019

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 50' - Wide Conventional (Plan 1) Cont'd

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 50' - Wide Conventional (Plan 2) Cont'd





-TRANSITIONAL PRAIRIF

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 50' - Wide Conventional (Plan 2) Cont'd



elevationA -TRANSITIONAL SPANISH



MATERIAL NOTES

-CONCRETE FLAT TILE
-STUCCO FINISH
-HORIZONTAL SIDING
-FOAM TRIM @ DOORS & WINDOWS
-CEMENTITIOUS @ SIDING
-STONE VENEER
-WOODEN POST



elevationC -TRANSITIONAL FARMHOUSE

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 50' - Wide Conventional (Plan 2) Cont'd









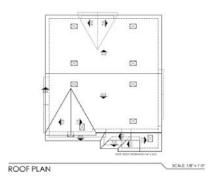
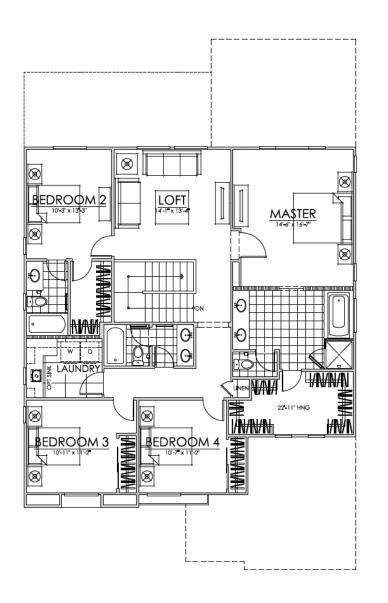
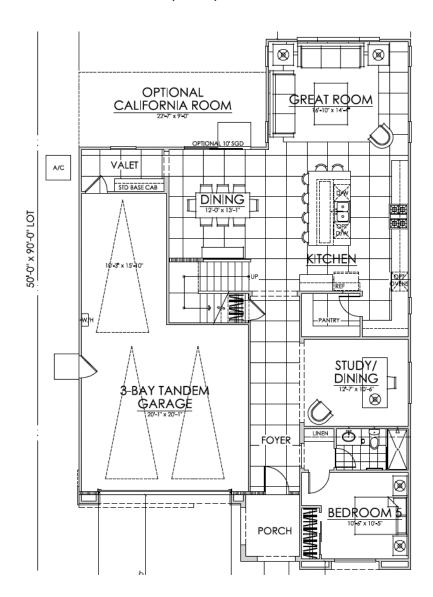




Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 50' - Wide Conventional (Plan 3) Cont'd





September 24, 2019

-TRANSITIONAL PRAIRIE

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 50' - Wide Conventional (Plan 3) Cont'd



elevationA -TRANSITIONAL SPANISH



MATERIAL NOTES

-CONCRETE FLAT TILE
-STUCCO FINISH
-HORIZONTAL SIDING
-FOAM TRIM ® DOORS & WINDOWS
-CEMENTITIOUS TRIM ® SIDING



elevationD -TRANSITIONAL RANCH

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 50' - Wide Conventional (Plan 3) Cont'd













OPT. EXP. CA ROOM 26³ x 8⁰ OPT. CA ROOM 15⁰ x 8⁰ MASTER BEDROOM 18² ×13² GREAT ROOM DEN 180 x 120 BEDROOM 2 GARAGE 20[®] x20[±] BEDROOM 3 PORCH

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 55' - Wide Conventional (Plan 1) Cont'd



OPT. SNORE ROOM

PLAN IA

TARGET: 2,200 SQ. FT.
3 BEDROOMS / 2.5 BATHS / OPT. BED 4 / BA 3 / LOFT / OPT. SNORE ROOM
2 - CAR GARAGE

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 55' - Wide Conventional (Plan 1) Cont'd



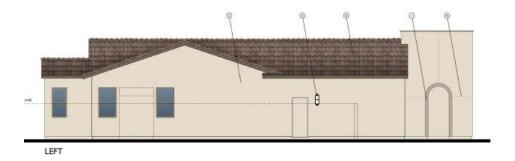




Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 55' - Wide Conventional (Plan 1) Cont'd









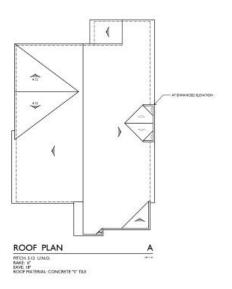
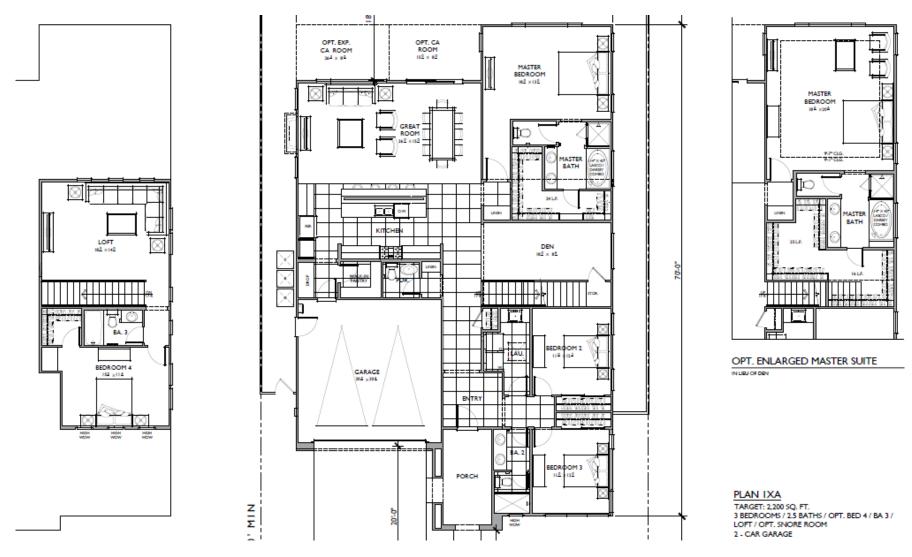


Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 55' - Wide Conventional (Plan 1X) Cont'd



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Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 55' - Wide Conventional (Plan 1X) Cont'd







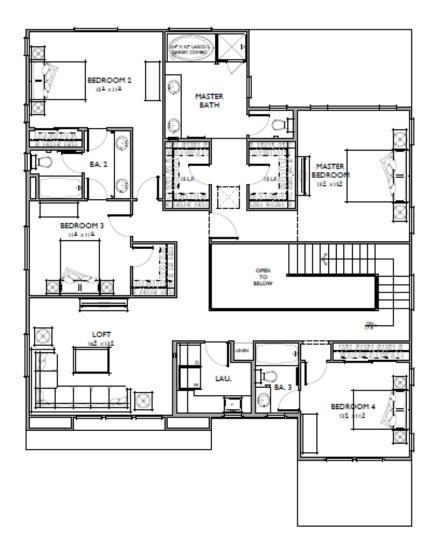
September 24, 2019

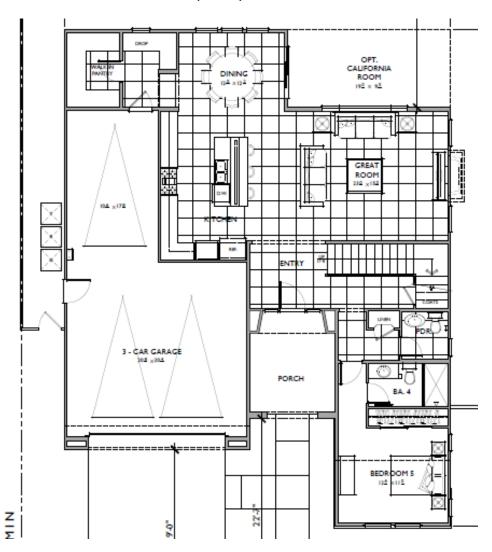
RIGHT

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 55' - Wide Conventional (Plan 1X) Cont'd



Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 55' – Wide Conventional (Plan 2) Cont'd





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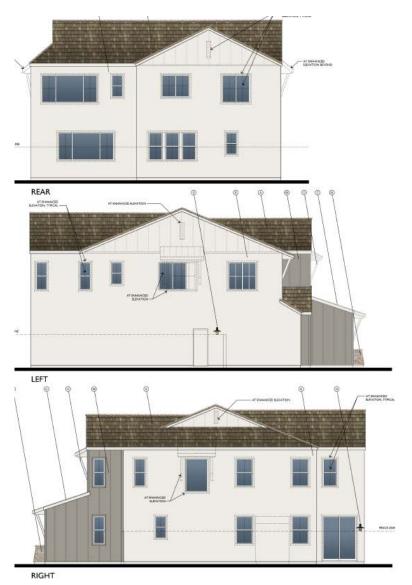
Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 55' - Wide Conventional (Plan 2) Cont'd







Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 55' - Wide Conventional (Plan 2) Cont'd





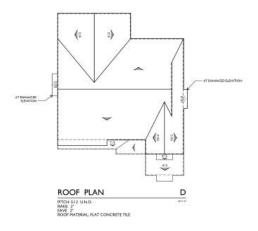
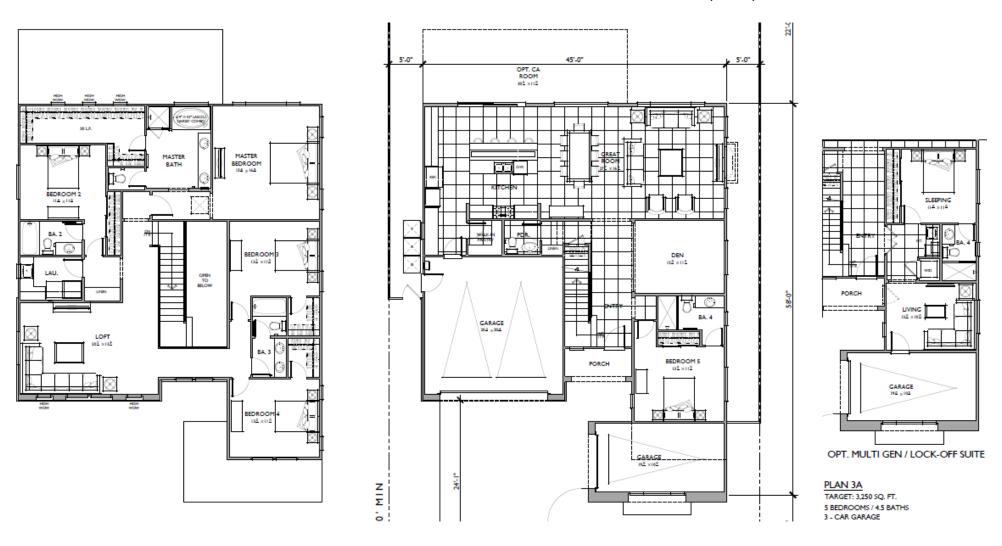


Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 55' - Wide Conventional (Plan 3) Cont'd



September 24, 2019

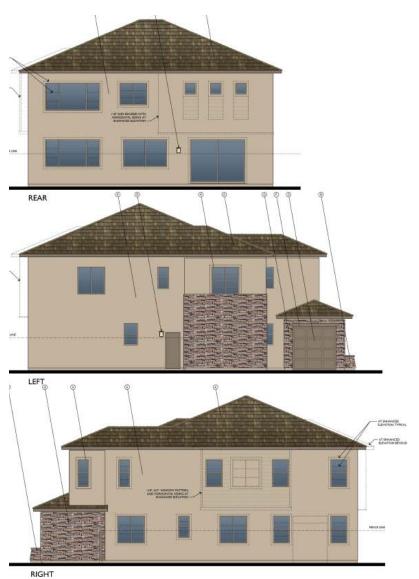
Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 55' - Wide Conventional (Plan 3) Cont'd



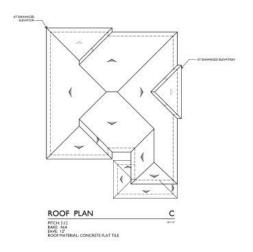




Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 55' - Wide Conventional (Plan 3) Cont'd

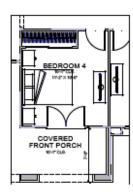






⊕ GREAT ROOM WHOLE WHEN HE DINING $\Delta\Delta\Delta\Delta\Delta\Delta$ Xoox STORAGE imesBEDROOM 2 ENTRY STUDIO / BED. 4 19-7 (J.). 11-27 (12-2* COVERED FRONT PORCH 19-T CLO. FIRST FLOOR

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 60' - Wide Conventional (Plan 1) Cont'd







2 Car Garage Covered Front Porch Covered Patio Planning Commission Staff Report

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Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 60' - Wide Conventional (Plan 1) Cont'd



PLAN 1A - TRANSITIONAL SPANISH - FRONT ELEVATION



PLAN 1B- TRANSITIONAL RANCH - FRONT ELEVATION

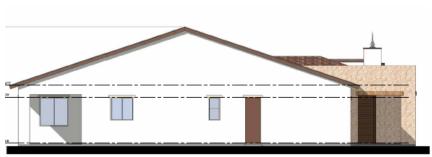


PLAN 1C- TRANSITIONAL FARMHOUSE - FRONT ELEVATION

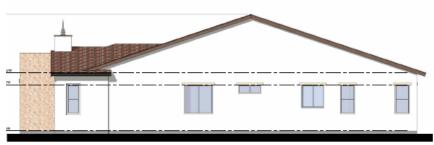
Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 60' - Wide Conventional (Plan 1) Cont'd



PLAN 1A - TRANSITIONAL SPANISH - REAR ELEVATION



PLAN 1A - TRANSITIONAL SPANISH - LEFT ELEVATION



PLAN 1A - TRANSITIONAL SPANISH - RIGHT ELEVATION



PLAN 1A - TRANSITIONAL SPANISH - FRONT PERSPECTIVE



PLAN 1A - TRANSITIONAL



Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 60' - Wide Conventional (Plan 2) Cont'd

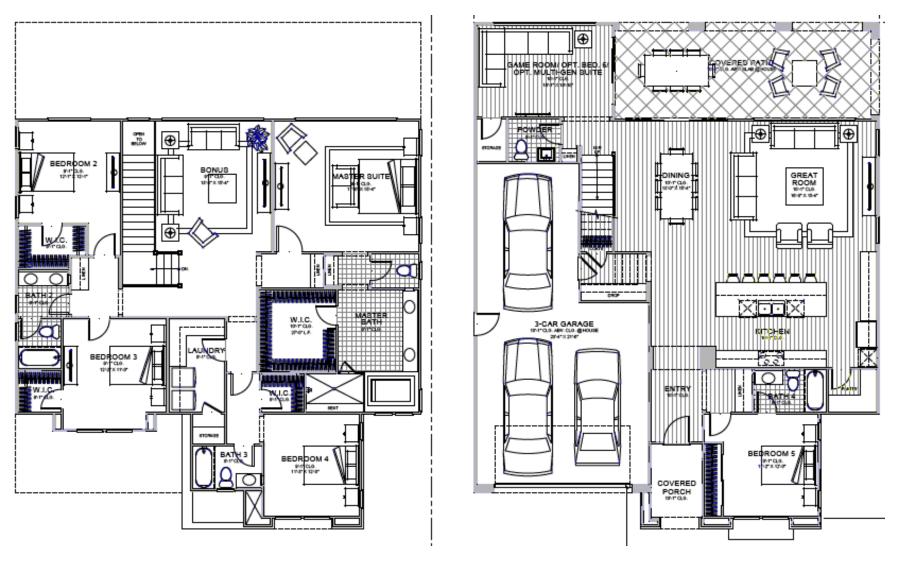


Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 60' - Wide Conventional (Plan 2) Cont'd



PLAN 2A - TRANSITIONAL SPANISH - FRONT ELEVATION

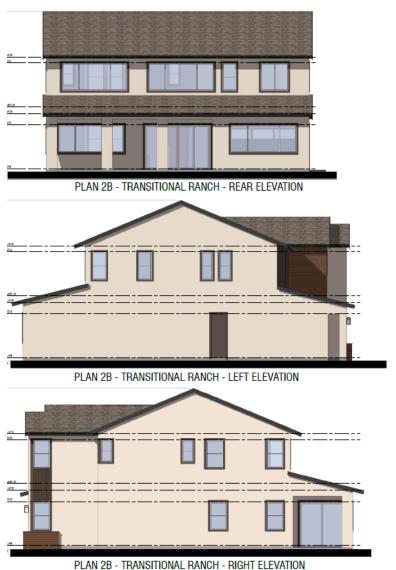


PLAN 2B- TRANSITIONAL RANCH - FRONT ELEVATION



PLAN 2C- TRANSITIONAL FARMHOUSE - FRONT ELEVATION

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 60' - Wide Conventional (Plan 2) Cont'd





PLAN 2B- TRANSITIONAL RANCH - FRONT PERSPECTIVE



PLAN 2B - TRANSITIONAL RANCH - ROOF PLAN

A- Stucco
B- Horizontal Siding
G- Vertical Panel
E- Wood Trim
F- Roll Up Garage D
H- Concrete Flat Til
Material Callouts

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 60' - Wide Conventional (Plan 3) Cont'd

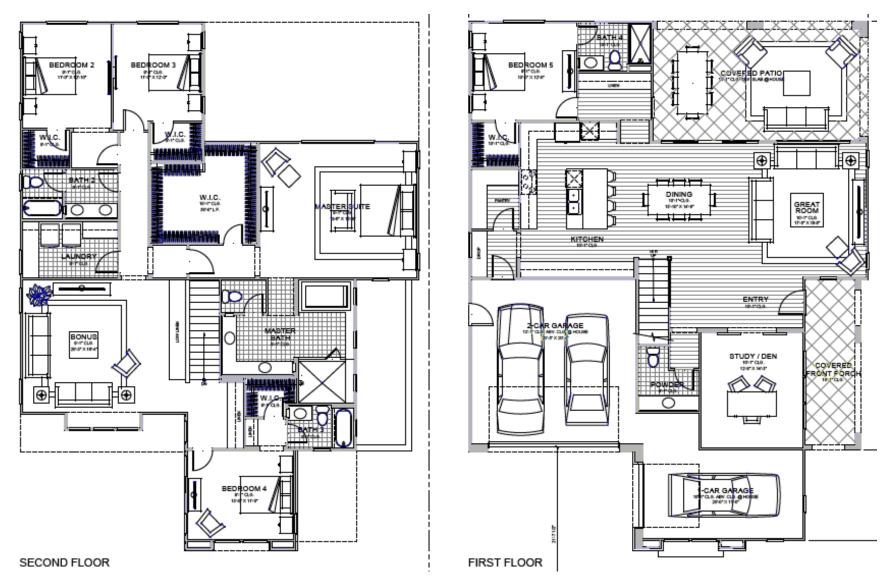


Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 60' - Wide Conventional (Plan 3) Cont'd



PLAN 3A - TRANSITIONAL SPANISH - FRONT ELEVATION



PLAN 3B- TRANSITIONAL RANCH - FRONT ELEVATION



PLAN 3C- TRANSITIONAL FARMHOUSE - FRONT ELEVATION

Exhibit B—FLOOR PLANS & EXTERIOR ELEVATIONS: 60' - Wide Conventional (Plan 3) Cont'd



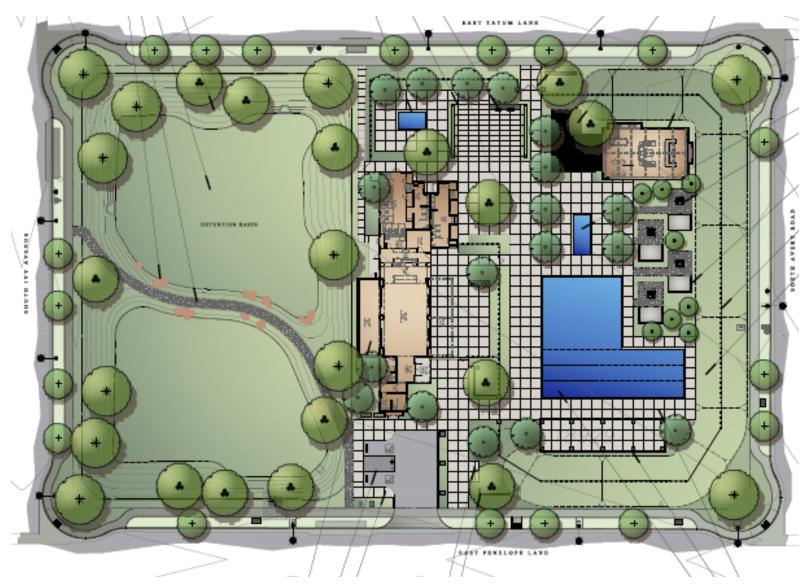
PLAN 3C - TRANSITIONAL FARMHOUSE - FRONT PERSPECTIVE



PLAN 3C - TRANSITIONAL FARMHOUSE - ROOF PLAN

A- Stucco E- Wood Trim F- Roll Up Garage Door H- Concrete Rat Tile Roo I- Board and Batten Sidin K- Corrigated Metal w/ w Corbel Awning Material Callouts

Exhibit C—CLUBHOUSE/RECREATION CENTER SITE PLAN



September 24, 2019

Exhibit C—CLUBHOUSE/RECREATION CENTER RENDERING



Exhibit C—CLUBHOUSE/RECREATION CENTER SITE PLAN

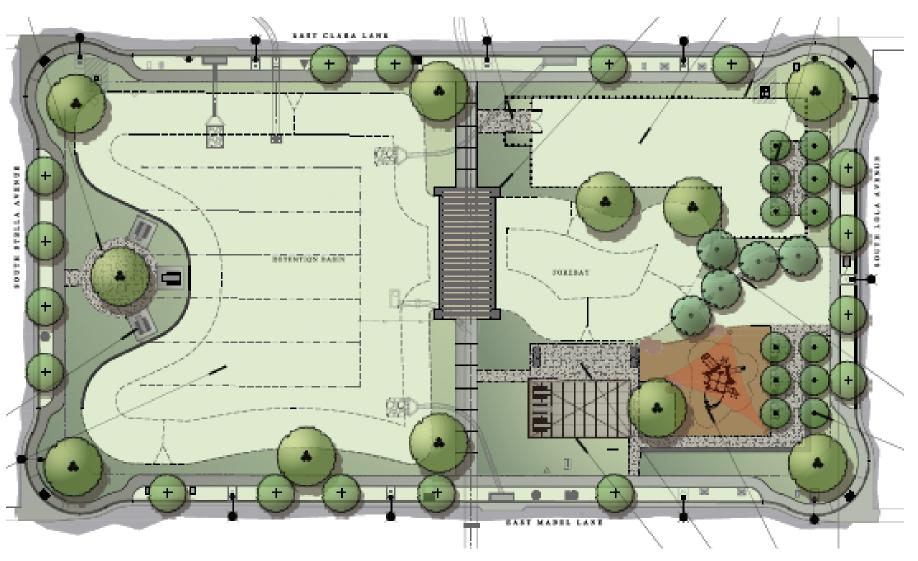


September 24, 2019

Exhibit C—CLUBHOUSE/RECREATION CENTER SITE PLAN



Exhibit C—POCKET PARK SITE PLAN



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-008, A DEVELOPMENT PLAN TO CONSTRUCT 432 CONVENTIONAL SINGLE-FAMILY HOMES ON 86.64 ACRES OF LAND LOCATED SOUTH OF EUCALYPTUS AVENUE, BETWEEN ARCHIBALD AVENUE AND CUCAMONGA CREEK CHANNEL, AND NORTH OF MERRILL AVENUE, WITHIN THE CONVENTIONAL SMALL LOT RESIDENTIAL DISTRICT OF PLANNING AREA 1 OF THE SUBAREA 29 SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-271-22.

WHEREAS, LS-Ontario LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-008, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 86.64 acres of land located south of Eucalyptus Avenue, between Archibald Avenue and Cucamonga Creek Channel, and north of Merrill Avenue, within the Conventional Small Lot Residential district of Planning Area 1 of the Subarea 29 Specific Plan, and is presently rough graded; and

WHEREAS, the property to the north of the project site is within the Medium Density Residential district of Planning Area 1 of the Parkside Specific Plan and is currently vacant. The properties to the east are within the Conventional Small and Medium Lot Residential districts of Planning Areas 3 thru 5 of the Subarea 29 Specific Plan and are currently developed with single-family residential developments. The property to the south is within the Business Park and Industrial districts of Planning Areas 1 and 2 of the Colony Commerce Center East Specific Plan and is currently vacant. The property to the west of the project site is the existing Cucamonga Creek Channel; and

WHEREAS, on August 28, 2018, the Planning Commission approved Tentative Tract Maps 18929 and 18930 (File Nos. PMTT13-016 and PMTT13-017) to subdivide 86.64 acres of land into 432 residential numbered lots and 50 lettered lots for public streets, pocket parks and landscape neighborhood edges. The proposed parcels range in size from 4,270 square feet to 9,420 square feet; and

WHEREAS, the Development Plan proposes to construct 432 conventional single-family homes within a master planned community. The development meets the Development Standards of the Conventional Small Lot Residential district of Planning Area 1 of the Subarea 29 Specific Plan; and

WHEREAS, three floor plans are proposed with four transitional architectural styles (Spanish, Prairie, Farmhouse, Mid-Century, and Ranch) per plan for the 45-foot, 47-foot, 50-foot, 55-foot and 60-foot wide single-family conventional homes; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with the Subarea 29 Specific Plan, for which an Environmental Impact Report (SCH# 2004011009) was adopted by the City Council on October 17, 2006, and this Application introduces no new significant environmental impacts; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PSP03-003, the Subarea 29 Specific Plan EIR (SCH# 2004011009) certified by the City Council on October 17, 2006, and this Application introduces no new significant environmental impacts; and

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

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

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

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

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

WHEREAS, on September 16, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-058, recommending the Planning Commission approve the Application; and

WHEREAS, on September 24, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

<u>SECTION 1</u>: *Environmental Determination and Findings.* As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified Subarea 29 Specific Plan EIR and supporting documentation. Based upon the facts and information contained in the previous Certified Subarea 29 Specific Plan EIR and supporting documentation, the Planning Commission finds as follows:

- (1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP03-003, the Subarea 29 Specific Plan EIR (SCH# 2004011009) certified by the City Council on October 17, 2006.
- (2) The previous Certified Subarea 29 Specific Plan EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (3) The previous Certified Subarea 29 Specific Plan EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and
- (4) The previous Certified Subarea 29 Specific Plan 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 Subarea 29 Specific Plan EIR, and all mitigation measures previously adopted with the Certified Subarea 29 Specific Plan EIR, are incorporated herein by this reference.

<u>SECTION 2</u>: **Subsequent or Supplemental Environmental Review Not Required.** Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Certified Subarea 29 Specific Plan EIR is not required for the Project, as the Project:

- (1) Does not constitute substantial changes to the Certified Subarea 29 Specific Plan EIR that will require major revisions to the Certified Subarea 29 Specific Plan 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 Subarea 29 Specific Plan EIR was prepared, that will require major revisions to the Certified Subarea 29 Specific Plan 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 Subarea 29 Specific Plan 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 Subarea 29 Specific Plan EIR; or
- (b) Significant effects previously examined will be substantially more severe than shown in the Certified Subarea 29 Specific Plan 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 Subarea 29 Specific Plan EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.
- SECTION 3: **Housing Element Compliance.** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the

proposed project is consistent with the maximum number of dwelling units (432) and density (4.99 DU/AC) specified within the Subarea 29 Specific Plan. Per the Available Land Inventory, the Subarea 29 Specific Plan is required to provide 2,291 dwelling units with an overall density range of 5 DU/AC.

SECTION 4: Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as "ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

<u>SECTION 5</u>: **Concluding Facts and Reasons.** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed Project is located within the Low Density Residential land use district of the Policy Plan Land Use Map, and the Subarea 29 Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The Development Plan has been required to comply with all provisions of the Subarea 29 Specific Plan. Future neighborhoods within the Subarea 29 Specific Plan and surrounding area will provide for diverse housing and highly amenitized neighborhoods that will be compatible in design, scale and massing to the proposed development.

- (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 Subarea 29 Specific Plan, including standards relative to the particular land use proposed (single-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.
- (3) The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project. The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Subarea 29 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 Subarea 29 Specific Plan. Additionally, the environmental impacts of this project were previously reviewed in conjunction with the Subarea 29 Specific Plan Environmental Impact Report (SCH# 2004011009). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts.
- (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 Subarea 29 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 (single-family residential). 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 Subarea 29 Specific Plan.

<u>SECTION 6</u>: **Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

<u>SECTION 7</u>: *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.

<u>SECTION 8</u>: **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.

<u>SECTION 9</u>: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of September 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Nancy DeDiemar
Planning Commission Vice-Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

Planning Commission Resolution File No. PDEV19-008 September 24, 2019 Page 8	
STATE OF CALIFORNIA COUNTY OF SAN BERNARDINO CITY OF ONTARIO)))
City of Ontario, DO HEREBY CERTIF	Pro Tempore of the Planning Commission of the FY that foregoing Resolution No was duly Commission of the City of Ontario at their regular by the following roll call vote, to wit:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Gwen Berendsen Secretary Pro Tempore

ATTACHMENT A:

File No. PDEV19-008 Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date:

September 16, 2019

File No:

PDEV19-008

Related Files:

PMTT13-016 and PMTT13-017

Project Description: A Development Plan to construct 432 conventional single-family homes on 86.64 acres of land located south of Eucalyptus Avenue, between Archibald Avenue and Cucamonga Creek Channel, and north of Merrill Avenue, within the Conventional Small Lot Residential district of Planning Area 1 of the Subarea 29 Specific Plan. (APN: 0218-271-22); **submitted by LS-Ontario LLC.**

Prepared By:

Henry K. Noh, Senior Planner

Phone: 909.395.2429 (direct) Email: hnoh@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.

Planning Department; Land Development Division: Conditions of Approval

File No.: PDEV19-008

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(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 <u>Walls and Fences</u>. 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) 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.

2.6 Site Lighting.

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

2.7 <u>Mechanical Equipment</u>.

- (a) 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 <u>Security Standards</u>. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).
- 2.9 <u>Sound Attenuation</u>. 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 <u>Disclosure Statements</u>.

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

Planning Department; Land Development Division: Conditions of Approval

File No.: PDEV19-008

Page 3 of 4

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

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

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

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

2.11 Environmental Review.

- (a) The environmental impacts of this project were previously reviewed in conjunction with the Subarea 29 Specific Plan (File No. PSP03-003), for which an Environmental Impact Report (SCH#: 2004011009) was certified by the City Council on October 17, 2006. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. 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.
- (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 <u>Indemnification</u>. 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 <u>Plan Check</u> and <u>Inspection</u> fees shall be paid at the rate established by resolution of the City Council.

2.14 Additional Requirements.

(a) Off-Site Subdivision Signs.

Planning Department; Land Development Division: Conditions of Approval

File No.: PDEV19-008

Page 4 of 4

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

- **(b)** The applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for this project. The location of the mailboxes shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.
- (c) The applicant (Developer) shall be responsible for providing fiber to each home per City requirements and standards.

(d) <u>Dairy Separation Requirement for Residential Development.</u>

The following separation requirements from existing dairies/feed lots shall apply to new residential development or structures used for public assembly purposes from existing dairies/feed lots.

A minimum 100' separation shall be required between a new residential, commercial or industrial development or structure used for public assembly and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins. The 100-foot separation requirement may be satisfied by an off-site easement acceptable to the Planning Director with adjacent properties, submitted with the initial final map and recorded prior to or concurrent with the final map.

- (e) Prior to the issuance of the 103rd home certificate of occupancy within TT 18929, the Open Space Lot D (Clubhouse/Recreation Facility) shall be fully constructed.
- (f) Prior to the issuance of the 112th home certificate of occupancy within TT 18930, the Open Space Lot C (Pocket Park) shall be fully constructed.
- (g) Prior to the issuance of the 216th home certificate of occupancy within the development, the Primary Community Monument signs shall be fully constructed.
- (h) All applicable conditions of approval of Development Agreement (File No. PDA18-001) shall apply to this development.
- (i) All applicable conditions of approval of the Subarea 29 Specific Plan shall apply to this development.
- (j) All applicable conditions of approval of the "B" Maps 18929 and 18930 (File Nos. PMTT13-016 and PMTT13-017), shall apply to this development plan.

LANDSEX-POEVI9-008

Table 1: Screening Table for Implementation of GHG Reduction Measures for Residential Development

Feature	Description	Assigned Point Values	Project Points
Reduction	Measure PS E1: Residential Energy Efficiency		
Building Er	nvelope		
Insulation	2008 Baseline (walls R-13:, roof/attic: R-30) Modestly Enhanced Insulation (walls R-13:, roof/attic: R-38)	0 points 12 points	12
	Enhanced Insulation (rigid wall insulation R-13, roof/attic: R-38) Greatly Enhanced Insulation (spray foam wall insulated walls R-15 or higher, roof/attic R-38 or higher)	15 points 18 points	100
Windows	2008 Baseline Windows (0.57 U-factor, 0.4 solar heat gain coefficient (SHGC) Modestly Enhanced Window Insulation (0.4 U-Factor, 0.32 SHGC) Enhanced Window Insulation (0.32 U-Factor, 0.25 SHGC) Greatly Enhanced Window Insulation (0.28 or less U-Factor, 0.22 or less SHGC)	0 points 6 points 7 points 9 points	7
Cool Roof	Modest Cool Roof (CRRC Rated 0.15 aged solar reflectance, 0.75 thermal emittance) Enhanced Cool Roof(CRRC Rated 0.2 aged solar reflectance, 0.75 thermal emittance) Greatly Enhanced Cool Roof (CRRC Rated 0.35 aged solar reflectance, 0.75 thermal emittance)	10 points 12 points 14 points	10
Air Infiltration	Minimizing leaks in the building envelope is as important as the insulation properties of the building. Insulation does not work effectively if there is excess air leakage. Air barrier applied to exterior walls, calking, and visual inspection such as the HERS Verified Quality Insulation Installation (QII or equivalent) Blower Door HERS Verified Envelope Leakage or equivalent	10 points 8 points	10
Thermal Storage of Building	Thermal storage is a design characteristic that helps keep a constant temperature in the building. Common thermal storage devices include strategically placed water filled columns, water storage tanks, and thick masonry walls. Modest Thermal Mass (10% of floor or 10% of walls: 12" or more thick exposed concrete or masonry. No permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	2 points	
	Enhanced Thermal Mass (20% of floor or 20% of walls: 12" or more thick exposed concrete or masonry. No permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	4 points	

Feature	Description	Assigned Point Values	Project Points
Indoor Spa	ce Efficiencies		
Heating/	Minimum Duct Insulation (R-4.2 required)	0 points	
Cooling Distribution	Modest Duct insulation (R-6)	7 points	10
System	Enhanced Duct Insulation (R-8)	8 points	19
	Distribution loss reduction with inspection (HERS Verified Duct Leakage or equivalent)	12 points	
Space Heating/	2008 Minimum HVAC Efficiency (SEER 13/60% AFUE or 7.7 HSPF)	0 points	
Cooling Equipment	Improved Efficiency HVAC (SEER 14/65% AFUE or 8 HSPF)	4 points	7
	High Efficiency HVAC (SEER 15/72% AFUE or 8.5 HSPF)	7 points	
	Very High Efficiency HVAC (SEER 16/80% AFUE or 9 HSPF)	9 points	
Water Heaters	2008 Minimum Efficiency (0.57 Energy Factor)	0 points	
	Improved Efficiency Water Heater (0.675 Energy Factor)	12 points	
	High Efficiency Water Heater (0.72 Energy Factor)	15 points	16
	Very High Efficiency Water Heater (0.92 Energy Factor)	18 points	10
	Solar Pre-heat System (0.2 Net Solar Fraction)	4 points	
	Enhanced Solar Pre-heat System (0.35 Net Solar Fraction)	8 points	
Daylighting	Daylighting is the ability of each room within the building to provide outside light during the day reducing the need for artificial lighting during daylight hours.		
	All peripheral rooms within the living space have at least one window (required)	0 points	
	All rooms within the living space have daylight (through use of windows, solar tubes, skylights, etc.)	1 points	
	All rooms daylighted	2 points	
Artificial	2008 Minimum (required)	0 points	
Lighting	Efficient Lights (25% of in-unit fixtures considered high efficacy. High efficacy is defined as 40 lumens/watt for 15 watt or less fixtures; 50 lumens/watt for 15-40 watt fixtures, 60 lumens/watt for fixtures >40watt)	8 points	
	High Efficiency Lights (50% of in-unit fixtures are high efficacy)	10 points	12
	Very High Efficiency Lights (100% of in-unit fixtures are high efficacy)	12 points	
Appliances	Energy Star Refrigerator (new)	1 points	1
	Energy Star Dish Washer (new)	1 points	
	Energy Star Washing Machine (new)	1 points	

Feature	Description	Assigned Point Values	Project Points
Miscellane	ous Residential Building Efficiencies		
Building Placement	North/South alignment of building or other building placement such that the orientation of the buildings optimizes natural heating, cooling, and lighting.	5 point	
Shading	At least 90% of south-facing glazing will be shaded by vegetation or overhangs at noon on Jun $21^{\rm st}$.	4 Points	
Energy Star Homes	EPA Energy Star for Homes (version 3 or above)	25 points	
Independent Energy Efficiency Calculations	Provide point values based upon energy efficiency modeling of the Project. Note that engineering data will be required documenting the energy efficiency and point values based upon the proven efficiency beyond Title 24 Energy Efficiency Standards.	TBD	
Other	This allows innovation by the applicant to provide design features that increases the energy efficiency of the project not provided in the table. Note that engineering data will be required documenting the energy efficiency of innovative designs and point values given based upon the proven efficiency beyond Title 24 Energy Efficiency Standards.	TBD	
Existing Residential Retrofits	The applicant may wish to provide energy efficiency retrofit projects to existing residential dwelling units to further the point value of their project. Retrofitting existing residential dwelling units within the City is a key reduction measure that is needed to reach the reduction goal. The potential for an applicant to take advantage of this program will be decided on a case by case basis and must have the approval of the Ontario Planning Department. The decision to allow applicants to ability to participate in this program will be evaluated based upon, but not limited to the following;	TBD	
	Will the energy efficiency retrofit project benefit low income or disadvantaged residents?		
	Does the energy efficiency retrofit project fit within the overall assumptions in reduction measures associated with existing residential retrofits?		
	Does the energy efficiency retrofit project provide co-benefits important to the City?		
	Point value will be determined based upon engineering and design criteria of the energy efficiency retrofit project.		
Reduction N	Measure PS E2: Residential Renewable Energy Generation		
Photovoltaic	Solar Photovoltaic panels installed on individual homes or in collective neighborhood arrangements such that the total power provided augments:		
	Solar Ready Homes (sturdy roof and solar ready service panel)	2 points	
	10 percent of the power needs of the project	10 points	
	20 percent of the power needs of the project	15 points	
	30 percent of the power needs of the project	20 points	
	40 percent of the power needs of the project	28 points	
	50 percent of the power needs of the project	35 points	
	60 percent of the power needs of the project	38 points	
	70 percent of the power needs of the project	42 points	
	80 percent of the power needs of the project	46 points	

Feature	Description	Assigned Point Values	Project Points
	90 percent of the power needs of the project	52 points	
	100 percent of the power needs of the project	58 points	
Wind turbines	Some areas of the City lend themselves to wind turbine applications. Analysis of the area's capability to support wind turbines should be evaluated prior to choosing this feature.		
	Individual wind turbines at homes or collective neighborhood arrangements of wind turbines such that the total power provided augments:		
	10 percent of the power needs of the project	10 points	
	20 percent of the power needs of the project	15 points	
	30 percent of the power needs of the project	20 points	
	40 percent of the power needs of the project	28 points	
	50 percent of the power needs of the project	35 points	
	60 percent of the power needs of the project	38 points	
	70 percent of the power needs of the project	42 points	
	80 percent of the power needs of the project	46 points	
	90 percent of the power needs of the project	52 points	
	100 percent of the power needs of the project	58 points	
Off-site renewable energy project	The applicant may submit a proposal to supply an off-site renewable energy project such as renewable energy retrofits of existing homes that will help implement renewable energy within the City. These off-site renewable energy retrofit project proposals will be determined on a case by case basis and must be accompanied by a detailed plan that documents the quantity of renewable energy the proposal will generate. Point values will be determined based upon the energy generated by the proposal.	TBD	
Other Renewable Energy Generation	The applicant may have innovative designs or unique site circumstances (such as geothermal) that allow the project to generate electricity from renewable energy not provided in the table. The ability to supply other renewable energy and the point values allowed will be decided based upon engineering data documenting the ability to generate electricity.	TBD	
Reduction M	leasure PS W1: Residential Water Conservation		
Irrigation an	d Landscaping		
Water Efficient	Limit conventional turf to < 50% of required landscape area	0 points	
Landscaping	Limit conventional turf to < 25% of required landscape area	4 points	
	No conventional turf (warm season turf to < 50% of required landscape area and/or low water using plants are allowed)	6 points	
	Only California Native Plants that requires no irrigation or some supplemental irrigation	8 points	

Feature	Description	Assigned Point Values	Project Points
Water Efficient	Low precipitation spray heads < .75"/hr or drip irrigation	2 point	
irrigation systems	Weather based irrigation control systems or moisture sensors (demonstrate 20% reduced water use)	3 points	
Recycled Water	Recycled connections (purple pipe) to irrigation system on site	6 points	
Water Reuse	Gray water Reuse System collects Gray water from clothes washers, showers and faucets for irrigation use,	12 points	
Storm water Reuse Systems	Innovative on-site stormwater collection, filtration and reuse systems are being developed that provide supplemental irrigation water and provide vector control. These systems can greatly reduce the irrigation needs of a project. Point values for these types of systems will be determined based upon design and engineering data documenting the water savings.	TBD	
Potable Wat	er	<u> </u>	
Showers	Water Efficient Showerheads (2.0 gpm)	3 points	
Toilets	Water Efficient Toilets (1.5 gpm)	3 points	A STATE OF THE STA
Faucets	Water Efficient faucets (1.28 gpm)	3 points	3
Dishwasher	Water Efficient Dishwasher (6 gallons per cycle or less)	1	
Washing Machine	Water Efficient Washing Machine (Water factor <5.5)	1	
WaterSense	EPA WaterSense Certification	12 points	
Reduction M	easure PS T1: Land Use Based Trips and VMT Reduction		
	Mixes of land uses that complement one another in a way that reduces the need for vehicle trips can greatly reduce GHG emissions. The point value of mixed use projects will be determined based upon a Transportation Impact Analysis (TIA) demonstrating trip reductions and/or reductions in vehicle miles traveled. Suggested ranges:	TBD	
	Diversity of land uses complementing each other (2-28 points)		
	Increased destination accessibility other than transit (1-18 points)		
	Increased transit accessibility (1-25 points)		
	Infill location that reduces vehicle trips or VMT beyond the measures described above (points TBD based on traffic data).		
	Having residential developments within walking and biking distance of local retail helps to reduce vehicle trips and/or vehicle miles traveled.	TBD	
Residential	The point value of residential projects in close proximity to local retail will be determined based upon traffic studies that demonstrate trip reductions and/or reductions in vehicle miles traveled (VMT)		

Feature	Description	Assigned Point Values	Project Points
Other Trip Reduction Measures	Other trip or VMT reduction measures not listed above with TIA and/or other traffic data supporting the trip and/or VMT for the project.	TBD	
Reduction N	Measure PS T2: Bicycle Master Plan		
Bicycle Infrastructure	Ontario's Bicycle Master Plan is extensive and describes the construction on 11.5 miles of Class I bike paths and 23 miles of Class II and Class III bikeways to build upon the current 8 miles of bikeways. Provide bicycle paths within project boundaries. Provide bicycle path linkages between residential and other land uses. Provide bicycle path linkages between residential and transit.	TBD 2 points 5 points	
Reduction N	Neasure PS T3: Neighborhood Electric Vehicle Infrastructure		
Electric Vehicle Recharging	Provide circuit and capacity in garages of residential units for use by an electric vehicle. Charging stations are for on-road electric vehicles legally able to drive on all roadways including Interstate Highways and freeways.	1 point	t
	Install electric vehicle charging stations in the garages of residential units	8 points	
Total Points Earr	ned by Residential Project:		100



CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

DATE:

March 20, 2019

PROJECT:

PDEV19-008 - A Development Plan to construct 432 single-family dwellings on approximately 86.64 acres of land within Planning Areas 1, 2, 3, and 4 of the Subarea 29 Specific Plan; Related Files TT18929 and

TT18930

APN:

0218-271-22

LOCATION:

Between Eucalyptus and Merrill Avenues w/o Archibald Avenue

PROJECT ENGINEER:

Jesus Plasencia, Senior Associate Civil Engineer

(909) 395-2128

PROJECT PLANNER:

Henry Noh, Senior Planner

(909) 395-2429

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

- 1. Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017.
- All the required improvements for these tracts shall be subject to completion of the required public improvements including public utilities beyond the tract limits as specified in the Subarea 29 Specific Plan, the Development Agreement and the Conditions of Approval for TM-18929 and 18930.
- 3. The Applicant/Developer shall pay all Development Impact Fees (DIF) to the Building Department.
- 4. The applicant/developer shall prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required.
- 5. The applicant/developer shall provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability) prior to final subdivision map approval.
- 6. The applicant/developer shall file an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be

established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.

- 7. Prior to approval of any building permits, the Utility Systems Map submitted on 8/14/18 shall be revised into a Final USM and be submitted with the Precise Grading Plan for review and approval of the Ontario Municipal Utilities Company. The Final USM shall demonstrate compliance with the "USM Requirements".
- This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation for HOA maintained areas and parks. Appropriately sized public and private mains shall be installed throughout the Tract to meet this requirement, as approved by the City.
- 9. In order to receive recycled water service, the applicant shall comply with the following:
 - a. Prior to Precise Grading Plan approval and Building Permits issuance:
 - Provide two hard copies and the digital files (PDF and AutoCAD) for both on-site and off-site utility plans, including landscape and irrigation improvements.
 - Submit an Engineering Report (ER) to the City detailing recycled water usage for ii. review and approval by the City and State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.
 - b. Prior to occupancy release:
 - Pass start-up and cross-connection test successfully.
 - Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.

Principal Engineer

Assistant City Engineer

AIRPORT LAND USE COMPATIBILITY PLANNING **CONSISTENCY DETERMINATION REPORT**



	A PART DAIN							
Project File No.:	PDEV19-008						Reviewed	Ву:
Address:	Northwest Co	orner of Merr	ill Ave & Archibald	Ave			Lorena N	√lejia
APN:	0218-271-22						Contact In	fo:
Existing Land Use:	Vacant				909-395-2276			
	P 1	DI .	420 61 1 5				Project Pla	anner:
Proposed Land Use:	Development	Plan to cons	truct a 432 Single Fa	mily Home	3		Henry N	
Site Acreage:	86.64 ac		Proposed Structur	re Height:	32 FT		Date:	3/28/2019
ONT-IAC Project	t Review:	N/A					CD No.:	2019-009
Airport Influence	Area:	ONT & Ch	ino				PALU No.:	n/a
T	ne project	is impa	cted by the fo	llowing	ONT ALU	ICP Compa	tibility	Zones:
Safe	ty		Noise Impact		Airspace P	rotection	Ove	erflight Notification
Zone 1		75	5+ dB CNEL		High Terrain	Zone		Avigation Easement Dedication
Zone 1A		\bigcap 70) - 75 dB CNEL		FAA Notifica	ation Surfaces		Recorded Overflight
Zone 2		065	5 - 70 dB CNEL		→ Airspace Ob	struction		Notification
\simeq		\simeq			Surfaces			Real Estate Transaction Disclosure
Zone 3		\bigcup 60) - 65 dB CNEL		Airspace Av		٠	713C103U1C
Zone 4				_	J Easement A	rea		
Zone 5					lowable 200 F	Τ+		
	The pro	ject is in	pacted by the			ALUCP Saf	ety Zoi	nes:
Zone I		Zone 2	Zone 3		Zone 4	Zone		Zone 6
Allowable Heig	jht: 110 - 130) FT						
* ***			CONSISTE	NCY DI	TERMINA	TION		
This proposed Pr	oject is:	Exempt from	n the ALUCP	Consist	ent • Cons	sistent with Con	ditions	Inconsistent
evaluated and f for ONT. The proposed p	Found to be opening to be opening to be on the control of the cont	consistent v	n the Airport Influ	nd criteri	a of the Airpoi a of Chino Air	rt Land Use Co	ompatibi evaluated	lity Plan (ALUCP)
Airport Diapper S	·:		Lan	ur ey	J.			

Airport Planner Signature:

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT

CD No.:	2019-009
PALU No.:	

PROJECT CONDITIONS

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Department of Real Estate and include the following language within the NOI:

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.



CITY OF ONTARIO MEMORANDUM

TO:

Henry Noh, Senior Planner

Planning Department

FROM:

Paul Ehrman, Deputy Fire Chief/Fire Marshal

Fire Department

DATE:

February 14, 2019

SUBJECT:

PDEV19-008 - A Development Plan to construct 432 single-family dwellings on approximately 86.64 acres of generally land located north of Merrill Avenue, south of Eucalyptus Avenue, east of the Cucamonga Channel, and west of Archibald Avenue, within Planning Areas 1, 2, 3, and 4 of the Subarea 29 Specific Plan (APN: 0218-271-22). Related files:

PMTT13-016 (TT18929) and PMTT13-017 (TT18930).

☐ 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): Varies 1,500 Sq. Ft.

D. Number of Stories: 2

E. Total Square Footage: Varies 1,500 Sq. Ft.

F. 2016 CBC Occupancy Classification(s): R

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

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 <u>Standard #B-002</u>.

- 2.7 Any time <u>PRIOR</u> to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- □ 3.4 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.
- 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.

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.
- Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.

⊠ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.



CITY OF ONTARIO MEMORANDUM

TO:

Henry Noh, Planning Department

FROM:

Douglas Sorel, Police Department

DATE:

February 26, 2019

SUBJECT:

PDEV19-008 – A DEVELOPMENT PLAN TO CONSTRUCT 432 SINGLE

FAMILY DWELLINGS AT 86.64 ACRES OF LAND BOUNDED BY MERRILL AVE., EUCALYPTUS AVE, ARCHIBALD AVE. AND THE

CUCAMONGA CREEK CHANNEL

The "Standard Conditions of Approval" contained in Resolution No. 2017-027 for "Ontario Ranch Projects" 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 at the prescribed footcandle levels. 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.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.

The Applicant is invited to call Douglas Sorel at (909) 395-2873 regarding any questions or concerns.

CITY OF ONTARIO LANDSCAPE PLANNING DIVISION

CONDITIONS OF APPROVAL
Sign Off

08/13/2019

Jamie Richardson, Sr. Landscape Planner
Date

303 East "B" Street, Ontario, CA 91764

Reviewer's Name: Phone: Jamie Richardson, Sr. Landscape Planner (909) 395-2615 D.A.B. File No.: Case Planner: PDEV19-008 Henry Noh Project Name and Location: Subarea 29- Landsea Homes Tract 18929/18930 Applicant/Representative: Euclid Land Venture LLC - EPD Solutions 2030 Main ST suite 1200 Irvine CA 92614 A Preliminary Landscape Plan (dated 08/02/2019) meets the Standard Conditions for New \boxtimes Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents. A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

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

Civil/ Site Plans

- 1. Provide conceptual grading plans for review instead of rough grading plans to show the finished grade concept; show lettered lots.
- Open spaces may be designed as dual purpose areas. Create safe open spaces for the community to utilize while maintaining the required capacity for water quality purposes. Create inviting spaces that utilize trees and landscaping on the outer edges and side slopes of the basins, include meandering trails to enter into the open spaces (basin bottoms), dry/wet stream beds and provide appropriate plant material to encourage habitat and provide signage to educate the community on these spaces. Work with the Landscape Planning Division on overall design of the basins.
- 3. Utilities such as backflows and transformers shall be located a minimum of 4' (2' to 3' OK on residential lots) away from paving or other utilities to allow for landscape screening to cover at least 75% of the height of the equipment. Transformers shall allow for shrub screening on three sides and 18" high groundcover in front of utility.
- 4. Show a new 12' wide (10' asphalt + 2' stabilized DG) channel maintenance road adjacent to the channel fence. Current plan shows the dg adjacent to the fence. The Landscape Planning Division will coordinate with ACOE to show the dg trail adjacent to the landscape (asphalt maintenance road adjacent to the fence) to match the existing trail to the north.
- 5. 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.
- 6. 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. Where utilities have been approved: Street trees may reduce to 25-28' if necessary. Minimum setbacks from sewer and water 5', 10' from light standards only where necessary. Adjust front yard trees

- where required to allow for street tree (opposite side of the vard).
- 7. Parkway trees are to be 30' apart and where residential driveways occur, a maximum 45' apart. Show and note a 10' total space, 5' clearance each side of tree from any utility or hardscape including water, sewer, drain lines and driveways; and 10' clear from street lights. Relocate utilities to minimum clearances to allow parkway trees. Where utilities have been approved: Street trees may reduce to 25-28' if necessary. Minimum setbacks from sewer and water 5', 10' from light standards only where necessary. Adjust front yard trees where required to allow for street tree (opposite side of the yard).
- 8. 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.
- 9. In parking lots, where occurs:
 - a. Dimension all planters to have a minimum 5' wide inside dimension.
 - b. 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.
- 10. 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

- 11. See comment #2, #4 & #7.
- 12. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening.
- 13. Show and call out all utilities on the landscape plans. Coordinate so utilities are clear of tree locations and adequately screened.
- 14. Call out type of proposed irrigation system (dripline with pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
- 15. Residential projects shall include a 30" wide solid surface walkway (concrete, pavers, etc.) on at least one side to access the back yard and to move equipment or trash receptacles.
- 16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See http://www.ontarioca.gov/landscape-planning/standards
- 17. Provide phasing map for multi-phase projects.
- 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:

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

CITY OF ONTARIO MEMORANDUM

TO: FROM: DATE: SUBJECT:			
\boxtimes	The	plan <u>does</u> adequately address the departmental concerns at this time.	
		No comments	
	\boxtimes	Report below.	
		Conditions of Approval	_

1. Standard Conditions of Approval apply.

KS:lm



CITY OF ONTARIO MEMORANDUM

TO:

Chairman and Members of the Planning Commission

FROM:

Cathy Wahlstrom, Planning Director (W

DATE:

September 24, 2019

SUBJECT: ENVIRONMENTAL ASSESSMENT, VARIANCE, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR19-001 AND PDEV19-003: A Variance (File No. PVAR19-001) to exceed the maximum fence height within a portion of the street landscape setback area, from 3 feet to 6 feet, and a Development Plan (File No. PDEV19-003) to construct a 2,886-square foot industrial building on 0.18 acre of land located at the southeast corner of Ontario Boulevard and Bon View Avenue. at 902 East Ontario Boulevard, within the IG (General Industrial) zoning district; (APNs: 1049-193-01 & 1049-193-02) submitted by HDC Construction, Inc.

The applicant has made changes to the project such that the processing of a Variance application (File No. PVAR19-001) is no longer required. As a result, the September 16, 2019, Development Advisory Board action to approve the Development Plan (File No. PDEV19-003) subject to conditions is final and conclusive, and Planning Commission review and action on the project is no longer required.



FILE NO: PMTT19-002

SUBJECT: A Tentative Parcel Map (PM 20126) to subdivide a 0.47-acre parcel of land into two single-family residential lots located at the southwest corner of Francis Street and San Antonio Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district; (APN: 1050-341-06) **submitted by Fernando Valenzuela.**

PROPERTY OWNER: Conception Valenzuela

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PMTT19-002, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 0.47-acre of land located at the southwest corner of Francis Street and San Antonio Avenue (1806 and 1812 South San Antonio Avenue), within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district, and is developed with a single-family dwelling (see Figure 1: Project Location, below). The property to the north (across Francis Street) of the project site is within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district and is developed with a single-family residential land use. The properties to the east (across San Antonio

Avenue) are within the RE-2 (Residential Estate – 0 to 2.0 DUs/Acre) zoning district and are developed with single-family dwellings. The properties to the south and west are within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) zoning district and are both developed with single-family dwellings.

PROJECT ANALYSIS:

[1] <u>Background</u> — On February 26, 2008, the Applicant received approval of a Tentative Parcel Map (File No. PMTT07-032) to subdivide the project



Figure 1: Project Location

Case Planner:	Norma Lopez
Planning Director Approval:	
Submittal Date:	02/11/19

Hearing Body	Date	Decision	Action
DAB	09/16/19	Approve	Recommend
PC	09/24/19		Final
CC			

September 24, 2019

site into two single family residential lots creating an interior lot and corner lot. Due to time limitations, the project entitlements expired. The Applicant recently submitted a new application requesting approval of the previously expired project.

The Applicant has now submitted a Tentative Parcel Map (File No. PMTT19-002) to subdivide the project site into two rectangular-shaped parcels, creating an interior lot and corner lot (Exhibit A: Parcel Map). The Tentative Parcel Map was reviewed by the Development Advisory Board on September 16, 2019, which recommended the Planning Commission approve the proposed Tentative Parcel Map, subject to the recommended departmental conditions of approval, which are attached to this staff report.

[2] Site Layout — The proposed Tentative Parcel Map (TPM 20126) will subdivide the project site into two rectangular-shaped parcels, creating an interior lot and corner lot. Parcel 1 (corner lot) is 9,490-square feet in size, with a lot width of 65 feet and a lot depth of 146 feet. The Development Code requires corner lots within the LDR-5 zoning district to have a minimum lot size of 7,200 square feet, a minimum lot width of 65 feet, and a minimum lot depth of 75 feet, which Parcel 1 meets. Parcel 2 (interior lot) is 10.074 square feet in size, with a lot width of 69 feet and a lot depth of 146 feet. The existing 2-story single family residence located on Parcel 2 will remain in place. The proposed property lines maintain the required setback requirements to the existing building and adequate lot coverage requirements have also been met for the site. The Development Code requires interior lots within the LDR-5 zoning district to provide a minimum lot size of 7,200 square feet, a minimum lot width of 60 feet, and a minimum lot depth of 75 feet, which Parcel 2 exceeds. Access to both parcels will be taken from San Antonio Avenue. Approval of the Tentative Parcel Map will enable the property owner to sell Parcel 1 and facilitate the future construction of a new single family residence. The development of a new single family home on Parcel 1 will require separate approval through the City's Building Plan Check process.

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

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[2] Vision.

Distinctive Development:

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

[3] Governance.

Decision Making:

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

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
- ➤ <u>LU1-1 Strategic Growth</u>. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
 - Goal LU2: Compatibility between a wide range of uses.
- ➤ <u>LU2-6</u>: <u>Infrastructure Compatibility</u>: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- <u>Goal H2</u>: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.
- Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

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Community Economics Element:

■ Goal CE1: A complete community that provides for all incomes and stages of life.

- ➤ <u>CE1-6 Diversity of Housing</u>. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.
- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.
- ➤ <u>CE2-5 Private Maintenance</u>. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.
- ➤ S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

- <u>Goal CD1</u>: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.
- ➤ <u>CD1-3 Neighborhood Improvement</u>. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.
- ➤ <u>CD2-2 Neighborhood Design</u>. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:
- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;

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• Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;

- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the "outdoor living room"), as appropriate; and
 - Landscaped parkways, with sidewalks separated from the curb.
- ➤ <u>CD2-7 Sustainability</u>. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.
- ➤ <u>CD2-8 Safe Design</u>. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.
- ➤ <u>CD2-9 Landscape Design</u>. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- ➤ <u>CD2-13 Entitlement Process</u>. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.
- <u>Goal CD3</u>: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.
- ➤ <u>CD3-1 Design</u>. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.
- ➤ CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.
- ➤ <u>CD3-5 Paving</u>. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.
- <u>Goal CD5</u>: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

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➤ <u>CD5-2 Maintenance of Infrastructure</u>. We require the continual maintenance of infrastructure.

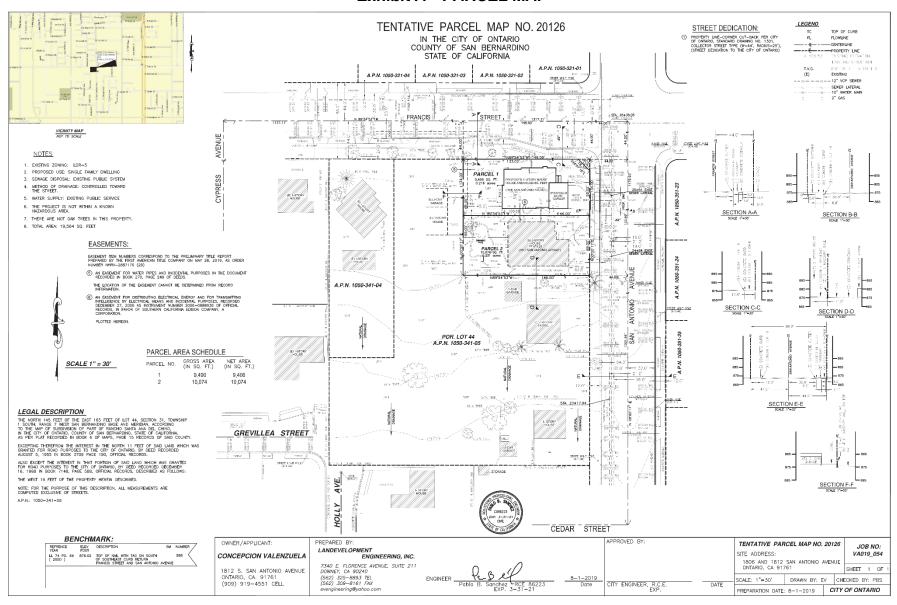
HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element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

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

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines, which consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

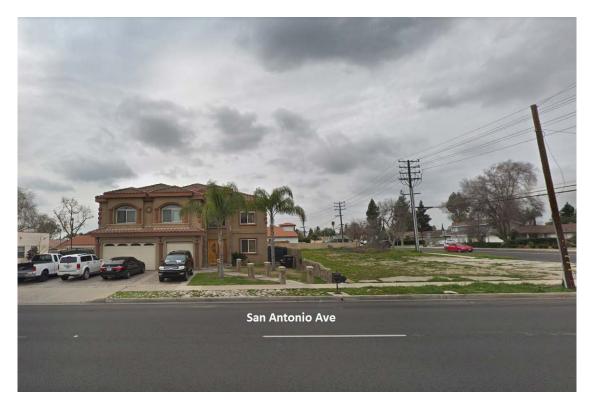
CONDITIONS OF APPROVAL: See attached department reports.

Exhibit A—PARCEL MAP



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Exhibit B—Existing Conditions





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TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Single Family Residential	Low Density (2.1-5.0 DU/Acre)	LDR-5 Low Density Residential (2.1-5.0 DU/Acre)	N/A
North	Single Family Residential	Low Density (2.1-5.0 DU/Acre)	LDR-5 Low Density Residential (2.1-5.0 DU/Acre)	N/A
South	Single Family Residential	Low Density (2.1-5.0 DU/Acre)	LDR-5 Low Density Residential (2.1-5.0 DU/Acre)	N/A
East	Single Family Residential	Rural (0-2 DU/Acre)	RE-2 Rural Estate (0 – 2.0 DU/Acre)	N/A
West	Single Family Residential	Low Density (2.1-5.0 DU/Acre)	LDR-5 Low Density Residential (2.1-5.0 DU/Acre)	N/A

General Site & Building Statistics

Item	Required Min./Max.	Provided (Ranges)	Meets Y/N
Project area (in acres):	n/a	0.47 acres	Y
Project density (dwelling units/ac):	2.1-5.0 DUs/Acre	4.26 DUs/Acre	Y
Minimum lot size (in SF):	7,200SF	10,074SF (Interior) 9,490 SF (Corner)	Y
Minimum lot depth (in FT):	75FT	146 FT (Interior) 146 FT (Corner)	Υ
Minimum lot width (in FT):	60FT (Interior) 65FT (Corner)	69FT (Interior) 65FT (Corner)	Y

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT19-002, A TENTATIVE PARCEL MAP (PM 20126) TO SUBDIVIDE A 0.47-ACRE PARCEL OF LAND INTO TWO SINGLE-FAMILY RESIDENTIAL LOTS LOCATED AT THE SOUTHWEST CORNER OF FRANCIS STREET AND SAN ANTONIO AVENUE, WITHIN THE LDR-5 (LOW DENSITY RESIDENTIAL – 2.1 TO 5.0 DU/ACRE) ZONING DISTRICT AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1050-341-06.

WHEREAS, FERNANDO VALENZUELA ("Applicant") has filed an Application for the approval of a Tentative Parcel Map, File No. PMTT19-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.47-acre of land generally located at the southwest corner of Francis Street and San Antonio Avenue, at 1806 and 1812 South San Antonio Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district, and is presently improved with a single-family dwelling; and

WHEREAS, the property to the north of the Project site is within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district and is developed with a single-family residential land use. The properties to the east are within the RE-2 (Residential Estate – 0 to 2.0 DUs/Acre) zoning district and are developed with single-family dwellings. The property to the south is within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) zoning district and is developed with a single-family dwelling. The property to the west is within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) zoning district, and is developed with a single-family dwelling; and

WHEREAS, the Project consists of a Tentative Map to subdivide the 0.47 acre site into two rectangular-shaped parcels, creating a corner lot (Parcel 1) and an interior lot (Parcel 2); and

WHEREAS, Parcel 1 is 9,490-square feet in size, with a lot width of 65 feet and a lot depth of 146 feet, and meets the minimum lot area and dimensions for corner lots in the LDR-5 zoning district; and

WHEREAS, Parcel 2 is 10,074 square feet in size, with a lot width of 69 feet and a lot depth of 146 feet, and meets the minimum lot area and dimensions for interior lots in the LDR-5 zoning district; and

WHEREAS, the existing 2-story single family residence located on Parcel 2 will remain in place; and

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 Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on September 16, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-054, recommending the Planning Commission approve the Application; and

WHEREAS, on September 24, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows

<u>SECTION 1</u>: *Environmental Determination and Findings.* As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

- (1) The administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and
- (2) The Project is categorically exempt from environmental review pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines, which consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent; and
- (3) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and
- (4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

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

SECTION 3: Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of

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

<u>SECTION 4</u>: **Concluding Facts and Reasons.** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the Planning Commission hereby concludes as follows:

- (1) The proposed Tentative Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments. The proposed Tentative Parcel Map is located within the LDR (Low Density Residential) land use district of the Policy Plan Land Use Map, and the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) 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 providing "a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life" (Goal LU1). Furthermore, the project will promote the City's policy to "incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers. workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario" (Policy LU1-6 Complete Community).
- (2) The design or improvement of the proposed Tentative Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments. The proposed Tentative Parcel Map is located within the LDR (Low Density Residential) land use district of the Policy Plan Land Use Map, and the LDR-5 (Low Density Residential 2.1 to 5.0 DU/Acre) 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 contribute to providing "[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct" (Goal CD2). Furthermore, the project will promote the City's policy to "create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the "outdoor living room"), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb." (Policy CD2-2 Neighborhood Design).
- (3) The site is physically suitable for the type of development proposed. The project site meets the minimum lot area and dimensions of the LDR-5 (Low Density Residential 2.1 to 5.0 DU/Acre) zoning district, and is physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.
- (4) The site is physically suitable for the density/intensity of development proposed. The project site is proposed for residential development at a density of 4.2 DUs/acre. The project site meets the minimum lot area and dimensions of the LDR-5 (Low Density Residential 2.1 to 5.0 DU/Acre) zoning district, and is physically suitable for this proposed density / intensity of development.
- (5) The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat. The project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

- (6) The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems. The design of the proposed subdivision, and the underground utilities improvements, and driveway approaches existing or proposed on the project site, are not likely to cause serious public health problems, as The project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.
- (7) The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision. The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

<u>SECTION 5</u>: **Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

<u>SECTION 6</u>: *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.

<u>SECTION 7</u>: **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.

<u>SECTION 8</u>: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of September 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Nancy DeDiemar
Planning Commission Vice-Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

Planning Commission Resolution File No. PMTT19-002 (PM 20126) September 24, 2019 Page 8	
STATE OF CALIFORNIA COUNTY OF SAN BERNARDINO CITY OF ONTARIO)))
City of Ontario, DO HEREBY CERTIF	Pro Tempore of the Planning Commission of the FY that foregoing Resolution No was duly Commission of the City of Ontario at their regular by the following roll call vote, to wit:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Gwen Berendsen Secretary Pro Tempore

ATTACHMENT A:

File No. PMTT19-002 Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)



Planning Department Land Development Division Conditions of Approval

Meeting Date: September 16, 2019

File No: PMTT19-002

Related Files: N/A

Project Description: A Tentative Parcel Map (TPM 20126) to subdivide 0.47 acre of land into two single-family residential lots located at the southwest corner of Francis Street and San Antonio Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district. (APN: 1050-341-06); **submitted by Fernando Valenzuela.**

Prepared By: Norma Lopez

Phone: 909.395.2411 (direct)
Email: nslopez@ontarioca.gov

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

- **1.0 Standard Conditions of Approval.** The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.
- **2.0 Special Conditions of Approval.** In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

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

2.2 Subdivision Map.

- (a) The Final Parcel Map shall be in conformance with the approved Tentative Parcel Map on file with the City. Variations rom the approved Tentative Parcel Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Parcel Map may require review and approval by the Planning Commission, as determined by the Planning Director.
- **(b)** Tentative Parcel Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

Planning Department; Land Development Division: Conditions of Approval

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

2.3 Disclosure Statements.

- (a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:
- (i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

2.4 Environmental Review.

- (1) 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 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines, which consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within 2 years, and the parcel does not have an average slope greater than 20 percent.
- (a) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).
- **(b)** If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.
- **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.



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)

DEVELOPMENT PLAN OTHER	□ FOR (EL MAP TRACT MAP CONDOMINIUM PURPOSES
		NO. PM - 20126 O(S). PMTT19-002
⊠ OF	RIGINAL 🗌	REVISED: _/_/_
CITY PROJECT ENGINEER	& PHONE NO:	Matthew Holmes (909) 395-2155 ///
CITY PROJECT PLANNER &	PHONE NO:	Lorena Mejia (909) 395-2276
DAB MEETING DATE:		September 16, 2019
PROJECT NAME / DESCRIP	TION:	A project to approve the division of a single lot (APN: 105034106) into two parcels.
LOCATION:		1806 & 1812 S San Antonio Avenue
APPLICANT:		Fernando and Concepcion Valenzuela, (Owners)
REVIEWED BY:		Bryan Liney, R.E. 95/19 Principal Engineer
APPROVED BY:		Raymond Lee, P.E. Assistant City Engineer

Last Revised: 9/5/2019

Project File No. PMTT19-002, PM 20126 Project Engineer: M. Holmes

Date: 09/03/2019



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.

	PKIO	Complete	
\boxtimes	1.01	Dedicate to the City of Ontario, the right-of-way, described below:	
		Property line corner 'cut-back' required at the intersection of South San Antonio Avenue and West Francis Street.	
	1.02	Dedicate to the City of Ontario, the following easement(s):	
	1.03	Restrict vehicular access to the site as follows:	
	1.04	Vacate the following street(s) and/or easement(s):	
	1.05	Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.	
	1.06	Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.	
	1.07	For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at http://tceplumecleanup.com/), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658 .	
	1.08	File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.	
		(1)	
		(2)	
	1.09	Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.	
	1.10	Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as	

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		specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.	
\boxtimes	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.	PRIO	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:	
		ATTO TOCOMINGE OF ANTITERNITO, AFFEIGANT STALL.	
	A. GE	NERAL its includes Grading, Building, Demolition and Encroachment)	
	A. GE	NERAL	
	A. GE (Perm	NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map No. 20126 pursuant to the Subdivision Map Act and in accordance with the	
\boxtimes	A. GE (Perm 2.01	NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map No. 20126 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.	
\boxtimes	A. GE (Perm 2.01 2.02	NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map No. 20126 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario per Record of Survey	
\boxtimes	A. GE (Perm 2.01 2.02 2.03	NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map No. 20126 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario per Record of Survey 12/59. 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	
\boxtimes	A. GE (Perm 2.01 2.02 2.03 2.04	NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map No. 20126 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario per Record of Survey 12/59. 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	
\boxtimes	A. GE (Perm 2.01 2.02 2.03 2.04	NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map No. 20126 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario per Record of Survey 12/59. 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 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment	



2.10	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. 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.	
2.13	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.	
	☐ 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case	
	☐ 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.	
	☐ 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.	
2.12	New Model Colony (NMC) Developments:	
2.11	Dedicate to the City of Ontario the following easement(s):	
	Property line corner 'cut-back' required at the intersection ofand	
	feet on	
2.10	Dedicate to the City of Ontario the right-of-way described below:	
	Inland Empire Utilities Agency (IEUA) Other:	
	California Department of Fish & Game	
	Cucamonga Valley Water District (CVWD) for sewer/water service	
	San Bernardino County Flood Control District (SBCFCD)	
2.09	the project from the following agency or agencies:	
2.08	Submit a soils/geology report.	
	requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658 .	
	2.09	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 . Submit a soils/geology report. 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: feet on Property line corner 'cut-back' required at the intersection of

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\boxtimes	2.15	Pay all Development Impact Fees (DIF) to the Building Department.	
П	2.16	Other conditions:	

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

\boxtimes	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	San Antonio	Francis	Street 3	Street 4
Curb and Gutter	New; 32 ft. from C/L (1) Replace damaged Remove and replace	New; 32 ft. from C/L (1) Replace damaged Remove and replace	New; ft. from C/L Replace damaged Remove and replace	New; ft. from C/L Replace damaged Remove and replace
AC Pavement	Replacement Widen additional feet along frontage, including pavm't transitions	Replacement Widen 12 additional feet along frontage, including pavm't transitions	Replacement Widen additional feet along frontage, including pavm't transitions	Replacement Widen additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	New Modify existing	New Modify existing	New Modify existing	New Modify existing
Drive Approach	New Remove (1)	New Remove (1)	New Remove and replace	New Remove and replace
Sidewalk	New Remove and replace	New Remove and replace	New Remove and replace	New Remove and replace
ADA Access Ramp	New Remove and replace	New Remove and replace	New Remove and replace	New Remove and replace
Parkway	Trees Landscaping (w/irrigation)	Trees Landscaping (w/irrigation)	Trees Landscaping (w/irrigation)	Trees Landscaping (w/irrigation)
Raised Landscaped Median	New Remove and replace	New Remove and replace	New Remove and replace	New Remove and replace
Fire Hydrant	New / Upgrade Relocation	New / Upgrade Relocation	New / Upgrade Relocation	New / Upgrade Relocation

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

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

- Existing driveway approaches shall be removed and full curb and gutter shall be constructed per City of Ontario Standard Drawing 1201.
- Overhead communication line on San Antonio shall be undergrounded in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).

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	2.18	Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):						
	2.19	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.						
\boxtimes	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 shall underground overhead utilities along San Antonio Avenue.						
		Developer shall pay in-lieu fee, approximately \$85,400 for undergrounding of utilities along Francis Street in accordance with Section 7-7.303.e of the City's Municipal Code.						
\boxtimes	2.22	Other conditions:						
Developer shall pay an in-lieu fee, approximately \$15,700 for the required widening of Francis Street. The required widening includes but is not limited to asphalt, curb and gutter, sidewalk, and landscaping. An approved construction cost estimate shall be submitted with the in-lieu fee.								
	C. SE	WER						
\boxtimes	2.23	A 12 inch sewer main is available for connection by this project in San Antonio Avenue (Ref: Sewer plan bar code: S11316)						
	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. WA	TED						
\boxtimes		A 10 inch water main is available for connection by this project in San Antonio Avenue						
		(Ref: Water plan bar code: W11197)						
	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:						
	E. RE	CYCLED WATER						
	2.30	Ainch 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.							

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	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. TR	AFFIC / 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.							
\boxtimes	2.37	Other conditions:							
		One driveway approach is authorized to be constructed. If driveway access is proposed on Francis Street, the driveway shall be located in accordance with corner clearance distance requirements per the City of Ontario Traffic and Transportation Guidelines. If driveway access is proposed on San Antonio Avenue, the existing driveway shall be relocated as close as possible to the southerly property line. A new LED street light shall be installed at the intersection on San Antonio Avenue per City of Ontario Traffic and Transportation Guidelines. Engineer shall meet with City of Ontario's							
		Engineering Traffic Division prior to the design of the lighting improvement plans.							
	G. DR	AINAGE / HYDROLOGY							
	2.38	Ainch 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.							
\boxtimes	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:							

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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. Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering 2.45 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 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 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. ____, see Fiber Optic Exhibit herein. Generally located ____ 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. Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: 2.52

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

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

Last Revised 9/5/2019 Page 12 of 14 Project File No. PMTT19-002, PM 20126 Project Engineer: M. Holmes

Date: 09/03/2019



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PMTT19-002, Parcel Map No. 20126

The	following	items are	required	to be	included	with t	he first	nlan	check	submittal	

1.	A copy of this check list								
2.	□ Payment of fee for Plan Checking								
3. and	. ☑ One (1) copy of Engineering Cost Estimate (on City form) for in-lieu fees, with engineer's wet signature nd 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	M. Three (3) copies of Final Man/Daviel Man								

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Project File No. PMTT19-002, PM 20126

Project Engineer: M. Holmes

Date: 09/03/2019



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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:	Lorena Mejia, Senior Planner
DATE:	February 12, 2019
SUBJECT:	FILE #: PMTT19-002 Finance Acct#:
your DAB rep	project has been submitted for review. Please send one (1) copy and email one (1) copy of cort to the Planning Department by Tuesday , February 26 , 2019 . 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
residential lots	SCRIPTION: A Tentative Parcel Map to subdivide a 0.47-acre parcel into two single family s, located at the southwest corner of Francis Street and San Antonio Avenue, within the district (APN: 1050-341-06).
	cel Map was previously approved in 2008 and expired, the applicant is processing the cation for approval (File No. PMTT07-032 (PM17523)
The plan	does adequately address the departmental concerns at this time.
	No comments .
/ 🗆 1	Report attached (1 copy and email 1 copy)
	Standard Conditions of Approval apply
The plan of	does not adequately address the departmental concerns.
	The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.
On G - Department	Signature Property OZ 121/19

CITY OF ONTARIO MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia

FROM: BUILDING DEPARTMENT, Kevin Shear

DATE: February 13, 2019

SUBJECT: PMTT19-002

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

KS:lm



CITY OF ONTARIO

MEMORANDUM

Department	Signature Title Date
DOULE	DOVOUS SORRY ANALYST 2/26/19
	The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.
· ·	does not adequately address the departmental concerns.
口	Standard Conditions of Approval apply
	Report attached (1 copy and email 1 copy)
	No comments
The plan	does adequately address the departmental concerns at this time.
previous app	rcel Map was previously approved in 2008 and expired, the applicant is processing the lication for approval (File No. PMTT07-032 (PM17523)
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	Only Zoning Administrator action is required
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	Only Planning Commission action is required
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	port to the Planning Department by Tuesday , February 26 , 2019 . Only DAB action is required
SUBJECT:	FILE #: PMTT19-002 Finance Acct#: g project has been submitted for review. Please send one (1) copy and email one (1) copy of
DATE:	February 12, 2019
	Lorena Mejia, Senior Planner
FROM:	Lorena Maiin Canier Dienner
	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
TO:	Scott Murphy, Development Director Cathy Wahlstrom, Planning Director (Copy of memo only) Diane Ayala, Advanced Planning Division (Copy of memo only)



CITY OF ONTARIO MEMORANDUM

TO: Lorena Mejia, Senior Planner

Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal

Fire Department

DATE: February 14, 2019

SUBJECT: PMTT19-002 – A Description

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

No comments.

AIRPORT LAND USE COMPATIBILITY PLANNING **CONSISTENCY DETERMINATION REPORT**



Project File No.:	PMTT19-002					Reviewed By:	
Address:	1806 South Sa	Lorena Mejia					
APN:	1050-341-06						
Existing Land Use:	Single Family	Residence				Contact Info: 909-395-2276	
						Project Planner:	
Proposed Land Use:	Tentative Parc	cel Map to sub	divide a 0.47 acre parce	l into two lots		Norma Lopez	
Site Acreage:	0.47 acres	F	Proposed Structure H	eight: Existing Building		Date: $9/6/19$	
ONT-IAC Project	t Review:	n/a				CD No.: 2019-050	
Airport Influence	Area:	ONT				PALU No.: n/a	
TI	ne project	is impac	ted by the follo	wing ONT ALUCP	Compa	tibility Zones:	
Safe	ty	N	oise Impact	Airspace Protect	ction	Overflight Notification	
Zone 1		75+	· dB CNEL	High Terrain Zone	е	Avigation Easement	
Zone 1A		70 -	- 75 dB CNEL	FAA Notification	Surfaces	Dedication Described Overflight	
\sim				•		Recorded Overflight Notification	
Zone 2		65 -	- 70 dB CNEL	Airspace Obstruct Surfaces	ction	Real Estate Transaction	
Zone 3		<u> </u>	65 dB CNEL Airspace Avigation	on	Disclosure		
Zone 4				Easement Area			
Zone 5				Allowable Height: 200 ft plus			
	The proi	iect is imi	nacted by the fo	ollowing Chino ALU	ICP Saf	rety 7ones•	
Zone 1		Zone 2	Zone 3	Zone 4	Zone		
Zone i	\cup	Zone 2	Zone 3	Zone 4	Zone	Zone 6	
Allowable Heig	jht:						
			CONSISTENC	Y DETERMINATIO	N		
14			CONSISTENC	or beteki ilivalio	11		
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.							
Vanur Hanner Signature:							

Airport Planner Signature:



FILE NOS.: PVAR19-006 and PDEV19-018

SUBJECT: A Variance to reduce the front drive aisle setback from 20 feet to 2.5 feet, in conjunction with a Development Plan (File No. PDEV19-018) to construct a 3,033-square foot fast-food restaurant with drive-thru, on 0.34 acre of land located at 624 West Holt Boulevard, within the MU-1 (Downtown Mixed-Use) zoning district. (APN: 1048-591-30) **submitted by Holt-San Antonio LLC.**

PROPERTY OWNER: Holt-San Antonio LLC

RECOMMENDED ACTION: That the Planning Commission consider and approve File Nos. PVAR19-006 and PDEV19-018, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 0.34 acres of land located at 624 West Holt Boulevard, within the MU-1 (Downtown Mixed-Use) zoning district, and is depicted in Figure 1: Project Location, below. The project site is located within an existing 8.2-acre commercial shopping center (Ontario Village Shopping Center) that was developed in the late 1980s, located at the northeast corner of San Antonio Avenue and Holt Boulevard. The commercial shopping center consists of 8 buildings totaling 97,152

square feet, which are occupied by a grocery store (Stater Bros. Markets) and a variety of and restaurant retail uses. The project site is presently developed with 6,120 square foot building that was previously occupied by Radio Shack and other retail uses. The surrounding existing land uses, Policy Plan (General Plan) and



Figure 1: Project Location

Case Planner:	Lorena Mejia
Planning Director Approval:	
Submittal Date:	3/26/2019

Hearing Body	Date	Decision	Action
DAB	9/16/2019	Approve	Recommend
PC	9/24/19		Final
CC			

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zoning information are summarized in the Technical Appendix Section of this report.

PROJECT ANALYSIS:

[1] <u>Background</u> — The applicant is requesting to demolish the existing building and construct a 3,033 square foot fast-food restaurant with drive-thru facility to accommodate The Habit Burger Grill restaurant. A Variance is being processed in conjunction with the Development Plan to reduce the required front drive aisle setback from 20 feet to 2.5 feet, which will allow the drive-thru facility to be constructed. The building has remained vacant for approximately two to three years and the applicant has struggled to occupy the building with other retail uses.

On September 16, 2019, the Development Advisory Board (DAB) conducted a hearing to consider the subject Development Plan and Variance and concluded the hearing voting to recommend that the Planning Commission approve the Applications subject to conditions of approval, which have been included with the Planning Commission resolution for each Application.

[2] <u>Site Design/Building Layout</u> — The project site is centrally located along the southern boundary of the existing commercial shopping center. The eastern half of the rectangular parcel is presently occupied by a north/south internal drive aisle and parking spaces that will remain in place. The proposed building and drive-thru facility will be located on the western half of the site. The entrance to the drive-thru will be located at the southwest corner of the site and will circulate from south to north, and terminate at the northern property line onto an east/west internal drive aisle located north of the project site. The project includes off-site parking improvements to the west of the property, which include 9 parking spaces located along the western property line that will be reconfigured in the same general location, and the demolition and reconstruction of an existing trash enclosure designed to meet current city standards for a restaurant use. Off-site parking lot improvements are also included north of the project site in the form of additional landscaping and the construction of the drive-thru lane exit area, which was previously occupied by 9 parking spaces.

The building's main entrance is located on the northwest corner of the building, facing west, towards the parking lot. Walkways will be located along the west, north and east portions of the site, providing pedestrian connections to the main entrance. The drive-thru order menu boards are located to the south of the building and the pick-up window is located on the northeast corner of the site, facing east, towards the parking lot (see **Exhibit B: Site Plan**). The floor plan has been designed with the dining area occupying the western half of the building and the kitchen/employee/bathrooms occupying the eastern half of the building (see **Exhibit C: Floor Plan**). An outdoor patio (310 square feet) has also been provided on the south side of the building, facing Holt Boulevard.

[3] <u>Site Access/Circulation</u> — The shopping center is presently served by two access points from Holt Boulevard, two access points from San Antonio Avenue and one access

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point from Bonita Court. The proposed building will not alter the location of any vehicular access points to the shopping center nor drive aisles internal to the shopping center.

[4] Parking — The CC&Rs for the shopping center include provisions for shared parking and access throughout the center. In the 1980s, the Development Code required shopping center's to provide one parking space for each 225 square feet of building, requiring a total of 432 parking spaces. The center was over-parked at the time in which it was developed and there are currently 463 parking spaces on-site. The proposed project would decrease the overall number of parking spaces by 10, providing 453 parking spaces. The 453 parking spaces being provided is sufficient to serve the shopping center and exceeds the minimum parking requirements by 21 parking stalls. Staff also evaluated current Development Code standards for the proposed use, which requires fast food restaurants to provide 13.3 spaces for each 1,000 square feet of gross floor area, and credits one parking space for each 24 lineal feet of a drive-thru lane behind the pick-up window. The 3,033 square foot restaurant with a 164 lineal foot drive-thru lane, requires a total of 33 parking spaces. Staff believes that the proposed use will not adversely affect the overall parking demand within the existing shopping center and sufficient parking will continue to be provided to support the proposed use and existing tenants.

[5] <u>Architecture</u> — The proposed building has a contemporary architectural design. The exterior walls are treated with a combination of horizontal composite wood siding, tile, stucco, and a contrasting color palette that includes grey, red, brown, and beige tones. The western elevation incorporates a tower element with metal canopy that projects over the main entrance. The south elevation incorporates a similar tower element facing Holt Boulevard, enhancing the street facing elevation. The building incorporates a grey field tile at the base of the building, metal trellis over windows, varying roof, and parapet heights, and tower elements throughout the elevations. Additionally, the drivethru features a covered canopy design to match the rest of the building (see **Exhibit D: Elevations**).

The mechanical equipment will be roof-mounted and obscured from public view by parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building's architecture. Staff believes that the proposed project illustrates the type of high-quality architecture promoted by the Development Code. 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 exterior materials, finishes and fixtures; and
- Incorporation of base and top treatments defined by changes in color, materials and recessed wall areas. Designed to ensure that it's massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree) appearance.

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[6] <u>Landscaping</u> — The project provides landscaping improvements that extend beyond project site, which include the adjacent parking lots, areas along the street frontage, the perimeter of the building, and along the drive-thru lane. The Development Code requires a minimum of 10 percent landscaping for interior lots, and the project site is proposing 24 percent landscape coverage, which exceeds the minimum requirement (see **Exhibit E: Landscape Plan**). The project site improvements include renovated landscaping surrounding the proposed building and new landscape planter areas around the proposed trash enclosure. The proposed plant palette includes:

- Four Rhus Lancea Trees (24-inch box standard) planted north of the building and along Holt Boulevard;
- Four Oklahoma Redbuds (24-inch box standard) planted along Holt Boulevard; and
- One Desert Museum tree (15-gallon) planted on the south side of the building.
- [7] <u>Signage</u> The project will be required to submit a sign plan application prior to the installation of signage at the site. The conceptual sign location and design have been included into the proposed building elevations for reference.
- [8] <u>Utilities (drainage, sewer)</u> 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. The proposed development will not substantially alter the existing drainage pattern. The onsite drainage will be conveyed to two underground chambers located on the east side of the project site underneath the parking stalls and any overflow drainage will be conveyed to the curb and gutter along Holt Boulevard.
- [9] <u>Variance</u> The Applicant is requesting approval of a Variance to reduce the required front drive aisle setback from 20 to 2.5 feet. The ultimate right-of-way for Holt Boulevard is 60 feet from centerline and the existing right-of-way is constructed at 50 feet from centerline. The additional 10 feet of right-of-way is required to accommodate the future Bus Rapid Transit (BRT) along Holt Boulevard that will ultimately affect the frontage of the entire shopping center along its southern border. Although the ultimate design for the BRT has not been completed, the additional right-of-way is being requested by the Engineering Department at this time to ensure that the proposed development will not be negatively impacted by future improvements. The proposed drive-thru facility was modified to ensure that it would be located outside the 60-foot right-of-way. In addition, the project site, at 0.34 acres, is substandard in size and does not comply with the current Development Code requirement of a minimum one-acre lot size for drive-thru facilities. However, the minimum one-acre parcel requirement does not apply to this project because the parcel is a legally-established lot. Due to the substandard lot size and the

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location of internal drive aisles within existing shopping center, the Variance application is necessary to facilitate the related Development Plan application.

Staff believes that the Variance request is consistent with TOP Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances in order to achieve the Vision. For these reasons, staff supports granting the Variance request to reduce the front drive-aisle setback in order to allow for the construction of the proposed drive-thru facility and accommodate the future construction of the BRT.

In acting on a Variance request, the Planning Commission must consider and clearly establish certain findings of fact, which are prescribed by State law and the City's Development Code. The following facts and findings have been provided as basis for approval of the requested Variance:

- 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 existing shopping center was developed in the late 1980s and since then, the ultimate right-of-way for Holt Boulevard has been increased by 10 feet. In addition the Development Code standards have been updated and, and the strict application of the drive aisle setbacks would not allow the applicant to feasibly build the proposed restaurant and drive-thru-facility. The project site at 0.34 acres is substandard in size and does not comply with the current Development Code requirement of a minimum 1-acre parcel for drive-thru facilities. However, the minimum 1-acre parcel requirement does not apply to this project because the parcel is a legally-established lot. Due to the substandard lot size and the location of internal drive aisles within existing shopping center, the Variance application is necessary to facilitate the related Development Plan application. Approval of the Variance request will facilitate various site improvements, such as compliance with building setbacks, landscaping and trash enclosure standards. Strict interpretation and enforcement of the Development Plan's drive aisle 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. The requested relief from the minimum drive aisle setback, along Holt Boulevard will allow for greater design flexibility and will serve to provide an economically-viable development on the project site. The Variance application will enable the project to be consistent with properties in the same zoning district that are located near the project site. In addition, the setback deviations will provide the Applicant the ability to comply with other Development Code regulations, such as landscaping, building setbacks, safe and effective site circulation, and a new trash enclosure. Therefore, the strict or literal

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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, economically-viable project; 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 to reduce the front drive aisle setback from 20 feet to 2.5 feet 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; 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; 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 MU (Mixed-Use Downtown) land use district of the Policy Plan Land Use Map, and the MU-1 (Downtown Mixed-Use) 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.

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm)

Drains and Public Facilities)

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[2] Vision.

Distinctive Development:

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

[3] Governance.

Decision Making:

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

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU2: Compatibility between a wide range of uses.
- ➤ <u>LU2-6</u>: <u>Infrastructure Compatibility</u>: We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

- life.
- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.
- ➤ <u>CE2-1 Development Projects</u>. We require new development and redevelopment to create unique, high-quality places that add value to the community.
- ➤ <u>CE2-2 Development Review</u>. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

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➤ <u>CE2-4 Protection of Investment</u>. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ <u>CE2-5 Private Maintenance</u>. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- <u>Goal S1</u>: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.
- ➤ S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

- Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.
- ➤ <u>CD1-1 City Identity</u>. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.
- ➤ <u>CD1-2 Growth Areas</u>. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.
- ➤ <u>CD1-3 Neighborhood Improvement</u>. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.
- Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.
- ➤ <u>CD2-1 Quality Architecture</u>. We encourage all development projects to convey visual interest and character through:
- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and

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- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.
- ➤ <u>CD2-8 Safe Design</u>. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.
- ➤ <u>CD2-9 Landscape Design</u>. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- ➤ <u>CD2-10 Surface Parking Areas</u>. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.
- ➤ <u>CD2-11 Entry Statements</u>. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.
- ➤ <u>CD2-12 Site and Building Signage</u>. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.
- ➤ <u>CD2-13 Entitlement Process</u>. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.
- <u>Goal CD3</u>: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.
- ➤ <u>CD3-1 Design</u>. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.
- ➤ <u>CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas.</u> We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

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➤ <u>CD3-3 Building Entrances</u>. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

- ➤ <u>CD3-5 Paving</u>. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.
- ➤ <u>CD3-6 Landscaping</u>. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.
- <u>Goal CD5</u>: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- ➤ <u>CD5-1 Maintenance of Buildings and Property</u>. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.
- ➤ <u>CD5-2 Maintenance of Infrastructure</u>. We require the continual maintenance of infrastructure.

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

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

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) and Section 15305 (Class 5, Minor Alterations in Land Use Limitations) 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 0.34 acres, less than the maximum 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. The site is adequately served by all required utilities and public services. Also, the minor alterations in land use limitations exception includes minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcel.

CONDITIONS OF APPROVAL: See attached department reports.

September 24, 2019

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Vacant Commercial	MU (Mixed-Use	MU-1 (Downtown	N/A
	Retail Building	Downtown)	Mixed Use)	
North	Commercial Shopping	MU (Mixed-Use	MU-1 (Downtown	N/A
	Center	Downtown)	Mixed Use)	
South	Commercial Retail	MU (Mixed-Use	MU-1 (Downtown	N/A
		Downtown)	Mixed Use)	
East	Commercial Shopping	MU (Mixed-Use	MU-1 (Downtown	N/A
	Center	Downtown)	Mixed Use)	
West	Commercial Shopping	MU (Mixed-Use	MU-1 (Downtown	N/A
	Center	Downtown)	Mixed Use)	

General Site & Building Statistics

ltem	Proposed	Min./Max. Standard	Meets Y/N
Project Area:	0.34	N/A	
Lot/Parcel Size:	0.34	N/A	
Building Area:	3,033 SF	N/A	

Off-Street Parking:

Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
Shopping Center (w/out project site)	91,032 SF	1 space per 225 SF (*1980s Development Code standard utilized when Shopping Center was developed)	404	
Fast Food Restaurant	3,033 SF (164 LF drive-thru lane)	13.3 spaces for each 1,000 square feet of gross floor area, and credits one parking space for each 24 lineal feet of a drive-thru lane behind the pick-up window		
TOTAL			436	453

Exhibit A—PROJECT LOCATION MAP

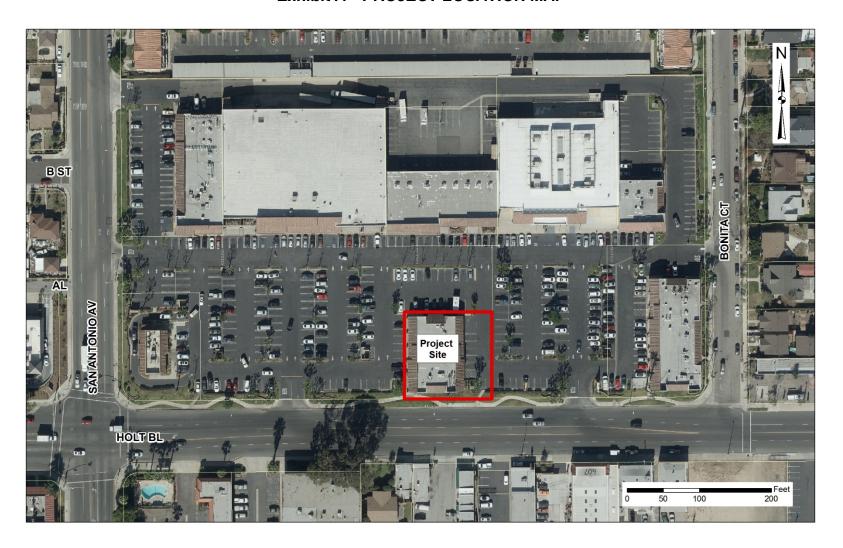


Exhibit B—SITE PLAN

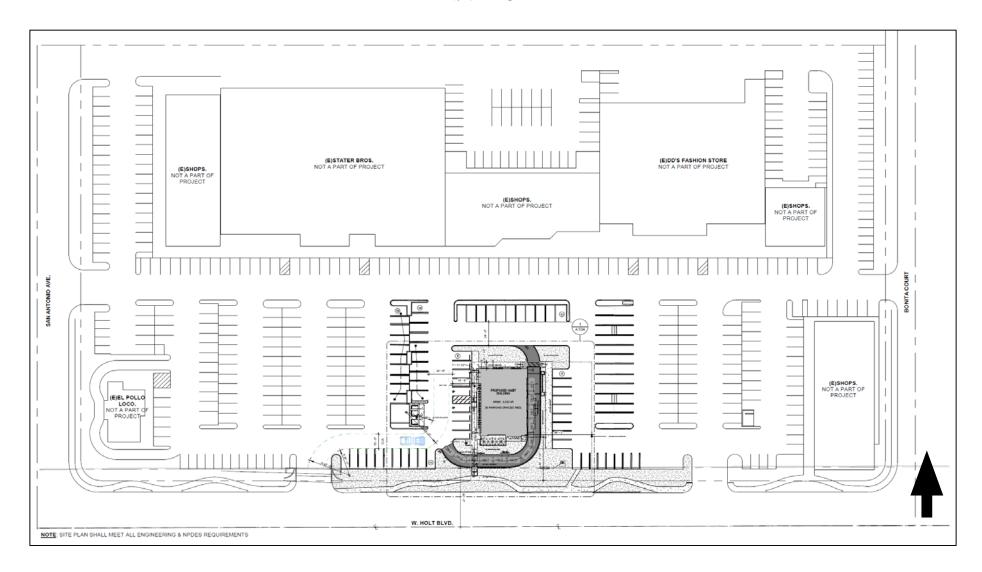


Exhibit B—SITE PLAN (continued)

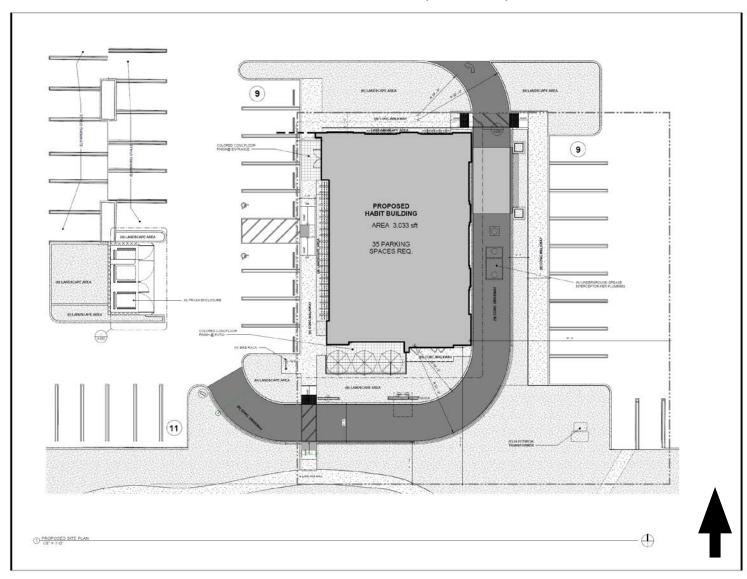


Exhibit C—Floor Plan

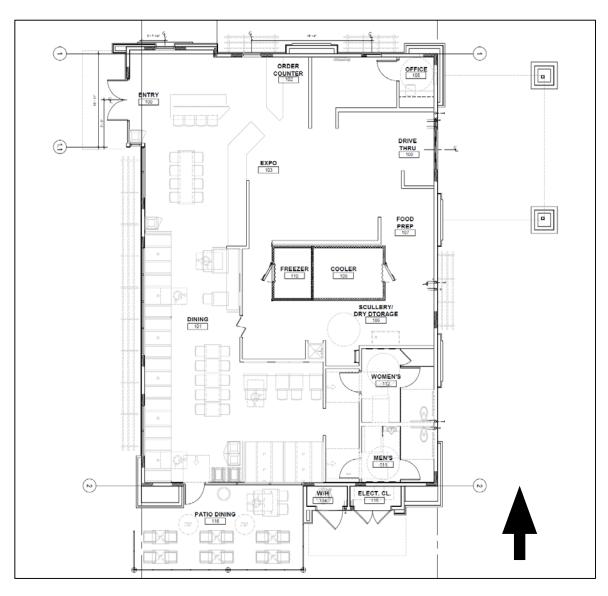
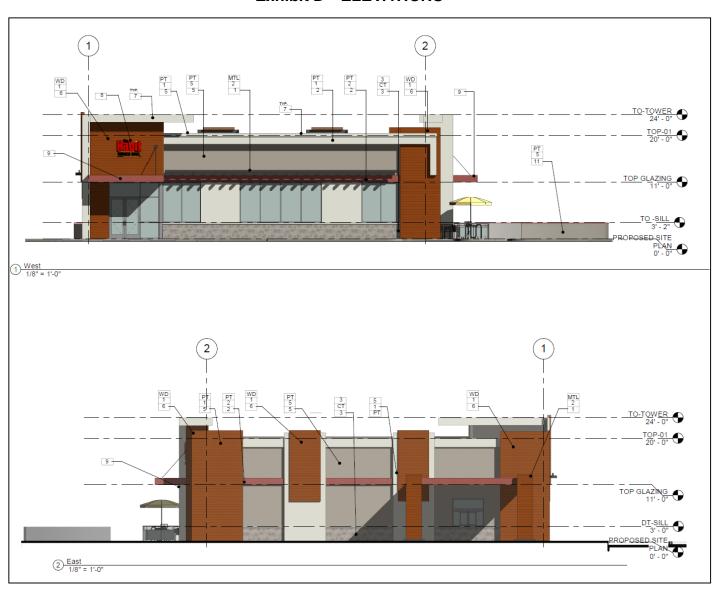


Exhibit D—ELEVATIONS



Page 16 of 18

Exhibit D—ELEVATIONS (continued)



Exhibit E—LANDSCAPE PLAN



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PVAR19-006, A VARIANCE TO REDUCE THE FRONT DRIVE AISLE SETBACK FROM 20 FEET TO 2.5 FEET, ON 0.34 ACRE OF LAND LOCATED AT 624 WEST HOLT BOULEVARD, WITHIN THE MU-1 (DOWNTOWN MIXED-USE) ZONING DISTRICT) AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1048-591-30.

WHEREAS, HOLT-SAN ANTONIO LLC ("Applicant") has filed an Application for the approval of a Variance, File No. PVAR19-006, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.34 acre of land generally located on the northeast corner of San Antonio Avenue and Holt Boulevard, at 624 West Holt Boulevard within the MU-1 (Downtown Mixed-Use) zoning district, and is presently improved with 6,120 square foot commercial building; and

WHEREAS, the properties to the north, south, east and west of the Project site are within the MU-1 (Downtown Mixed Use) zoning district, and are developed with commercial retail/restaurant uses; and

WHEREAS, the Variance is being processed in conjunction with a Development Plan (File No. PDEV19-018) to facilitate the construction of a 3,033-square foot fast-food restaurant with drive-thru; and

WHEREAS, the Applicant is requesting approval of a Variance to reduce the required front drive aisle setback from 20 to 2.5 feet. The ultimate right-of-way for Holt Boulevard is 60 feet from centerline and the existing right-of-way is constructed at 50 feet from centerline. The additional 10 feet of right-of-way is required to accommodate the future Bus Rapid Transit (BRT) along Holt Boulevard that will ultimately affect the frontage of the entire shopping center along its southern border; and

WHEREAS, the proposed drive-thru facility was modified to ensure that it would be located outside the 60-foot right-of-way additional right-of-way to ensure that the proposed development will not be negatively impacted by future BRT improvements; and

WHEREAS, the Variance request is consistent with TOP Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances in order to achieve the Vision. For these reasons, staff supports granting the Variance request to reduce the front drive-aisle setback in order to allow for the construction of the proposed drive-thru facility and accommodate the future construction of the BRT; and

Planning Commission Resolution File No. PVAR19-006 September 24, 2019 Page 2

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 Planning Commission the responsibility and authority to review and act on the subject Application; 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 September 16, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-056, recommending the Planning Commission approve the Application; and

WHEREAS, on September 24, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

<u>SECTION 1</u>: *Environmental Determination and Findings.* As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the

Planning Commission Resolution File No. PVAR19-006 September 24, 2019 Page 3

facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

- (1) The administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and
- (2) The Project is categorically exempt from environmental review pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines include minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcel; and
- (3) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and
- (4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

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

<u>SECTION 4</u>: **Concluding Facts and Reasons.** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the Planning Commission hereby concludes as follows:

Planning Commission Resolution File No. PVAR19-006 September 24, 2019 Page 4

- 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 existing shopping center was developed in the late 1980s and since then, the ultimate right-of-way for Holt Boulevard has been increased by 10 feet. In addition the Development Code standards have been updated and, and the strict application of the drive aisle setbacks would not allow the applicant to feasibly build the proposed restaurant and drive-thru-facility. The project site at 0.34 acres is substandard in size and does not comply with the current Development Code requirement of a minimum 1-acre parcel for drive-thru facilities. However, the minimum 1-acre parcel requirement does not apply to this project because the parcel is a legally-established lot. Due to the substandard lot size and the location of internal drive aisles within existing shopping center, the Variance application is necessary to facilitate the related Development Plan application. Approval of the Variance request will facilitate various site improvements, such as compliance with building setbacks, landscaping and trash enclosure standards. Strict interpretation and enforcement of the Development Plan's drive aisle 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.
- (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. The requested relief from the minimum drive aisle setback, along Holt Boulevard will allow for greater design flexibility and will serve to provide an economically-viable development on the project site. The Variance application will enable the project to be consistent with properties in the same zoning district that are located near the project site. In addition, the setback deviations will provide the Applicant the ability to comply with other Development Code regulations, such as landscaping, 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, economically-viable project.
- (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 to reduce the front drive aisle setback from 20 feet to 2.5 feet 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.

- (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.
- (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. 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.
- <u>SECTION 5</u>: **Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.
- <u>SECTION 6</u>: *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.
- <u>SECTION 7</u>: **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.
- <u>SECTION 8</u>: **Certification to Adoption.** The Secretary shall certify to the adoption of the Resolution.

_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of September 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Nancy DeDiemar Planning Commission Vice-Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

Planning Commission Resolution File No. PVAR19-006 September 24, 2019 Page 7	
STATE OF CALIFORNIA COUNTY OF SAN BERNARDINO CITY OF ONTARIO)))
City of Ontario, DO HEREBY CER passed and adopted by the Planning	y Pro Tempore of the Planning Commission of the TIFY that foregoing Resolution No was duly g Commission of the City of Ontario at their regular 9, by the following roll call vote, to wit:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Gwen Berendsen Secretary Pro Tempore

ATTACHMENT A:

File No. PVAR19-006 Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)



Meeting Date: September 24, 2019

File No: PVAR19-006

Related Files: PDEV19-018

Project Description: A Variance to reduce the front drive aisle setback from 20 feet to 2.5 feet, on 0.34 acre of land located at 624 West Holt Boulevard, within the MU-1 (Downtown Mixed Use) zoning district; (APN: 1048-591-30) **submitted by Holt-San Antonio LLC.**

Prepared By: Lorena Mejia, Senior Planner

<u>Phone</u>: 909.395.2276 (direct) <u>Email</u>: Imejia@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 <u>Time Limits</u>.

(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 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines, which includes minor lot line adjustments, and side yard and setback variances not resulting in the creation of any new parcel.
- **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

File No.: PVAR19-006

Page 2 of 2

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 Fees.

- (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 <u>Plan Check</u> and <u>Inspection</u> fees shall be paid at the rate established by resolution of the City Council.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-018, A DEVELOPMENT PLAN TO CONSTRUCT A 3,033-SQUARE FOOT FAST-FOOD RESTAURANT WITH DRIVE-THRU, ON 0.34 ACRE OF LAND LOCATED AT 624 WEST HOLT BOULEVARD, WITHIN THE MU-1 (DOWNTOWN MIXED-USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1048-591-30.

WHEREAS, HOLT-SAN ANTONIO LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-018, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.34 acre of land generally located on the northeast corner of San Antonio Avenue and Holt Boulevard, at 624 West Holt Boulevard within the MU-1 (Downtown Mixed-Use) zoning district, and is presently improved with 6,120 square foot commercial building; and

WHEREAS, the properties to the north, south, east and west of the Project site are within the MU-1 (Downtown Mixed Use) zoning district, and are developed with commercial retail/restaurant uses; and

WHEREAS, a Variance (File No. PVAR19-006) to reduce the required front drive aisle setback from 20 to 2.5 feet is being processed in conjunction with the Development Plan to facilitate the construction of a 3,033-square foot fast-food restaurant with drive-thru; and

WHEREAS, the project site is centrally located along the southern boundary of the existing commercial shopping center. The eastern half of the rectangular parcel is presently occupied by a north/south internal drive aisle and parking spaces that will remain in place. The proposed building and drive-thru facility will be located on the western half of the site. The entrance to the drive-thru will be located at the southwest corner of the site and will circulate from south to north, and terminate at the northern property line onto an east/west internal drive aisle located north of the project site; and

WHEREAS, the building's main entrance is located on the northwest corner of the building, facing west, towards the parking lot. The drive-thru order menu boards are located to the south of the building and the pick-up window is located on the northeast corner of the site, facing east, towards the parking lot. The floor plan has been designed with the dining area occupying the western half of the building and the kitchen/employee/bathrooms occupying the eastern half of the. An outdoor patio (310 square feet) has also been provided on the south side of the building, facing Holt Boulevard; and

WHEREAS, the shopping center is presently served by two access points from Holt Boulevard, two access points from San Antonio Avenue and one access point from Bonita Court. The proposed building will not alter the location of any vehicular access points to the shopping center nor drive aisles internal to the shopping center; and

WHEREAS, the CC&Rs for the shopping center include provisions for shared parking and access throughout the center. In the 1980s, the Development Code required shopping center's to provide one parking space for each 225 square feet of building, requiring a total of 432 parking spaces. The center was over-parked at the time in which it was developed and there are currently 463 parking spaces on-site. The proposed project would decrease the overall number of parking spaces by 10, providing 453 parking spaces. The 453 parking spaces being provided is sufficient to serve the shopping center and exceeds the minimum parking requirements by 21 parking stalls. Staff also evaluated current Development Code standards for the proposed use, which requires fast food restaurants to provide 13.3 spaces for each 1,000 square feet of gross floor area, and credits one parking space for each 24 lineal feet of a drive-thru lane behind the pick-up window. The 3,033 square foot restaurant with a 164 lineal foot drive-thru lane, requires a total of 33 parking spaces. Staff believes that the proposed use will not adversely affect the overall parking demand within the existing shopping center and sufficient parking will continue to be provided to support the proposed use and existing tenants; and

WHEREAS, the proposed building has a contemporary architectural design. The exterior walls are treated with a combination of horizontal composite wood siding, tile, stucco, and a contrasting color palette that includes grey, red, brown, and beige tones. The western elevation incorporates a tower element with metal canopy that projects over the main entrance. The south elevation incorporates a similar tower element facing Holt Boulevard, enhancing the street facing elevation. The building incorporates a grey field tile at the base of the building, metal trellis over windows, varying roof, and parapet heights, and tower elements throughout the elevations. Additionally, the drive-thru features a covered canopy design to match the rest of the building; and

WHEREAS, the project provides landscaping improvements that extend beyond project site, which include the adjacent parking lots, areas along the street frontage, the perimeter of the building, and along the drive-thru lane. The Development Code requires a minimum of 10 percent landscaping for interior lots, and the project site is proposing 24 percent landscape coverage, which exceeds the minimum requirement; and

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

The proposed development will not substantially alter the existing drainage pattern. The onsite drainage will be conveyed to two underground chambers located on the east side of the project site underneath the parking stalls and any overflow drainage will be conveyed to the curb and gutter along Holt Boulevard; and

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 Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on September 16, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-057, recommending the Planning Commission approve the Application; and

WHEREAS, on September 24, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

<u>SECTION 1</u>: *Environmental Determination and Findings.* As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

- (1) The administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and
- (2) The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32, Infill 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 0.34 acre, less than the maximum 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. The site is adequately served by all required utilities and public services; and
- (3) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and
- (4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: **Housing Element Compliance.** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is

not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as "ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

<u>SECTION 4</u>: **Concluding Facts and Reasons.** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the Planning Commission hereby concludes as follows:

- (1) The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed Project is located within the MU (Mixed-Use Downtown) land use district of the Policy Plan Land Use Map, and the MU-1 (Downtown Mixed-Use) 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.
- (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 MU (Mixed-Use

Downtown) zoning district, including standards relative to the particular land use proposed (fast food restaurant and drive-thru facility), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

- (3) The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project. The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the 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.
- (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 (fast food restaurant and drive-thru facility). 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.

<u>SECTION 5</u>: **Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

<u>SECTION 6</u>: *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.

<u>SECTION 7</u>: **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.

<u>SECTION 8</u>: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of September 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Nancy DeDiemar
Planning Commission Vice-Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

Planning Commission Resolution File No. PDEV19-018 September 24, 2019 Page 8	
STATE OF CALIFORNIA COUNTY OF SAN BERNARDINO CITY OF ONTARIO)))
City of Ontario, DO HEREBY CER passed and adopted by the Planning	ry Pro Tempore of the Planning Commission of the TIFY that foregoing Resolution No was duly g Commission of the City of Ontario at their regular 9, by the following roll call vote, to wit:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Gwen Berendsen Secretary Pro Tempore

ATTACHMENT A:

File No. PDEV19-018 Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division **Conditions of Approval**

Meeting Date: September 24, 2019

File No: PDEV19-018

Related Files: PVAR19-006

Project Description: A Development Plan to construct a 3,033-square foot fast-food restaurant with drive-thru, on 0.34 acre of land located at 624 West Holt Boulevard, within the MU-1 (Downtown Mixed-Use) zoning district; (APN: 1048-591-30) submitted by Holt-San Antonio LLC.

Lorena Mejia, Senior Planner Prepared By:

Phone: 909.395.2276 (direct) Email: Imejia@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.

- 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.
- 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.
- 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.

File No.: PDEV19-018

Page 2 of 4

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** <u>Walls and Fences</u>. 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)** 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.
- **(c)** 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.
- (d) 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).

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.

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Page 3 of 4

- **(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).
- **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

File No.: PDEV19-018

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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 <u>Plan Check</u> and <u>Inspection</u> fees shall be paid at the rate established by resolution of the City Council.

2.14 Additional Requirements.

(a) The proposed trash enclosure shall be architecturally enhanced, to be consistent with the architectural design of the proposed building.

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.:	PDEV19-018						Reviewed	Bv:
Address:	624 West Hol						Lorena I	·
APN: 1048-591-30								
		D., 11.41					Contact In	
Existing Land Use:	Commercial I	Building					909-395-2276	
					Project Pla	anner:		
Proposed Land Use:			,120 SF commercial building and construct a 3,033 SF fast ve-thru facility		Lorena I			
Site Acreage:	0.33 acres		Proposed Struct	ture Heigh	nt: 24 FT		Date:	4/23/19
ONT-IAC Projec	t Review:	n/a					CD No.:	2019-026
Airport Influence	Area:	ONT					PALU No.	: <u>n/a</u>
TI	ne project	is impac	cted by the	followi	ng ON1	ALUCP Compa	ntibility	Zones:
Safe	ty	N	loise Impact		Airsp	ace Protection	Ove	erflight Notification
Zone 1		75	+ dB CNEL		High	Terrain Zone		Avigation Easement Dedication
Zone 1A		70	- 75 dB CNEL		√ FAA	Notification Surfaces		Recorded Overflight
Zone 2		65	- 70 dB CNEL			pace Obstruction		Notification
Zone 3			- 65 dB CNEL		Surfa	aces		Real Estate Transaction Disclosure
Zone 4		₩ 00	- 03 db CNLL			pace Avigation ement Area		
\sim					Allowable	110 FT		
Zone 5					Height:	110 F 1		
	The pro	ject is im	pacted by t	he follo	owing C	Chino ALUCP Sa	fety Zo	nes:
Zone 1		Zone 2	Zone 3	(Zone	4 Zono	e 5	Zone 6
Allowable Heig	ght:							
			CONSIST	ENCY	DETERN	INATION		
This proposed Pr	oject is:	Exempt from	the ALUCP	• Cons	istent	Consistent with Cor	nditions	Inconsistent
1 1 1			1			tario International A Airport Land Use C	1	/
A: 15:			Lo	men c	Yejie			

Airport Planner Signature:



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)

					V4.
□ DEVELOPMENT PLAN	☐ PARC	EL MAP	TF	RACT MAP	
OTHER	☐ FOR CONDOMINIUM PURPOSES				
PF	OJECT FIL	E NO. PDEV	19-018		
RELATED	FILE NO(S).			_	
⊠ OR	IGINAL 🗌	REVISED: _	_//_		
CITY PROJECT ENGINEER 8	PHONE NO:	Antonio Alej	os A.4.	(909) 395-23	384
CITY PROJECT PLANNER &	PHONE NO:	Lorena Mejia	3 1	(909) 395-22	276
DAB MEETING DATE:		September 16 th , 2019			
PROJECT NAME / DESCRIPT	TION:		ast-food res Grill) totali	staurant (The ng 3,033 squa	re
LOCATION:		624 West Hol	t Boulevard	d	
APPLICANT:		Holt-San Antonio LLC			
REVIEWED BY:		Bryan Lirley,		9/10/19 Date	
APPROVED BY:		Principal Eng Raymond Lee Assistant City	e, P.E.	9/lo/19 / Date	•

Last Revised: 9/9/2019



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

Project File No. <u>PDEV19-018</u> Project Engineer: <u>Antonio Alejos</u> DAB Date: <u>09/16/19</u>



Ц	1.10	Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.	
	1.11	Provide a preliminary title report current to within 30 days.	
	1.12	File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.	
	1.13	New Model Colony (NMC) Developments:	
		☐ 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.	
		 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents). 	
		☐ 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).	
П	1.14		
\Box	1.14	Other conditions:	
2.		R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:	
2.	PRIO		
2.	PRIO	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:	
2.	PRIO	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No. pursuant to the Subdivision Map Act and in accordance	
2.	A. GE (Perm 2.01	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.	
	A. GE (Perm 2.01	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario	
	A. GE (Perm 2.01 2.02 2.03	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario Per Parcel Map No. 9753, Parcel 4. 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	
	PRIO A. GE (Perm 2.01 2.02 2.03 2.04	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario Per Parcel Map No. 9753, Parcel 4. 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	



2.07	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=T100000004658 .	
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: 1. Varying width along Holt Boulevard (ultimate right-of-way width varies approximately	
	58-feet to 51-feet from street centerline).	
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.	

Project File No. <u>PDEV19-018</u> Project Engineer: <u>Antonio Alejos</u> DAB Date: <u>09/16/19</u>



\boxtimes	2.15	Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$8,000, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.	
	2.16	Other conditions:	П

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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	Holt Blvd.	Street 2	Street 3	Street 4
Curb and Gutter	New; ft. from C/L	New; ft. from C/L	New; ft. from C/L	New; ft. from C/L
AC Pavement	Replacement	Replacement	Replacement	Replacement
PCC Pavement (Truck Route Only)	New Modify existing	New Modify existing	New Modify existing	New Modify existing
Drive Approach	New	New	New	New
Sidewalk	New	New	New	New
ADA Access Ramp	New	New	New	New
Parkway	✓ Trees✓ Landscaping (w/irrigation)	Trees	Trees	Trees
Raised Landscaped Median	New	New	New	New
Fire Hydrant (see Sec. 2.D)	Upgrade Relocation	New / Upgrade Relocation	New / Upgrade Relocation	New / Upgrade Relocation
Sewer (see Sec. 2.C)	☐ Main ☑ Lateral	Main Lateral	Main Lateral	Main Lateral
Water (see Sec. 2.D)	New Service for Domestic Use Only w/ Backflow Device New Service for Irrigation Use Only w/ Backflow Device New Service for Fire Use Only w/ DCDA	Main Service	Main Service	Main Service
Recycled Water (see Sec. 2.E)	Main Service	Main Service	Main Service	Main Service
Traffic Signal System (see Sec. 2.F)	New Modify existing	New Modify existing	New Modify existing	New Modify existing



						20
	Traffic Signing and Striping (see Sec. 2.F)	New Modify existing	New Modify existing	New Modify existing	New Modify existing	
	Street Light (see Sec. 2.F)	Upgrade to LED Relocation	New / Upgrade Relocation	New / Upgrade Relocation	New / Upgrade Relocation	
	Bus Stop Pad or Turn-out (see Sec. 2.F)	Modify existing	New Modify existing	New Modify existing	New Modify existing	
	Storm Drain (see Sec. 2G)	Lateral	Main Lateral	Main Lateral	Main Lateral	
	Fiber Optics (see Sec. 2K)	Conduit / Appurtenances	Conduit / Appurtenances	Conduit / Appurtenances	Conduit / Appurtenance	
	Overhead Utilities	Underground Relocate	Underground Relocate	Underground Relocate	Underground Relocate	
	Removal of Improvements	Abandon services/laterals no longer to be used				
	Other Improvements					
	Specific notes for imp	provements listed in item no	o. 2.17, above:			
2.18	Construct a 2" asphal	t concrete (AC) grind and	overlay on the follow	ring street(s):		
2.19	1011, may be require	full pavement structural se d based on the existing pa n shall be along property fr	vement condition an	d final street design	n. Minimum	
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 sha (Ordinance No. 2804	all be under-grounded, in 4 and 2892). Developer lities in accordance with Se	accordance with Ti	tle 7 of the City's	Municipal Code	
2.22	Other conditions:					
C. SE	WER					
2.23	An 8-inch sewer mai (Ref: Sewer plan bar	n is available for connec code: <u>S13999</u>)	tion by this project	in Holt Boulevar	d.	
2.24	Design and construct closest main is approx	a sewer main extension. A cimately feet away.	A sewer main is not	available for direc	t connection. The	

Project File No. <u>PDEV19-018</u> Project Engineer: <u>Antonio Alejos</u> DAB Date: <u>09/16/19</u>



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 a new sewer lateral to the existing 8-inch sewer main in Holt Boulevard and equip a clean-out 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 will all the requirements of the Wastewater Discharge Permit (http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit). 1a. 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 Phone: (909) 395-2661	
D. W	ATER	
2.27	A 10-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water plan bar code: <u>W12333</u>)	
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 upgrade the existing fire hydrant on Holt Boulevard property frontage per the latest City Design Guidelines/Standard Drawings.	
	2. The applicant/developer shall install a new domestic water service to the existing 10-inch domestic water main in Holt Boulevard 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 a separate domestic water service (for irrigation purposes only) to the existing 10-inch domestic water main in Holt Boulevard 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 a new fire service to the existing 10-inch domestic water main in Holt Boulevard and equip a DCDA to the service behind the property line per the latest City Design Guidelines/Standard Drawings.	
E. RE	CYCLED WATER	
2.30	Ainch 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. TR	RAFFIC / 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.	
\boxtimes	2.37	Other conditions: 1. Holt Boulevard shall be signed "No Parking Anytime".	
		2. Holt Boulevard is designated as a divided arterial in the City's Master Plan of Streets and Highways. Existing driveways on Holt Boulevard shall be limited to right-turn access only when the future median is installed.	
		3. The applicant/developer shall be responsible to replace any existing street light fixtures along property frontage of Holt Boulevard with the current City/approved LED equivalent fixture. Please refer to the Traffic and Transportation Design Guidelines Section 1.4-Street Light Plans.	
	G. DF	RAINAGE / HYDROLOGY	
	2.38	Ainch 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:	П



H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES) 401 Water Quality Certification/404 Permit - Submit a copy of any applicable 401 Certification or 404 2.44 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. Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the \boxtimes 2.45 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. 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 File an application, together with an initial payment deposit (if required), to establish a Community 2.48 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 X Design and construct fiber optic system to provide access to the City's conduit and fiber optic 2.50 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. See Fiber Optic Exhibit herein for reference only.

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.

2.51

M



	L. So	lid Waste	
\boxtimes	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 four (4) 4CY-bin trash enclosure with a solid roof per the Refuse & Recycling Planning Manual.	
		Prior to Grading Permits: 1a. Provide a Solid Waste Handling Plan (SWHP) sheet that complies with the "Solid Waste Handling Plan Requirements".	
		1b. The site shall comply with the Requirements of State Assembly Bill AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.	
		1c. Include on SWHP how Organics separation and collections shall be handled in addition to refuse and recycling collections.	

Project File No. <u>PDEV19-018</u> Project Engineer: <u>Antonio Alejos</u> DAB Date: <u>09/16/19</u>



3.	PRIC	OR 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.	
\boxtimes	3.05	Confirm payment of all Development Impact Fees (DIF) to the Building Department.	
\boxtimes	3.06	Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).	



EXHIBIT 'A'

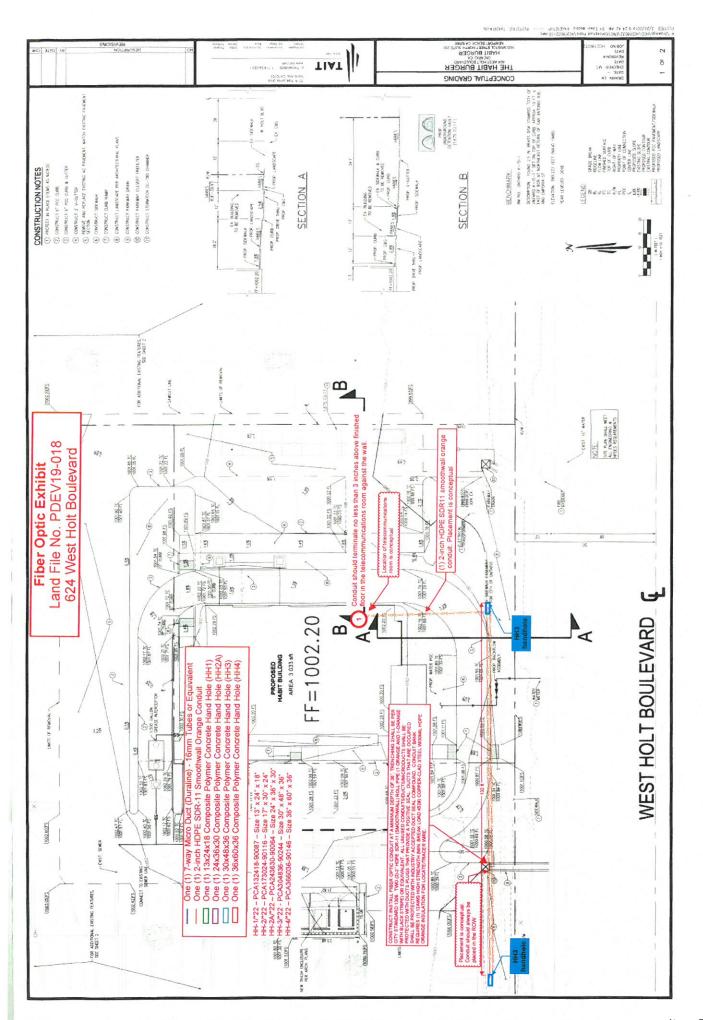
ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

	Project Number: PDEV19-018, and/or Parcel Map/Tract Map No	
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.		
20.	☐ Payment for Final Map/Parcel Map processing fee	
21.	☐ Three (3) copies of Final Map/Parcel Map	

Project File No. <u>PDEV19-018</u> Project Engineer: <u>Antonio Alejos</u> DAB Date: <u>09/16/19</u>



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 Right-of-Way Dedication Form (include all items in Right-of-Way Dedication Application Checklist)





CITY OF ONTARIO MEMORANDUM

TO: Lorena Mejia, Planning Department

FROM: Douglas Sorel, Police Department

DATE: April 16, 2019

SUBJECT: PDEV19-018 – A DEVELOPMENT PLAN TO CONSTRUCT A FAST

FOOD RESTAURANT WITH DRIVE-THRU AT 624 WEST HOLT BLVD.

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 call Douglas Sorel at (909) 408-1873 regarding any questions or concerns.

CITY OF ONTARIO MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia

FROM: BUILDING DEPARTMENT, Kevin Shear

DATE: April 03, 2019

SUBJECT: PDEV19-018

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

☐ No comments
☐ Report below.

Conditions of Approval

- 1. Standard Conditions of Approval apply.
- 2. The Address for the site will be 634 W. Holt Blvd.

KS:lr



CITY OF ONTARIO MEMORANDUM

TO: Lorena Mejia, Senior Planner

Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal

Fire Department

DATE: April 7, 2019

SUBJECT: PDEV19-018 - A Development Plan to construct a 3,033-square foot fast-

food restaurant (The Habit Burger Grill) on 0.34 acres of land located at 624 West Holt Boulevard, within the MU-1 (Downtown Mixed Use) zoning

district (APN: 1048-591-30).

☐ The plan <u>does</u> 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): 3,033 Sq. Ft.

D. Number of Stories: 1

E. Total Square Footage: 3,033 Sq. Ft.

F. 2016 CBC Occupancy Classification(s): B

CONDITIONS OF APPROVAL:

1.0 GENERAL

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.

- ≥ 2.4 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.

3.0 WATER SUPPLY

- ⊠ 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.

4.0 FIRE PROTECTION SYSTEMS

- ☑ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard Choose an item. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ✓ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finaled) <u>before</u> the building is enclosed.
- △ 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.
- △ 4.8 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.
- ∑ 5.6 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 <u>Standard #H-001</u> for specific requirements.



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:	Lorena Mejia, Sei	nior Planner				
DATE:	March 27, 2019					
SUBJECT:	FILE #: PDEV19-	-018	Finance Acct#:			
	project has been sub port to the Planning De		ease send one (1) copy and email	one (1) copy of		
Note:	Only DAB action is re	quired				
	Both DAB and Planni	ng Commission actio	ns are required			
	Only Planning Comm	ission action is requir	red			
	DAB, Planning Commission and City Council actions are required					
	Only Zoning Administrator action is required					
PROJECT DESCRIPTION: A Development Plan to construct a fast-food restaurant (The Habit Burger Grill) totaling 3,033 square feet on 0.34 acres of land located at 624 West Holt Boulevard, within the MU1 zoning district. (APN: 1048-591-30).						
X The plan	does adequately add	ress the departmenta	al concerns at this time.			
X	★ 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.						
	nd Operations	Anna Vaca	Sr. Systems Analyst	04/15/2019	Date	
Department		Signature	Tiue		Date	

CITY OF ONTARIO LANDSCAPE PLANNING DIVISION

Sign Off

4/17/19
Carolyn Bell, Sr. Landscape Architect Date

CONDITIONS OF APPROVAL

303 East "B" Street, Ontario, CA 91764

Reviewer's Name: Phone:

Carolyn Bell, Sr Landscape Architect (909) 395-2237

D.A.B	. File No.:	Case Planner:
PDEV19-018 Lorena Mejia		
Projec	t Name and Location:	
The I	Habit Grill	
624 V	N Holt Blvd.	
Applic	ant/Representative:	
Tait a	and Associates, Greg Fick	
701 F	Parkcenter Dr.	
Santa	a Ana, CA 92705	
	A Preliminary Landscape Plan (dated 3/27/19) meets the Standar Development and has been approved with the consideration that conditions below be met upon submittal of the landscape const	at the following
	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Lands	
A DE	PROMEE CHEET IS DECLIDED WITH DESIDNITTAL OF DLANG WILL DE D	ETUDNED AS INCOMPLETE

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.
- 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 valve 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 General Fund for city tree planting or city approved combination of the above items.
- 3. Dimension backflow devices set back 4' from paving all sides. Locate on level grade
- 4. 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. Move storm drain line shown in parking lot tree island planter SW of building.
- 5. Provide a utility clear space 10' wide in parkways 30' apart for street trees. Move utilities as needed
- 6. 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.
- 7. Dimension all planters to have a minimum 5' wide inside dimension.
- 8. Dimension and note for step-outs at parking spaces at planters; a 12" wide monolithic concrete curb.

9. 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

- 10. Provide an arborist report and tree inventory as noted in #1.
- 11. 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.
- 12. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
- 13. Show landscaping in the perimeter planters and trees spaced 30' apart.
- 14. Street trees for this project are Fraxinus oxycarpa 'Raywood Ash', 24" box 30' oc.
- 15. Locate trees for shade on buildings, parking lots, seating areas and paving, to screen blank walls, add 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.
- 16. Show parking lot island planters adjacent to trash enclosures for screening.
- 17. Show parking lot shade trees with min 30' canopy at maturity at parking islands and row ends.
- 18. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
- 19. Show landscape hydrozones on plan or legend with low water plants per WUCOLS. Moderate water plants may be used for part shade north and east facing locations.
- 20. Replace short lived, high maintenance or poor performing plants: Rhus, Cercidium accent tree only. Consider Tristania laurina in narrow spaces, Platanus or other shade tree for patio.
- 21. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
- 22. Designer or developer to provide agronomical soil testing and include report on landscape CD's
- 23. 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.
- 24. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
- 25. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See http://www.ontarioca.gov/landscape-planning/standards
- 26. 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:

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



FILE NO.: PDEV18-006

SUBJECT: A Development Plan for the construction of an 88-unit apartment complex on 3.5 acres of land located south of Sixth Street and west of the San Bernardino County Flood Control Channel, at 1402 North Virginia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district, **submitted by SC Property Fund LLC.**

PROPERTY OWNER: Jenny Wang

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PDEV18-006, pursuant to the facts and reasons contained in the staff report and attached resolution(s), and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 3.5 acres of land generally located south of Sixth Street and west of the San Bernardino County Flood Control Channel, at 1402 North Virginia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0

DU/Acre) zoning district, and is depicted in Figure 1: Project Location. The site is irregular in shape, with a lot depth of 792 feet and a lot width of 280 feet. The site is relatively flat, with a gentle north to south slope of just over one percent. The site is surrounded to the north by the San Bernardino County Flood Control Channel, to the south by Interstate 10 (I-10), to the east by single-family homes and to the west by multiple-family residential development.

PROJECT ANALYSIS:

[1] <u>Background</u> — The Applicant is requesting Development Plan approval to construct an 88-Unit apartment complex (Virginia Avenue Apartments) in a mix of



Figure 1: Project Location

Case Planner:	Luis E. Batres	
Planning Director Approval:	Colly	
Submittal Date:	1/30/18	

Hearing Body	Date	Decision	Action
DAB	9-4-19	Approved	Recommend
PC	9-24-19		Final
CC			

File No.: PDEV18-006 September 24, 2019

three and four-story building configurations. Staff has worked with the applicant to design a project that reflects the development standards and design guidelines of the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district, and the goals and policies of The Ontario Plan (TOP), as they relate to the High Density Residential land use district.

On September 4, 2019, the Development Advisory Board reviewed the subject application and recommended that the Planning Commission approve the proposed project, subject to departmental conditions of approval included with the attached resolution.

[2] <u>Site Design/Building Layout</u> — The site plan is composed of a total of eleven buildings, including six residential buildings, four garage buildings and one recreational building, distributed around a centralized common open space and recreation amenities area, at a density of 25.1 dwellings per acre. Residential apartment units will be accessed via interior corridors, which are accessible via stairs and/or elevators. The project provides seven floor plans, which range in size from 785 to 1,112 square feet. Building functions are as follows:

- Buildings 1, 3, 5, 10 and 11 are enclosed garages and contain a total of 36 individual garages with storage areas and 2 storage rooms;
- Buildings 2 and 6 contain a total of eight two bedroom units with 36 tuck-under garage spaces;
- Building 4 contains 32 one-bedroom units in a stacked-flats configuration;
- Building 7 contains four one-bedroom units and 9 tuck-under garage units;
- Building 8 contains four two-bedroom units and 7 tuck-under garage units;
- Building 9 contains 32 two-bedroom units in a stacked-flat configuration; and
- Building 12 contains a 2,025 square foot Club House.

The one-story Club House is at the center of the project site and is surrounded by approximately 11,134 square feet of active area. Recreational amenities include an exercise room, lounge area/multi-purpose room, kitchen, restrooms, leasing office, covered walkways, fireplace, outdoor showers, and storage space (see Exhibit B—Site Plan). The perimeter of the site will be enclosed with an existing 10-foot high block wall along the south property line (Interstate-10 frontage), a new 6-foot high block wall along the west property line, and a new 6-foot high block wall along the north property line (San Bernardino County Flood Control Channel frontage).

[3] <u>Site Access/Circulation</u> —The San Bernardino County Flood Control Channel borders the project site on the north and Interstate 10 borders the site on the south, restricting street access to the site; however, a 35-foot wide access easement has been obtained by the applicant from the County of San Bernardino Flood Control District, to provide access to the site from Sixth Street. Access will be provided along the northwest portion of the development. The access easement will be improved with a 5-foot wide landscape planter, a two-way 26-foot wide drive aisle, and a 4-foot wide sidewalk.

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[4] Parking — Off-street parking in the form of garage spaces and uncovered surface parking is distributed throughout the project site. A total of 185 off-street parking spaces are required for the project. The Ontario Development Code requires that the project provide off-street parking at the rate of 1.75 spaces per dwelling unit for one-bedroom units (with one covered space), two spaces per dwelling unit for two-bedroom units (with one covered space), and one guest parking space for every five dwelling units. The proposed project provides a total of 88 garage parking spaces and 100 uncovered resident and guest parking spaces, for a total of 188 spaces, which exceeds the minimum parking requirement for the project, A full parking breakdown is included in the Technical Appendix of this report.

[5] <u>Architecture</u> —The project proposes a contemporary architectural design with Spanish Colonial influences, exemplifying the type of high-quality architecture promoted by the Development Code and TOP vision (See Figure 2: Club House Front Elevation, below and exterior building elevations contained in Exhibits D through Y, attached). The mass and scale of the buildings are designed to be proportionate to the site, open space, and scale of the neighborhood. Special attention was given to the colors, materials, massing, building form, and architectural details. This is exemplified though the use of:



Figure 2: Clubhouse Front Elevation

- Articulation in the building's roof lines;
- Concrete S-tile roof;
- Stone veneer:
- Smooth plaster;
- A hump and bump stucco finish at key architectural areas;
- Decorative powder coated wrought iron work at key insets, windows, balconies and garage units;
- Decorative window shutters at key locations;
- Arched and round elements;
- Shaped corbels:
- Decorative trims at windows and doors;
- Decorative sconce lighting fixtures;
- Decorative red clay barrel accent pipes along the front of the gabled roofs;
- Decorative Mexican tiles along key architectural elements;

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- Cantilever architectural elements; and
- Incorporation of a color pallet appropriate to the proposed architecture.



Figure 3: Landscape Plan

[6] <u>Landscaping</u> — The project exceeds the minimum landscape requirements established by the Development Code, providing a minimum of 60 square feet of private open space per unit, in the form of private balconies, and 257 square feet of common open space for each unit. Common open space (totaling 22,621 square feet) is provided by the Club House (2,462 square feet), a 20-foot x 40-foot swimming pool, 27-foot x 50-foot basketball court, and spa. Other outdoor amenities include covered patios, BBQ areas, tables and benches, children's play equipment, and outdoor workout/health equipment (see Figure 3: Landscape Plan, above; Figure 4: Club House Landscaping, below; and Exhibit C—Basketball Court Area Landscaping, attached).

In addition, the project will provide a 10-foot wide landscape setback along the west property line, a 16.5-foot wide landscape setback along the south property line (adjacent to Interstate 10), a 5-foot wide landscape setback along the east property line and a 5-foot wide landscape setback along the northwest property line (adjacent to the flood control channel). Furthermore, the project will provide landscaping throughout the interior area of the parking lot. The plant pallet will consist of a mix of shade trees, ground cover

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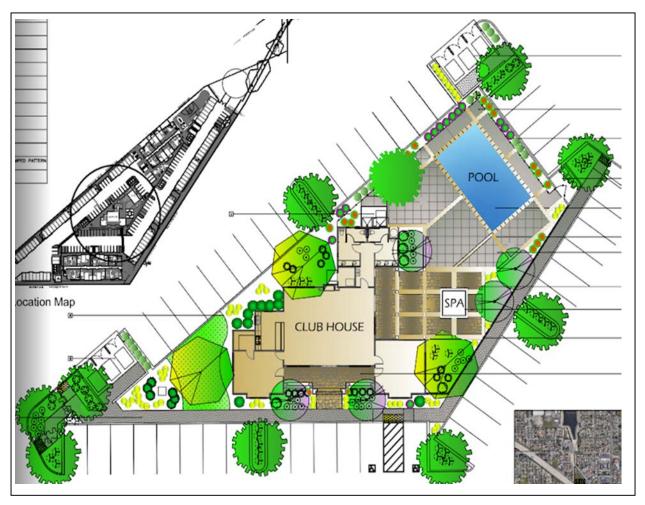


Figure 4: Club House Landscaping

and shrubs. At key areas of the project, accent planting is featured, including Date Palms, California Sycamore, Tipu Tree, Maiden Hair Tree, Strawberry Tree, Western Redbud, Crape Myrtle, Olive Tree, African Sumac, Australian Willow, and Brisbane Box.

[7] <u>Utilities (drainage, sewer)</u> — Public utilities (water and sewer) are available to serve the project. Additionally, the applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces, and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, bio treatment, and evapotranspiration. The PWQMP proposes to install infiltration chambers under the parking lot areas and within the large common open space areas.

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

[2] Vision.

Distinctive Development:

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

[3] Governance.

Decision Making:

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

[4] Policy Plan (General Plan)

Land Use Element:

- <u>Goal LU1</u>: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
- ➤ <u>LU1-1 Strategic Growth</u>. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
 - Goal LU2: Compatibility between a wide range of uses.

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➤ <u>LU2-6</u>: <u>Infrastructure Compatibility</u>: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- <u>Goal H2</u>: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.
- ➤ <u>H2-5 Housing Design</u>. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.
- Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.
- ➤ <u>H5-2 Family Housing</u>. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation and other amenities.

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.
- ➤ <u>CE1-6 Diversity of Housing</u>. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.
- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.
- ➤ <u>CE2-1 Development Projects</u>. We require new development and redevelopment to create unique, high-quality places that add value to the community.
- ➤ <u>CE2-2 Development Review</u>. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

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➤ <u>CE2-4 Protection of Investment</u>. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ <u>CE2-5 Private Maintenance</u>. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.
- ➤ <u>S1-1 Implementation of Regulations and Standards</u>. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

- <u>Goal CD1</u>: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.
- ➤ <u>CD1-1 City Identity</u>. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.
- ➤ <u>CD1-2 Growth Areas</u>. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.
- ➤ <u>CD1-3 Neighborhood Improvement</u>. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.
- Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.
- ➤ <u>CD2-1 Quality Architecture</u>. We encourage all development projects to convey visual interest and character through:
- Building volume, massing, and height to provide appropriate scale and proportion;

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 A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and

- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.
- ➤ <u>CD2-2 Neighborhood Design</u>. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:
- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the "outdoor living room"), as appropriate; and
 - Landscaped parkways, with sidewalks separated from the curb.
- ➤ <u>CD2-7 Sustainability</u>. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.
- ➤ <u>CD2-8 Safe Design</u>. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.
- ➤ <u>CD2-9 Landscape Design</u>. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- ➤ <u>CD2-10 Surface Parking Areas</u>. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

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➤ <u>CD2-13 Entitlement Process</u>. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

- Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.
- ➤ <u>CD3-1 Design</u>. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.
- ➤ CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.
- ➤ <u>CD3-3 Building Entrances</u>. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.
- ➤ <u>CD3-5 Paving</u>. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.
- ➤ <u>CD3-6 Landscaping</u>. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.
- <u>Goal CD5</u>: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- ➤ <u>CD5-1 Maintenance of Buildings and Property</u>. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.
- ➤ <u>CD5-2 Maintenance of Infrastructure</u>. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport, and

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has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, and meets all of the following conditions: [1] 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; [2] The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; [3] The project site has no value as habitat for endangered, rare, or threatened species; [4] Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and [5] the Project site can be adequately served by all required utilities and public services.

CONDITIONS OF APPROVAL: See attached department reports.

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TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Vacant	HDR	HDR-45	n/a
North	San Bernardino County Flood Control Channel	n/a	n/a	n/a
South	Interstate 10 (I-10)	n/a	n/a	n/a
East	Single-Family Residential	HDR	HDR-45	n/a
West	Multi-Family Residential	MDR	HDR-45	n/a

General Site Statistics

Item	Required Min./Max.	Provided (Ranges)	Meets Y/N	
Project area (in acres):	2.5 Acres	3.5 Acres		
Maximum project density (dwelling units/ac):	25.1 to 44.0 DU/Acre	25.1 DU/Acre	Y	
Maximum height (in FT):	70-feet	45-feet	Y	
Parking – resident 1.75 spaces per 1- bedroom units (36-Units) (with 1-space in garage or carport) 2 spaces per 2-bedroom units (52-Units) (with 1- space in garage or carport)	63 Spaces Required (36 Spaces In Garages/Carports) 104 Spaces Required (52 Spaces in Garages/Carports)	63 Spaces (36 Spaces in Garages) 107 Spaces (52 Spaces in Garages)	Y	
Parking – guest (1 space for each 5-Units)	18 Guest Spaces Required	18 Guest Spaces Provided		
Total Parking	185 spaces	188 spaces		
Open space – private:	60 sq. ft. min. required per unit	60 sq. ft. per unit	Y	
Open space – common:	250 sq. ft. min. required per unit	257 sq. ft. per unit	Y	

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Dwelling Unit Count:

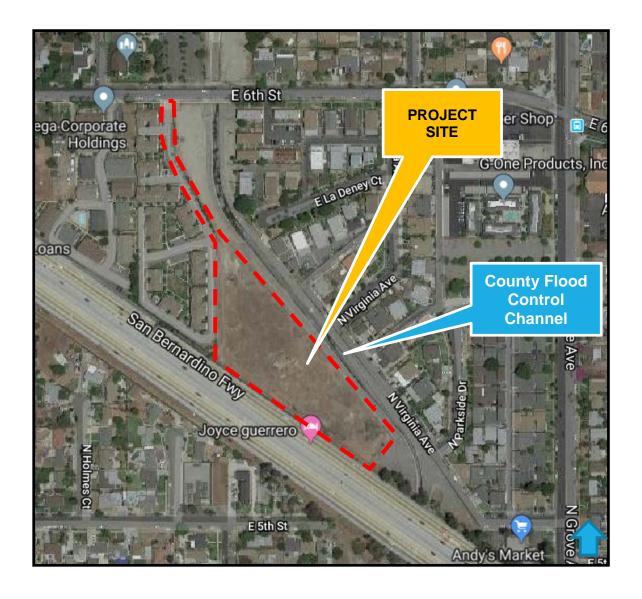
Item	Required Min./Max.	Provided (Ranges)	Meets Y/N
Total No. of units:	88	88	Υ
	1-Bedroom (36 Units)		
		2-Bedroom (52 Units)	
Total No. of buildings	n/a	11	Y

Dwelling Unit Statistics:

Unit Type	Size (in SF)	No. Bedrooms	No. Bathrooms	Private Open Space (in FT)
Plan 1	787 Sq. Ft.	1	1	60 Sq. Ft.
Plan 2	805 Sq. Ft.	1	1	60 Sq. Ft.
Plan 3	1,019 Sq. Ft.	2	2	60 Sq. Ft.
Plan 4	1,057 Sq. Ft.	2	2	60 Sq. Ft.
Plan 5	1,057 Sq. Ft.	2	2	60 Sq. Ft.
Plan 6	1,112 Sq. Ft.	2	2	60 Sq. Ft.
Plan 7	785 Sq. Ft.	1	1	60 Sq. Ft.

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Exhibit A—AERIAL PHOTOGRAPH



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Exhibit B—SITE PLAN

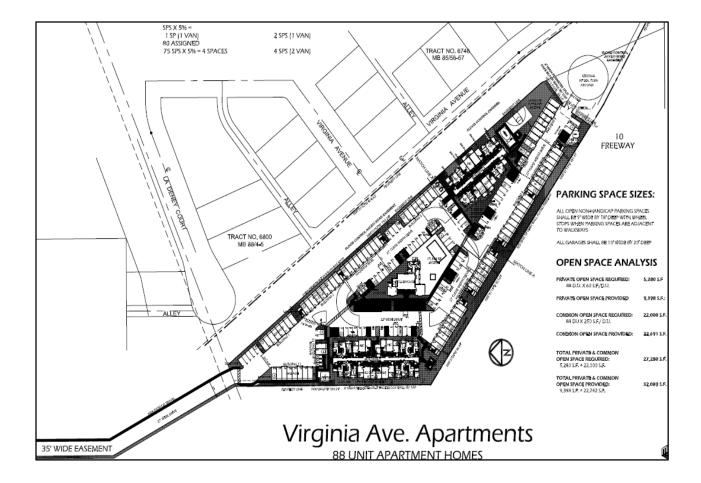


Exhibit C—BASKETBALL COURT AREA LANDSCAPING

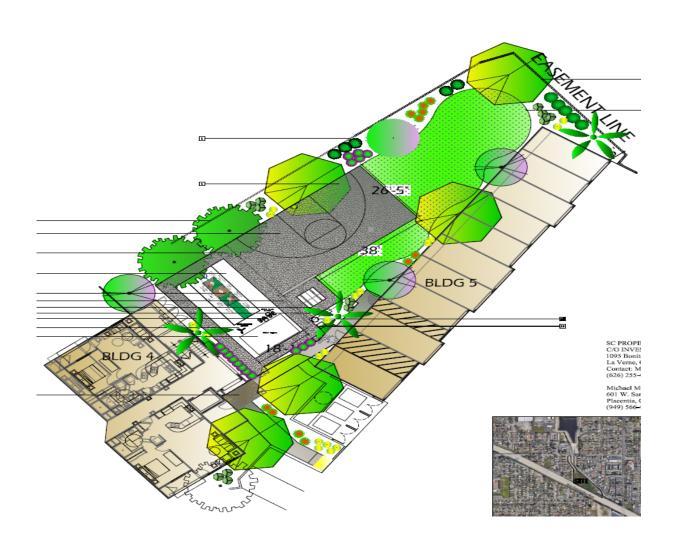
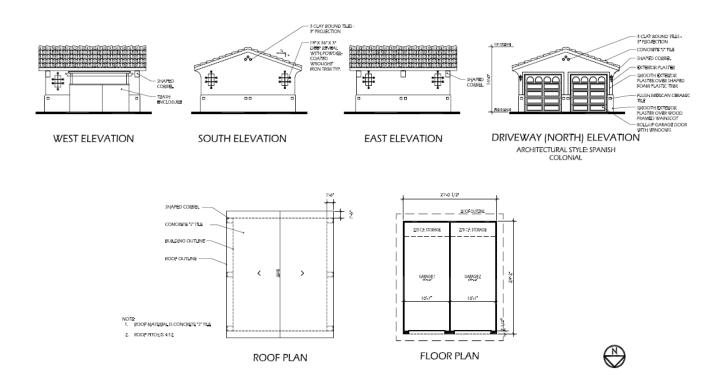


Exhibit D—BUILDING 10 ELEVATIONS



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Exhibit E— BLD. 1, 3 & 11 ELEVATIONS

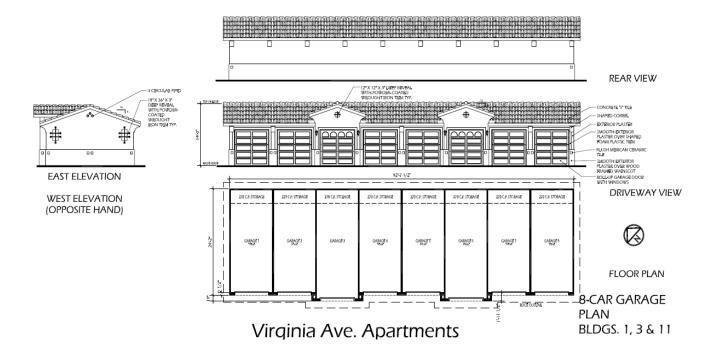
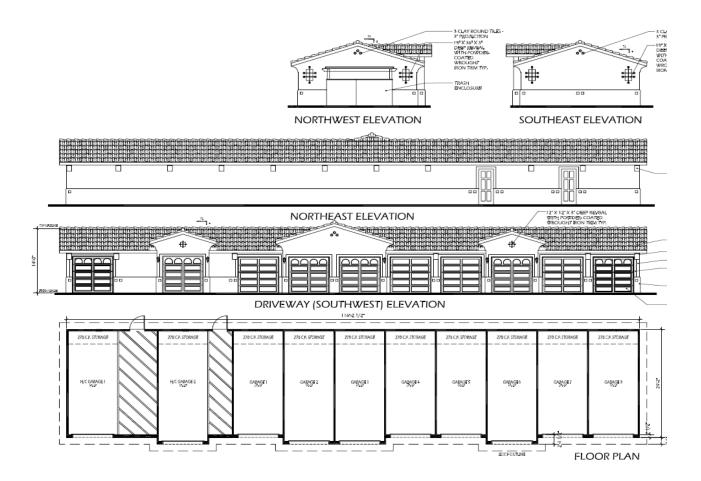


Exhibit F—BUILDING 5 ELEVATIONS



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Exhibit G—BUILDING 7 EAST ELEVATION



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Exhibit H—BUILDING 7 WEST ELEVATION

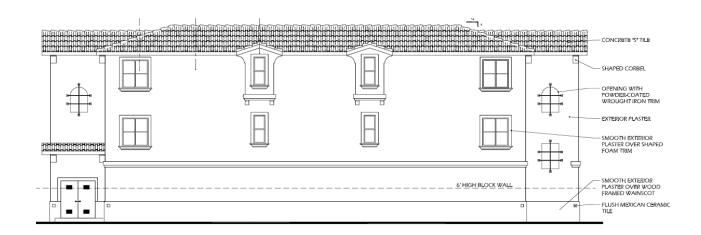
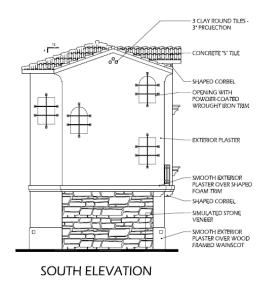
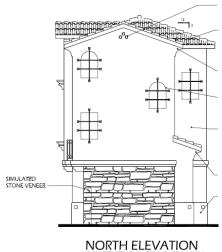




Exhibit I—BUILDING 7 NORTH & SOUTH ELEVATIONS





NORTH ELEVATION ARCHITECTURAL STYLE: SPANISH COLONIAL

Exhibit J—BUILDING 8 EAST ELEVATION



Exhibit K—BUILDING 8 WEST ELEVATION

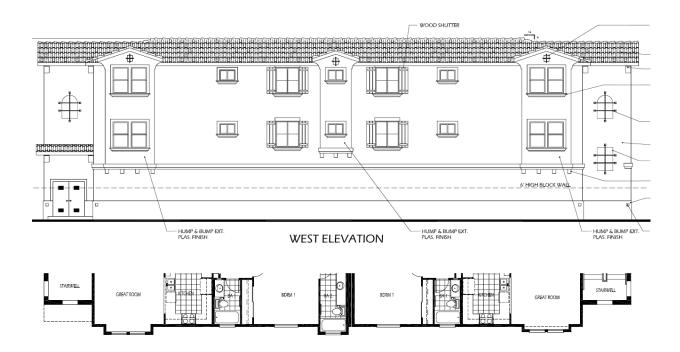
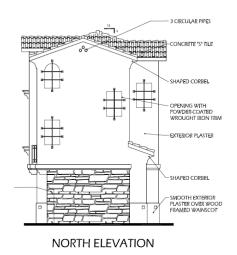


Exhibit L—BUILDING 8 NORTH AND SOUTH ELEVATIONS



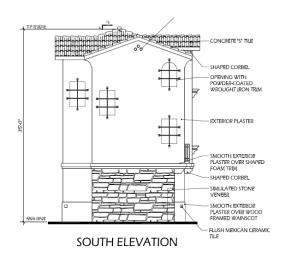


Exhibit M—BUILDING 2 AND 6 ELEVATIONS

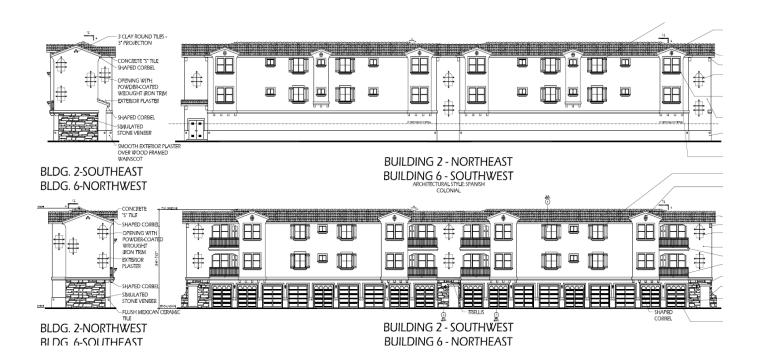


Exhibit N—BUILDING 9 EAST ELEVATION

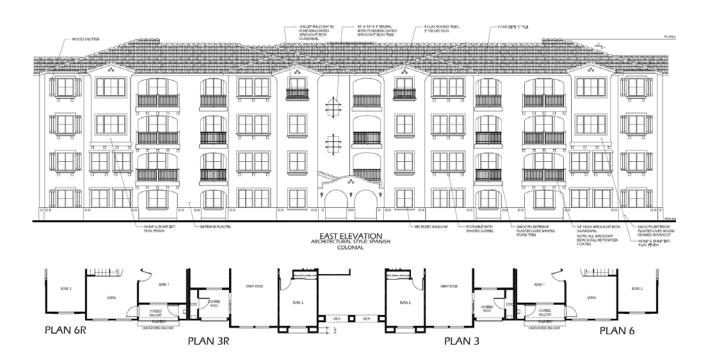


Exhibit O—BUILDING 9 WEST ELEVATION

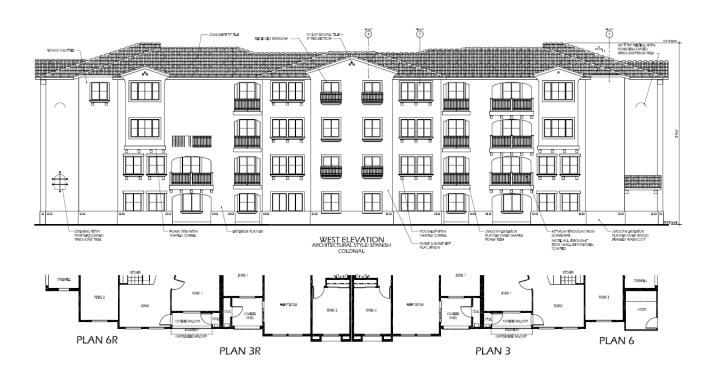


Exhibit P—BUILDING 9 SOUTH ELEVATION

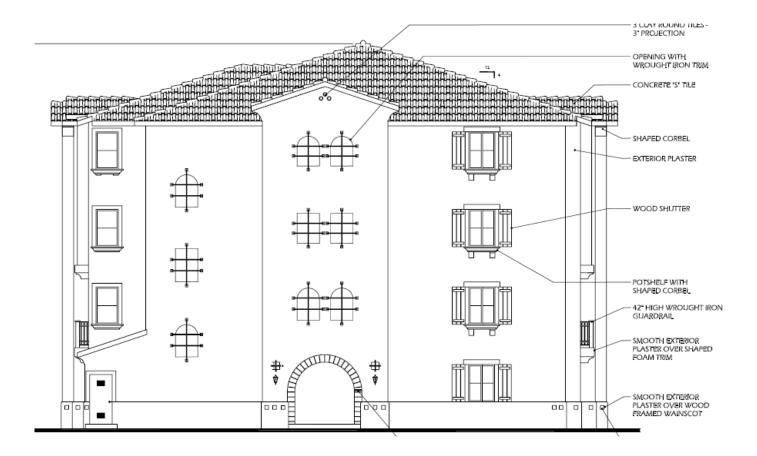


Exhibit Q—BUILDING 9 NORTH ELEVATION



Exhibit R—BUILDING 4 EAST ELEVATION



File No.: PDEV18-006 September 24, 2019

Exhibit S—BUILDING 4 WEST ELEVATION



Exhibit T—BUILDING 4 NORTH ELEVATION

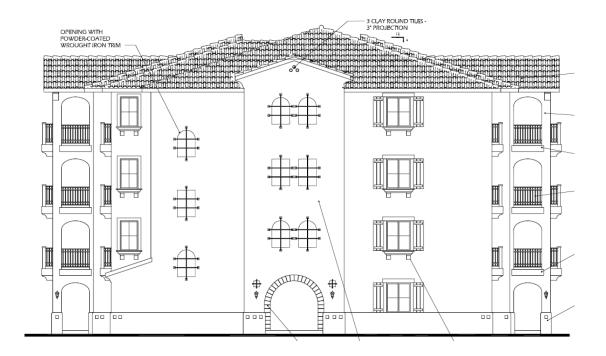


Exhibit U—BUILDING 4 SOUTH ELEVATION

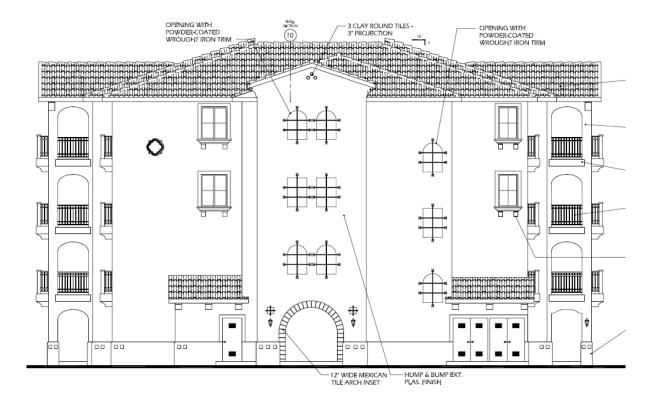


Exhibit V—BUILDING 12 CLUB HOUSE SOUTH ELEVATION

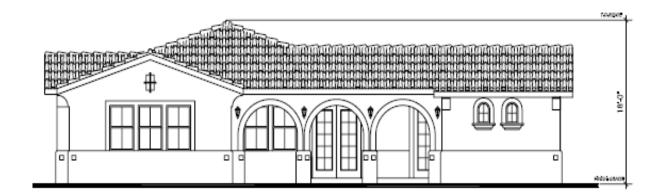


Exhibit W—BUILDING 12 CLUB HOUSE WEST ELEVATION (FRONT)

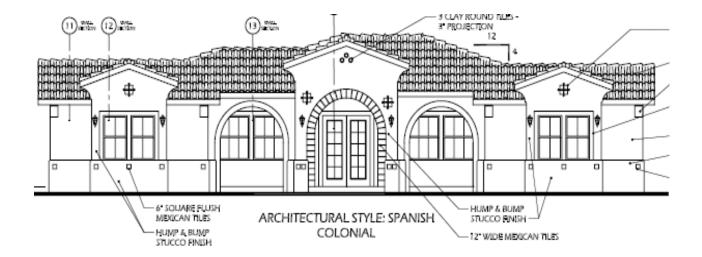


Exhibit X—BUILDING 12 CLUB HOUSE EAST ELEVATION

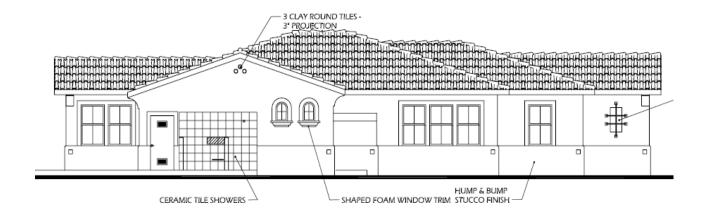
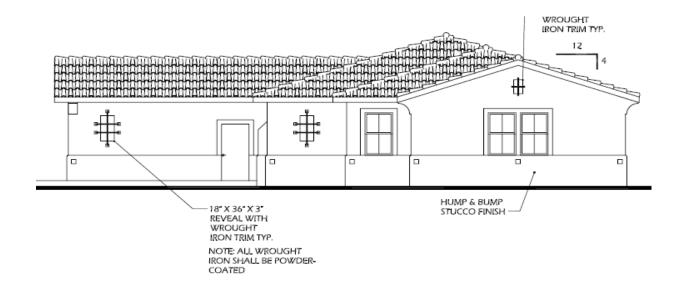


Exhibit Y—BUILDING 12 CLUB HOUSE NORTH ELEVATION



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV18-006, A DEVELOPMENT PLAN FOR THE CONSTRUCTION OF AN 88-UNIT APARTMENT COMPLEX ON 3.5 ACRES OF LAND LOCATED SOUTH OF SIXTH STREET AND WEST OF THE SAN BERNARDINO COUNTY FLOOD CONTROL CHANNEL, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1047-432-22 AND 1047-443-01.

WHEREAS, SC Property Fund LLC. ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV18-006, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 3.5 acres of undeveloped land generally located south of Sixth Street and west of the San Bernardino County Flood Control Channel, at 1402 North Virginia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district; and

WHEREAS, the property to the north of the Project site is a San Bernardino County Flood Control Channel. The property to the east is within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district, and is developed with single-family residential land uses. The property to the south is Interstate 10. The property to the west is within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district, and is developed with multiple-family residential land uses; and

WHEREAS, the Applicant is requesting Development Plan approval to construct an 88-Unit apartment complex (Virginia Avenue Apartments) in a mix of three and four-story building configurations. The applicant has designed a project that reflects the development standards and design guidelines of the HDR-45 zoning (High Density Residential - 25.1 to 45.0 DU/Acre) district, and the goals and policies of The Ontario Plan (TOP), as they relate to the High Density Residential land use district; and

WHEREAS, the Project is distributed around centralized common open space and recreation amenities, at a density of 25.1 dwellings per acre. Units will range from 785 to 1,112 square feet in size; and

WHEREAS, a 2,025 square-foot, one-story Club House is proposed at the center of the site surrounded by approximately 11,134 square feet of active area. Proposed recreational amenities include an exercise room, lounge area/multi-purpose room, kitchen, restrooms, leasing office, covered walkways, fireplace, outdoor showers, and storage space; and

WHEREAS, a San Bernardino County Flood Control Channel borders the project site on the east and Interstate 10 borders the site on the south, restricting street access to the site; however, a 35-foot wide access easement has been obtained by the applicant from the County of San Bernardino Flood Control District to provide access to the site from Sixth Street. Access will be provided along the northwest portion of the development. The access easement will be improved with a 5-foot wide landscape planter, a two-way 26-foot wide drive aisle and a 4-foot wide sidewalk; and

WHEREAS, Off-street parking in the form of garage spaces and uncovered surface parking is distributed throughout the project site. A total of 185 off-street parking spaces are required for the project. The Ontario Development Code requires that the project provide off-street parking at the rate of 1.75 spaces per dwelling unit for one-bedroom units (with one covered space), two spaces per dwelling unit for two-bedroom units (with one covered space), and one guest parking space for every five dwelling units. The proposed project provides 88 garage parking spaces and 100 uncovered resident and guest parking spaces, for a total of 188 spaces, which exceeds the minimum parking requirement for the project; and

WHEREAS, the project exceeds the minimum landscape requirements established by the Development Code, providing a minimum of 60 square feet of private open space per unit, in the form of private balconies, and 257 square feet of common open space for each unit. Common open space (totaling 22,621 square feet) is provided by the Club House (2,462 square feet), a 20-foot X 40-foot swimming pool, 27-foot X 50-foot basketball court, and spa. Other outdoor amenities include covered patios, BBQ areas, tables and benches, children's play equipment, and outdoor workout/health equipment; and

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 Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

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

WHEREAS, on September 4, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-052, recommending the Planning Commission approve the Application; and

WHEREAS, on September 24, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

<u>SECTION 1</u>: *Environmental Determination and Findings.* As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

- (1) The administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and
- (2) The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, and

meets all of the following conditions: [1] 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; [2] The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; [3] The project site has no value as habitat for endangered, rare, or threatened species; [4] Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and [5] the Project site can be adequately served by all required utilities and public services; and

- (3) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and
- (4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: **Housing Element Compliance.** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (88) and density (25.1) specified in the Available Land Inventory.

Ontario International Airport Land Use Compatibility Plan 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as "ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the

PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

<u>SECTION 4</u>: **Concluding Facts and Reasons.** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the Planning Commission hereby concludes as follows:

- (1) The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed Project is located within the HDR (High Density Residential) land use district of the Policy Plan Land Use Map, and the HDR-45 (High Density Residential 25.1 to 45.0 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. In addition, the proposed development will comply with all the Development Guidelines of the HDR-45 zone, and is not requesting a Variance; 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 HDR-45 (High Density Residential 25.1 to 45.0 DU/Acre) zoning district, including standards relative to the particular land use proposed (88-Unit Multi-Family Residential Apartment), 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. Approval of the project will result in the development of an 88-unit residential apartment complex on 3.5 acres. The project will include full on-site and off-site improvements that will also improve the immediate area. In addition, the density proposed of 25.1 units per acre is consistent with the minimum density requirement of the HDR-45 zone; 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 Planning Commission 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. In addition, the project includes full on-site and off-site improvements and the project will improve the quality of the existing site. In addition, the proposed project will provide much needed housing which will also allow the City to comply with our Housing Element needs; 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 (88-Unit Multi-Family Residential Apartment). As a result of this review, the Planning Commission 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.

<u>SECTION 5</u>: **Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

<u>SECTION 6</u>: *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.

<u>SECTION 7</u>: **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.

<u>SECTION 8</u>: **Certification to Adoption.** The Secretary shall certify to the adoption of the Resolution.

_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of September 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Nancy DeDiemar
Planning Commission Vice-Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

Planning Commission Resolution File No. PDEV18-006 September 24, 2019 Page 8	
STATE OF CALIFORNIA COUNTY OF SAN BERNARDINO CITY OF ONTARIO))
City of Ontario, DO HEREBY CER passed and adopted by the Planning	ry Pro Tempore of the Planning Commission of the TIFY that foregoing Resolution No was duly g Commission of the City of Ontario at their regular 9, by the following roll call vote, to wit:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Gwen Berendsen Secretary Pro Tempore

ATTACHMENT A:

File No. PDEV18-006 Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date:

September 4, 2019

File No:

PDEV18-006

Related Files:

n/a

Project Description: A Development Plan for the construction of an 88-Unit apartment complex on 3.5 acres of land, located south of Sixth Street and west of the San Bernardino County Flood Control channel, at 1402 North Virginia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district; (APNs: 1047-432-22 & 1047-443-01) **submitted by SC Property Fund LLC.**

Prepared By:

Luis E. Batres, Senior Planner

Phone: 909.395.2431 (direct)

Email: Lbatres@ontarioca.gov

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

- 1.0 Standard Conditions of Approval. The project shall comply with the Standard Conditions for New Development, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the Standard Conditions for New Development may be obtained from the Planning Department or City Clerk/Records Management Department.
- **2.0 Special Conditions of Approval.** In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 <u>Time Limits</u>.

- (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.

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(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.
- (e) Applicant shall work with staff during the plan check process to add small landscape planters in between the garage units, to enhance the look of the drive aisle.
- 2.4 <u>Walls and Fences</u>. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).
- 2.5 Any damage to existing walls shall be repaired to industry standards. Existing walls shall also be plastered/stucco and painted to match the new buildings.

2.6 Parking, Circulation and Access.

- (a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).
- (b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.
- (c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.
- (d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.
- (e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).
- (f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

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2.7 Outdoor Loading and Storage Areas.

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

2.8 Site Lighting.

- (a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.
- **(b)** Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.
- (c) Project shall feature decorative lighting fixtures to match the architectural style proposed. Project shall also incorporate up and down lighting at key architectural and landscape areas to enhance the project in the evening hours. Color cut sheets shall be submitted during the plan check process for all exterior light fixtures proposed.
- (d) Applicant shall work with staff during the plan check process to add new decorative sconce lighting fixtures at key architectural locations.

2.9 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.
- 2.10 <u>Security Standards</u>. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).
- 2.11 <u>Signs</u>. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).
- 2.12 <u>Sound Attenuation</u>. 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).

2.13 Disclosure Statements.

- (a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:
- (i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.
- (ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

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

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

2.14 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.
- 2.15 <u>Indemnification</u>. 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.

2.16 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 <u>Plan Check</u> and <u>Inspection</u> fees shall be paid for each residential building at the rate established by resolution of the City Council.

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2.17 Additional Requirements.

- (a) Vine pockets shall be planter along the interior of the freeway sound wall area, to be trained to climb on wall. Applicant shall work with staff during plan check to add them.
- (b) Vine pockets shall be planted adjacent to all trash enclosures, to be trained to climb on walls.
- (c) All walls need to be decorative walls and shall provide a decorative cap that overhang a minimum of 1-inch. Walls shall be constructed of split face block, slump stone or they can be plastered, textured and painted to match the main structures.
- (d) Wall along the existing multi-family residential development to the west and the County Flood Control Channel shall measure 6-feet tall from finished grade. Any damage to existing walls shall be repaired to industry standards, and shall be plastered/stucco and painted to match new buildings.
- (e) Building 9- The applicant shall work with staff during the plan check process to add the hump and bump treatment to the north, west and east elevations. In addition, applicant shall work with staff to remove some of the proposed window shutters along the south and north elevations.
- (f) Club House- The arched trim areas where you are proposing to add the 12-inch Mexican Tile, shall be furred out a minimum of 12-inches. The furred out trim area shall feature the Mexican Tile on all sides.
- (g) For all buildings, the proposed Mexican Tile detail shall be flush with the plaster/stucco finish.
 - (h) Double walls/fencing is prohibited.
 - All sidewalks to and from Club House area shall feature decorative paving.
 - (j) All parking spaces around the Club House shall feature decorative paving.
- (k) The basketball court surface shall feature decorative paving and shall have a contrasting color to the adjacent areas.
- (I) Pool area shall incorporate shade structures/cabanas. Applicant shall work with staff during the plan check process to add them.
 - (m) When completed, the parking lot surface area shall not have any patches.
- (n) During plan check, a separate landscape plan shall be submitted that shows/calls out all the locations where up and down lighting fixtures will be provided. Applicant shall work with staff during plan check to add any additional lighting that may be required.
- (o) All downspouts shall be carefully located so that they don't stand out and they shall be painted to match the wall colors next to them.
 - (p) All wrought iron work shall be powder coated to prevent rust.
- (q) All outdoor furniture shall be attractive, of high quality and durability and shall complement the development in architectural style.

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- (r) Prior to occupancy of this project, an exhibit (parking management plan) shall be submitted and approved by the Planning Department illustrating what parking space(s) will be assigned to each unit. The exhibit shall include the unit number and the parking space(s) number(s) that will be assigned to the unit. All parking spaces shall be numbered so that they can be coordinated with the parking management plan.
- (s) All units shall be rented with their required parking space(s) per the Ontario Development Code.
 - (t) Restroom(s) within the Club House shall provide baby changing tables.
- (u) Management shall conduct regular garage parking inspections to make sure that spaces are not being used for the storage of inoperative vehicles and materials. Required parking areas shall not be used for the storage of goods and or equipment. Only operational motorized vehicles shall be stored within these areas.
- (v) During the plan check process, the applicant/architect shall coordinate that all electrical meters/gas meters are not located within any public views. In addition, they shall not displaced any required architectural treatments or landscaping that have been approved with the project. The project architect/applicant shall coordinate with all the various trades, including Edison.
- (w) Location of AC Units shall not displaced any required architectural treatment. Applicant/Architect shall coordinate plans with the various trades.
- (x) During construction, any necessary field modifications to the project needs to first be approved by the Planning Department.
- (y) A final inspection from the Planning Department is required prior to occupancy of any structure. Prior to the occupancy inspection, the projects architect shall submit a certification stating that the project was completed according to the approved plans.
- (z) Once the construction plans have been approved by the City and permits have been issued, the applicant shall submit two (2) reduced copies (11" x 17") of the approved plans to the Planning Department.



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)

DEVELOPMENT PLAN			TRACT MAP
OTHER	FOR	CONDOMINIUM PU	IRPOSES
PE	OJECT EILE	NO. PDEV18-006	
R	ELATED FIL	E NO(S). None	
□or	IGINAL 🖂	REVISED: 9/5/2019	9
CITY PROJECT ENGINEER 8	PHONE NO:	Matthew Holmes	(909) 395-2155
CITY PROJECT PLANNER &	PHONE NO:	Luis Batres	(909) 395-2431
DAB MEETING DATE:		September 4, 2019	
PROJECT NAME / DESCRIPT	TION:	PDEV18-006 – A pl an 88 unit apartme acres.	
LOCATION:		South of 6 th Street, Interstate 10, west Cucamonga Chann	of the West
APPLICANT:		SC Property Fund	LLC
REVIEWED BY:		Bryan Lirley, F.E.	9/5/19 Date
APPROVED BY:		Principal Engineer Raymond Lee, P.E. Assistant City Engin	Q/9/q Date

Last Revised: 9/5/2019

Date: 7/25/2019



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

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	1.10	Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.	
	1.11	Provide a preliminary title report current to within 30 days.	
	1.12	File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.	
	1.13	New Model Colony (NMC) Developments:	
		1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.	
		 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents). 	
		☐ 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).	
	1.14	Other conditions:	
		Oner conditions.	
2			
2.		R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:	
2.	PRIO		
2.	PRIO	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:	
2.	A. GE	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance	
2.	PRIO A. GE (Perm 2.01	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.	
	PRIO A. GE (Perm 2.01	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario as determined by	
	PRIO A. GE (Perm 2.01 2.02 2.03	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario as determined by review and shown to exist prior to 1972 on Tract Number 6800, MB 88/4-5. 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	
	PRIO A. GE (Perm 2 01 2.02 2.03 2 04	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: NERAL its includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario as determined by review and shown to exist prior to 1972 on Tract Number 6800, MB 88/4-5. 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	

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	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 .	
\boxtimes	2.08	Submit a soils/geology report.	
\boxtimes	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) – as necessary San Bernardino County Road Department (SBCRD) San Bernardino County Flood Control District (SBCFCD) – as necessary 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) – Connection approval 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 ofand	
	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.	
\boxtimes	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.	



\boxtimes	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.	
\boxtimes	2.15	Pay all Development Impact Fees (DiF) to the Building Department. Storm Drain Development Impact Fee, calculated per dwelling unit, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.	
\boxtimes	2.16	Other conditions: The applicant/developer shall process and complete the vacation of Cucamonga Avenue between Sixth Street and Interstate 10.	



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

Improvement	6 th Street	Street 2	Street 3	Street 4
Curb and Gutter	New; ft. from C/L Replace damaged Remove and replace	New; ft. from C/L Replace damaged Remove and replace	New; ft. from C/L Replace damaged Remove and replace	New; ft. from C/L Replace damaged Remove and replace
AC Pavement	Replacement Grind and overlay	Replacement Widen additional feet along frontage, including pavm't transitions	Replacement Widen additional feet along frontage, including pavm't transitions	Replacemen Widen additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	New Modify Existing	New Modify existing	New Modify existing	New Modify existing
Drive Approach	New Remove and replace replace	New Remove and replace replace	New Remove and replace replace	New Remove and replace replace
Sidewalk	New Remove and replace	New Remove and replace	New Remove and replace	New Remove and replace
ADA Access Ramp	New Remove and replace	New Remove and replace	New Remove and replace	New Remove and replace
Parkway	Trees Landscaping (w/irrigation)	Trees Landscaping (w/irrigation)	Trees Landscaping (w/irrigation)	Trees Landscaping (w/irrigation)
Raised Landscaped Median	New Remove and replace	New Remove and replace	New Remove and replace	New Remove and replace
Fire Hydrant	New / Upgrade	New / Upgrade Relocation	New / Upgrade Relocation	New / Upgrade Relocation

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

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

- Existing driveway approach shall be removed and replaced per City of Ontario Standard Drawing Number 1204 – Commercial Driveway Approach. Street light shall be upgraded and relocated as necessary to comply with City of Ontario Standards.
- Driveway/fire truck turnaround at southeasterly boundary with the Flood Control District easement shall be gated and locked. Gate shall be signed as "Emergency Access Only."

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 Private Onsite Utilities: all proposed utilities located on private property shall be privately owned and maintained



		2.10	along the property frontage.	Ш
		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. SE	WER	
	\boxtimes	2.23	An 8 inch sewer main is available for connection by this project in Sixth Street (Ref: Sewer plan bar code: S12580). Connection to IEUA 18" main if approved by IEUA. (Ref: Sewer plan bar code: S12597)	
REVISE	D 9/5/	2019	IEUA Regional Sewer Connection: As proposed, a new Regional Sewer Connection must be approved by IEUA. Submit a written request to the City for a new IEUA Regional Sewer Connection Point that includes the following items:	
			 A written statement requesting a new Regional Connection Point along with a description why a new Regional Connection point is needed and what other alternatives were reviewed. 	
			 The IEUA drawing number and station number of the proposed Regional Connection Point. 	
			iii. A one page 8.5x11" exhibit of the site and the IEUA main showing the new Regional Connection point with the Drawing Number and Station number and nearest public streets.	
		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. WA	ATER CONTRACTOR OF THE PROPERTY OF THE PROPERT	
		2.27	An 8 inch water main is available for connection by this project in Sixth Street (Ref: Water plan bar code: No Plan)	
REVISE	D 9/5/2	2019	 Domestic Service: Install a new domestic water service with backflow devices, master meter and sub-meter onsite connecting to the existing 8-inch public in Sixth St. 	
			 Irrigation Service: Install a new irrigation water service with backflow devices connecting to the existing 8-inch public in Sixth St. Fire Service: Install a separate fire service with a DCDA connecting to the existing 8-inch public in Sixth St. 	
		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:	
	E. RE	CYCLED WATER	
	2.30	Ainch 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. TR	AFFIC / 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.	
\boxtimes	2.37	Other conditions:	
		 All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing Number 1309. 	
		 The applicant/developer has been notified of the pending Interstate 10 projects along the I-10 corridor that will have future impacts on the subject project. Caltrans is working on the I-10 High-Occupancy Toll (HOT) lanes project, and the City of Ontario has an interchange project at Grove Avenue and the I-10 Freeway. 	
		 Street light shall be upgraded and relocated as necessary to comply with City of Ontario Standards. 	
	G. DR	AINAGE / HYDROLOGY	
	2.38	Ainch 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 predevelopment 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.	
\boxtimes	2.43	Other conditions:	
		Project is located along the West Cucamonga Creek Channel operated by San Bernardino County Flood Control District. It is the developer's responsibility to coordinate and obtain any permits/approvals needed to connect to the channel.	

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	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.			
\boxtimes	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 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, vertical support bars, and removable component to facilitate maintenance and cleaning.			
	2.47	Other conditions:			
	J. SPE	ECIAL DISTRICTS			
	2.48	File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of held final subdivision was proved to the community of the stablished prior to final subdivision map approval to the community of the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablished prior to final subdivision map approval to the stablish			
		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	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			
		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.			
	K. FIB	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. Cther conditions:			

Project File No. PDEV18-006 Project Engineer: Matthew S. Holmes

Date: 7/25/2019



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: П Solid Waste Handling Plan (SWHP): Prior to the approval of the precise grading plans, provide a

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SWHP Sheet that complies with the "Solid Waste Handling Plan Requirements" attached.

- 1. Organics Separation and Collection: 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.
 - a. Include on SWHP how Organics separation and collections shall be handled in addition to refuse and recycling collections

This project requires 11 bins for the 88 units proposed, but the city will accept 10 bins which amounts to five trash enclosure (TE). Please add one more TE to the plans.

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3.	PRIC	OR 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.	
\boxtimes	3.06	Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).	

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Project File No. PDEV18-006 Project Engineer: Matthew S. Holmes Date: 7/25/2019



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

	Project Number: PDEV 18-006, and/or Parcel Map/Tract Map No
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.	
4.	
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 City of Ontario Standard Drawing Number 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

Project File No. PDEV18-006 Project Engineer: Matthew S. Holmes Date: 7/25/2019



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

CONDITIONS OF APPROVAL

Sign Off

Carof Piell
Carolyn Bell, Sr. Landscape Planner

5/20/19 Date

Reviewer's Name:

Carolyn Bell, Sr. Landscape Planner

D.A.B. File No .:

PDEV18-006 Rev 4 - Plans are not revised

Project Name and Location:
Virigina Ave Apartments
1402 N Virginia Ave
Applicant/Representative:
SC Property Fund/ Michel

SC Property Fund/ Michael Cirrito

1095 Bonita Ave

La Verne, Ca 91750

(909)	395-2237

Phone:

Case Planner: Luis Batres

	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.
\boxtimes	A Preliminary Landscape Plan (dated 10/3/17 – received 4/26/19) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

CORRECTIONS REQUIRED

Civil/ Site Plans

- 1. Grading and utility plan call out are not legible. Adjust line weight or scale.
- 2. If possible, provide open views to park/ play area instead of behind garage/ bldg. 5.
- 3. Show transformers in planter areas, set back 5' from paving.
- Locate utilities including light standards, fire hydrants, and water and sewer lines to not
 conflict with required tree locations. Coordinate civil plans with landscape plans. Move water
 lines, water meters out of tree planter islands or parking lot row ends.
- 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.
- 6. Dimension all planters to have a minimum 5' wide <u>inside</u> dimension with 6" curbs and 12" wide curbs, or 12" wide pavers or DG with edging where parking spaces are adjacent to planters.
- Reduce expanse of paving: add narrow landscape planters at south side of spa /pool area paving against fence

Landscape Plans

- 8. Landscape plans are not legible. Legend for site call outs missing. Adjust line weight or scale.
- 9. Correct sheet to meet all requirement of the landscape development guidelines: http://www.ontarioca.gov/landscape-planning/standards
- 10. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting.
- 11. Show backflows, and transformers, with clearances from paving with landscape screening. Do

- not encircle the unit, show a coordinated mass of shrubs to match pattern of adjacent shrubs.
- 12. Coordinate so utilities are clear of required tree locations.
- 13. Show shade trees in each parking lot island planter and row end with min 30' canopy at maturity. Change Rhus and Geijera to a canopy shade trees (Pistacia, Ulmus, Quercus ilex) in parking lots. Add trees to shade walks and buildings, Narrow trees such as Brachychiton, Tristania laurina, Callistemon.
- 14. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers)
- 15. Replace short lived, high maintenance or poor performing plants: Rhus, Mesquite. Change to narrow trees in small narrow spaces such as Tristania laurina, etc. Do not show any tree canopy over/ against building wall. Provide ½ mature canopy clearance.
- 16. Note trees must be min 5' outside of pool fencing to prevent access.
- Pool area landscape must be potable water on a separate system from on-site (future recycled water) and may connect after a backflow device from the rec building.
- 18. Add vine pockets on pool deck or narrow planter to screen fence and blank walls.
- 19. Show 30' dia canopy trees on south and west sides of play, seating and pool areas for shade.
- 20. On landscape construction plans, provide agronomical soil tests at 12" depth and include independent lab report on landscape construction plans. Sewage sludge or biosolids are not allowed. Note contractor to take 2nd test and report to show amendments are adequate.
- 21. Call out all fences and walls, materials proposed and heights.
- 22. Revise legend to match min 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.
- 23. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, etc.) in appropriate locations.
- Move planting legend out of spine of sheet and move to right side of the page- industry standard.
- 25. Show plants spaced 3/4th of the mature size will full on center spacing. Avoid bare areas without landscape. Use large massing and a hierarchy of shrubs. Avoid an unorganized layout.
- 26. Revise play area to provide unique and challenging equipment. Show fall zones and call out manufacturer, model numbers, features and colors.
- 27. Add to grading and landscape plans soil fracturing note. See the Landscape Development Guidelines http://www.ontarioca.gov/landscape-planning/standards
- 28. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Typical fees are:

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

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



CITY OF ONTARIO MEMORANDUM

TO:

Luis Batres, Planning Department

FROM:

Douglas Sorel, Police Department

DATE:

March 7, 2018

SUBJECT:

PDEV18-006 - A DEVELOPMENT PLAN TO CONSTRUCT AN 88 UNIT

APARTMENT COMPLEX AT SIXTH STREET AND THE FLOOD

CONTROL CHANNEL

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. 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.
- 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 development <u>shall</u> participate in the Crime-Free Multi Housing program offered by the Ontario Police Department COPS Division.

The Applicant is invited to contact Douglas Sorel at (909) 395-2873 with any questions or concerns regarding these conditions.



CITY OF ONTARIO MEMORANDUM

TO:

Luis Batres, Senior Planner

Planning Department

FROM:

Paul Ehrman, Deputy Fire Chief/Fire Marshal

Fire Department

DATE:

July 6, 2018

SUBJECT:

PDEV18-006 - A Development Plan to construct an 88-unit apartment complex on 3.5 acres of land located south of Sixth Street and west of the San Bernardino County Flood Control channel, at 1402 North Virginia Ave, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district (APNs: 1047-443-01 and 1047-432-22); submitted by SC

Property Fund LLC.

- □ 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: V

B. Type of Roof Materials: Ordinary

C. Total Square Footage: Varies 5,000 - 34,000 Sq. Ft

D. Number of Stories: 3

E. 2016 CBC Occupancy Classification(s): R

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ∑ 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.

- ≥ 2.4 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.
- 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 <u>Standards #B-003</u>, <u>B-004</u> and <u>H-001</u>.
- 2.7 Any time <u>PRIOR</u> to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

4.0 FIRE PROTECTION SYSTEMS

- ✓ 4.1 On-site private fire hydrants are required per <u>Standard #D-005</u>, and identified in accordance with <u>Standard #D-002</u>. 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.
- 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.

- △ 4.6 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. Multitenant 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.
- 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 <u>Standard #H-003</u>.
- ∑ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building 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 <u>Standard</u> #H-001 for specific requirements.

6.0 OTHER SPECIAL USES

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-006 Reviewed By:					
Address:	Address: 1402 North Virginia Avenue			Lorena Mejia	
APN:	APN: 1047-443-01 & 1047-432-22			Contact Info:	
Existing Land Use:	Vacant	909-395-2276			
Proposed Land Use:	Development Plan	to construct an 88-unit apartment	complex	Project Planner: Luis Batres	
Site Acreage:	3.5	Proposed Structure He	eight: 45FT	Date: 3/19/18	
ONT-IAC Project	t Review: N/A	_		CD No.: 2018-009	
Airport Influence				PALU No.: n/a	
TI	ne project is i	mpacted by the follow	wing ONT ALUCP Compa	ntibility Zones:	
Safe	ty	Noise Impact	Airspace Protection	Overflight Notification	
Zone 1 Zone 1A Zone 2 Zone 3 Zone 4 Zone 5 Zone 1 Allowable Heig	Zone		High Terrain Zone FAA Notification Surfaces Airspace Obstruction Surfaces Airspace Avigation Easement Area Allowable Height: 70 ft Ilowing Chino ALUCP Safe Zone 4 Zone		
		CONSISTENC	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. **Admin Afgire** **Admin Afgire**					

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT

CD No.:	2018-009		
PALU No.:			

PROJECT CONDITIONS

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Department of Real Estate and include the following language within the NOI:

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

CITY OF ONTARIO MEMORANDUM

	TO:	PLANNING DEPARTMENT, Luis Batres	
		BUILDING DEPARTMENT, Kevin Shear	
		February 7, 2018	
SUB,	JECT:	PDEV18-006	
	The	plan <u>does</u> adequately address the departmental concerns at this time.	
		No comments	
	\boxtimes	Report below.	

Conditions of Approval

- 1. The Site address for this project will be 1098 E Sixth St
- 2. Standard conditions of approval apply.

KS:lm



FILE NO.: PMTT18-007

SUBJECT: A Tentative Tract Map to subdivide 9.57 acres of land into 18 single-family lots located at 1103 South Benson Avenue, within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district; (APNs: 1011-431-01 and 1011-521-06) **submitted by TK Management Services, LLC.**

PROPERTY OWNER: Shu Hua Tsai, Becky Tsai, Raymond Tsai & Kai Lun Tsai

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PMTT18-007, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 9.57 acres of land generally located on the east side of Benson Avenue, at the terminus of Philadelphia Street, on property located at 1103 South Benson Avenue, within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district, and is depicted in Figure 1: Project Location, below. The property to the north of the project site is within the AR-2 (Residential-Agriculture - 0 to

2.0 DU/Acre) zoning district, and is developed with single family homes. The property to the east is within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district, and is developed with a single family homes and vacant land. The property to the south is within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district, and is developed with a single family home and vacant land. The property to the west is within the City of Chino and is developed with single family homes.



Figure 1: Project Location

Case Planner:	Luis E. Batres		
Planning Director Approval:	Colly		
Submittal Date:	5/2/18		

Hearing Body	Date	Decision	Action
DAB	9/4/19	Approved	Recommend
PC	9/24/19		Final
CC			

September 24, 2019

PROJECT ANALYSIS:

[1] <u>Background</u> — The applicant is requesting approval of a Tentative Tract Map to subdivide the project site into 18 traditional single-family lots situated around two gated private cul-de-sac streets (West Ralston Privado and West Clair Privado), which incorporates a 10-foot wide equestrian trail along each project street frontage. The proposed subdivision will facilitate the future development of one single-family dwelling on each lot.

On September 4, 2019, the Development Advisory Board reviewed the subject application and recommended that the Planning Commission approve the proposed project, subject to departmental conditions of approval included with the attached resolution.

- [2] <u>Tentative Tract Map</u> The development standards of the AR-2 zoning district requires a minimum lot area of 18,000 square feet. Additionally, minimum lot dimensions of 135 feet in depth, and 100 feet in width for interior lots and 120 feet for corner lots, are required. The subdivision is proposing lots ranging in size from 18,921 square feet to 26,155 square feet in area, exceeding the minimum lot area requirement. Furthermore, the project's minimum lot width has been exceeded and the minimum lot depth was achieved by extending each lot's side lot line to the centerline of each proposed private street, which will be established as a reciprocal access easement through each lot (see Exhibit B: Tentative Tract Map).
- [3] <u>Site Access/Circulation</u> The applicant is proposing to develop the project as a gated community, with a separate entry gate at each private cul-de-sac street. A vehicle turn-around area has been provided in front of each gate to accommodate vehicles that enter the project in error or are denied entry beyond the gates. The south cul-de-sac will have a pedestrian connection (walkway) to the existing neighborhood to the east. In addition, a horse trail will be provided along the front parkways and will be open to the public to utilize (see Exhibit C: Conceptual Site Plan). Access to each lot will be provided by a standard 12-foot wide driveway located along the private street frontages. No direct vehicle access is provided to Benson Avenue.
- [4] Community Outreach The project site is surrounded by single-family residential properties. To address concerns that property owners may have with the project, the City sent out letters to everyone within a 300-foot radius, asking if they would like the City to host a community meeting to discuss the project. One neighboring property owner who lives west of the project site and west of Benson Avenue, in the City of Chino; expressed concerns regarding the project having access on Benson Avenue. He felt that the project would bring more traffic into the area. According to the National Institution of Transportation Trip Generation Manual (I.T), the development of the project will only add 18 additional vehicle trips on Benson Avenue, during the peak period (p.m.). According to the IT Manuel, any vehicle trips less than 50 are classified as less than significant impacts. analysis conducted by the City's Engineering Traffic/Transportation Division, determined that Benson Avenue has been designed to

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accommodate up to 1,200 addition vehicle trips and, therefore, no negative traffic impacts resulting from the project are anticipated.

- [5] Covenants, Conditions and Restrictions (CC&Rs) CC&Rs are required for the proposed subdivision as a condition of project approval. The CC&Rs will be required to be submitted, reviewed and approved by the City, and will be recorded with the final map to ensure ongoing maintenance of the private streets, equestrian trails, common landscape areas, and common drainage/easement areas. Additionally, a condition of approval has been imposed on the project which requires a Development Plan to be reviewed and approved for future home construction, prior to the issuance of a building permit. However, if the Development Plan is not submitted and approved prior to Final Map recordation, the Applicant will be required to submit site and architectural design guidelines to be incorporated into the CC&Rs, to ensure architectural compatibility (design, scale and mass) throughout the proposed subdivision if lots are sold separately.
- [6] <u>Utilities (drainage, sewer)</u> —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 dry wells and pipe storage areas within the proposed parkways along each private street. The approval of a comprehensive WQMP is required prior to tract construction.

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

[2] <u>Vision</u>.

Distinctive Development:

Commercial and Residential Development

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

[3] Governance.

Decision Making:

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

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
- ➤ <u>LU1-1 Strategic Growth</u>. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
- ➤ <u>LU1-6 Complete Community</u>: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).
 - Goal LU2: Compatibility between a wide range of uses.
- ➤ <u>LU2-6</u>: <u>Infrastructure Compatibility</u>: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.
- ➤ <u>H2-5 Housing Design</u>. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

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Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.
- ➤ <u>CE1-6 Diversity of Housing</u>. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.
- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.
- ➤ <u>CE2-1 Development Projects</u>. We require new development and redevelopment to create unique, high-quality places that add value to the community.
- ➤ <u>CE2-2 Development Review</u>. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.
- ➤ <u>CE2-4 Protection of Investment</u>. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.
- ➤ <u>CE2-5 Private Maintenance</u>. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.
- ➤ <u>S1-1 Implementation of Regulations and Standards</u>. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

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Community Design Element:

- <u>Goal CD1</u>: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.
- ➤ <u>CD1-1 City Identity</u>. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.
- ➤ <u>CD1-2 Growth Areas</u>. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.
- ➤ <u>CD1-3 Neighborhood Improvement</u>. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.
- Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.
- ➤ <u>CD2-2 Neighborhood Design</u>. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:
- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the "outdoor living room"), as appropriate; and
 - Landscaped parkways, with sidewalks separated from the curb.
- ➤ <u>CD2-7 Sustainability</u>. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.
- ➤ <u>CD2-8 Safe Design</u>. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding

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physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

- ➤ <u>CD2-9 Landscape Design</u>. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- ➤ <u>CD2-13 Entitlement Process</u>. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.
- Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.
- ➤ <u>CD3-1 Design</u>. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.
- ➤ CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.
- ➤ <u>CD3-3 Building Entrances</u>. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.
- ➤ <u>CD3-6 Landscaping</u>. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.
- <u>Goal CD5</u>: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- ➤ <u>CD5-1 Maintenance of Buildings and Property</u>. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.
- ➤ <u>CD5-2 Maintenance of Infrastructure</u>. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, 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.

September 24, 2019

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

ENVIRONMENTAL REVIEW: The public hearing for this project was duly advertised as requiring the adoption of a Mitigated Negative Declaration; however, upon further analysis, staff has determined that the proposed project was previously adequately analyzed by The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), which was certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

CONDITIONS OF APPROVAL: See attached department reports.

September 24, 2019

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Single Family Home and Nursery	RR (Rural Residential)	AR-2 (Residential- Agriculture - 0 to 2.0 DU/Acre)	n/a
North	Single Family Home	RR (Rural Residential)	AR-2 (Residential- Agriculture - 0 to 2.0 DU/Acre)	n/a
South	Single Family Homes and Vacant Land	RR (Rural Residential)	AR-2 (Residential- Agriculture - 0 to 2.0 DU/Acre)	n/a
East	Single Family Homes and Vacant Land	RR (Rural Residential)	AR-2 (Residential- Agriculture - 0 to 2.0 DU/Acre)	n/a
West	Single Family Homes (City of Chino)	City of Chino	City of Chino	n/a

General Site & Building Statistics

Item	Proposed	Min./Max. Standard	Meets Y/N
Project Area:	9.57 Acres	18,000 sq. ft.	Y
Lot/Parcel Size:		18,000 sq. ft. (Min.)	Υ
Parcel 1	20,303 sq. ft.		
Parcel 2	20,679 sq. ft.		
Parcel 3	20,839 sq. ft.		
Parcel 4	20,475 sq. ft.		
Parcel 5	18,921 sq. ft. (smallest)		
Parcel 6	20,507 sq. ft.		
Parcel 7	26,155 sq. ft. (largest)		
Parcel 8	25,246 sq. ft.		
Parcel 9	25,643 sq. ft.		
Parcel 10	20,768 sq. ft.		
Parcel 11	21,077 sq. ft.		
Parcel 12	21,085 sq. ft.		
Parcel 13	20,940 sq. ft.		
Parcel 14	20,128 sq. ft.		
Parcel 15	22,632 sq. ft.		
Parcel 16	24,946 sq. ft.		
Parcel 17	23,809 sq. ft.		
Parcel 18	23,467 sq. ft.		

September 24, 2019

Exhibit A—AERIAL MAP



September 24, 2019

Exhibit B—TENTATIVE TRACT MAP NO. 20198 101.4 48T. S LOT, 6 LOT 6 LOT-7 10T-11 **UI** 12 181, j3 LOT 10 RESC. 16 Flore 2000 LOT-15

#	AREA (SF)	AREA (AC)
1	20,303	0.466
2	20,679	0.475
3	20,839	0.478
4	20,475	0.470
5	18,921	0.434
6	20,507	0.471
7	26,155	0.600
8	25,246	0.580
9	25,643	0.589
10	20,768	0.477
11	21,077	0.484
12	21,085	0.484
13	20,940	0.481
14	20,128	0.462
15	22,632	0.520
16	24,946	0.573
17	23,809	0.547
18	23,467	0.539

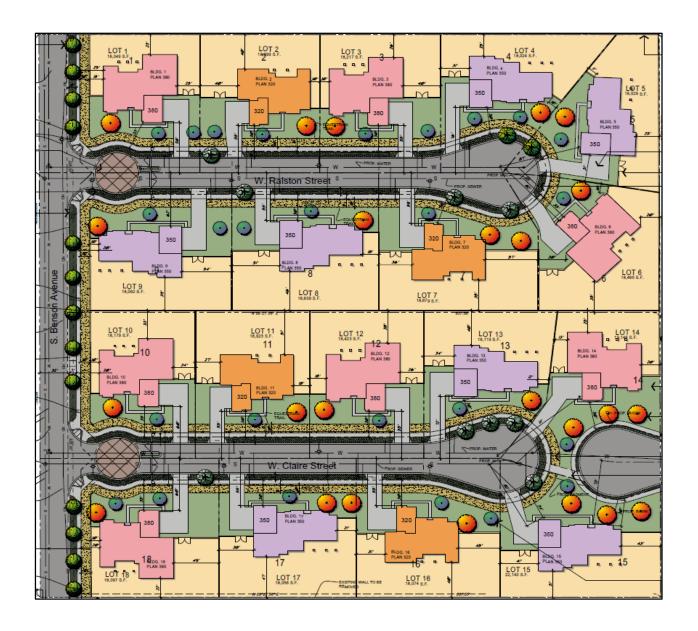
LOT 17

WALL TO

LOT 16

September 24, 2019

Exhibit C—CONCEPTUAL SITE PLAN



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT18-007 (TT 20198), A TENTATIVE TRACT MAP TO SUBDIVIDE 9.57 ACRES OF LAND INTO 18 SINGLE-FAMILY LOTS, FOR PROPERTY LOCATED AT 1103 SOUTH BENSON AVENUE WITHIN THE AR-2 (RESIDENTIAL-AGRICULTURE- 0 TO 2.0 DU/ACRE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1011-431-01 AND 1011-521-06

WHEREAS, TK Management Services, LLC ("Applicant") has filed an Application for the approval of a Tentative Tract Map, File No. PMTT18-007 (TT 20198), as described in the title of this Resolution ("Application" or "Project"); and

WHEREAS, the Application applies to 9.57 acres of land located on the east side of Benson Avenue, at the easterly terminus of Howard Street, at 1103 South Benson Avenue, within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district, and is presently improved with two single-family homes; and

WHEREAS, the property to the north of the Project site is within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district, and is developed with single family homes. The property to the east is within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district, and is developed with a single family homes and vacant land. The property to the south is within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district, and is developed with a single family homes. The property to the west is within the City of Chino and is developed with single family homes; and

WHEREAS, the applicant is requesting approval of a Tentative Tract Map to subdivide the project site into 18 traditional single-family lots situated around two gated private cul-de-sac streets (West Ralston Privado and West Clair Privado), which incorporates a 10-foot wide equestrian trail along each project street frontage. The proposed subdivision will facilitate the future development of one single-family dwelling on each lot; and

WHEREAS, the development standards of the AR-2 zoning district requires a minimum lot area of 18,000 square feet. Additionally, minimum lot dimensions of 135 feet in depth, and 100 feet in width for interior lots and 120 feet for corner lots, are required. The subdivision is proposing lots ranging in size from 18,921 square feet to 26,155 square feet in area, exceeding the minimum lot area requirement. Furthermore, the project's minimum lot width has been exceeded and the minimum lot depth was achieved by extending each lot's side lot line to the centerline of each proposed private street, which will be established as a reciprocal access easement through each lot; and

WHEREAS, the applicant is proposing to develop the project as a gated community, with a separate entry gate at each private cul-de-sac street. A vehicle turn-around area has been provided in front of each gate to accommodate vehicles that enter the project in error or are denied entry beyond the gates. The south cul-de-sac will have a pedestrian connection (walkway) to the existing neighborhood to the east. In addition, a horse trail will be provided along the front parkways and will be open to the public to utilize (see Exhibit C: Conceptual Site Plan). Access to each lot will be provided by a standard 12-foot wide driveway located along the private street frontages. No direct vehicle access is provided to Benson Avenue; and

WHEREAS, Covenants, Conditions and Restrictions (CC&Rs) are required to be recorded with the final tract map as a condition of project approval. The CC&Rs are required to be submitted, reviewed and approved by the City to ensure ongoing maintenance of the private streets, equestrian trails, common landscape areas, and common drainage/easement areas. Additionally, a condition of approval has been imposed on the project requiring that a Development Plan must be reviewed and approved by the City, prior to the issuance of a building permit for tract construction. However, if the Development Plan is not submitted and approved prior to Final Map recordation, the Applicant will be required to submit site and architectural design guidelines to be incorporated into the CC&Rs, to ensure architectural compatibility (design, scale and mass) throughout the proposed subdivision; and

WHEREAS, 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 dry wells and pipe storage areas within the proposed parkways along each private street. The approval of a comprehensive WQMP is required prior to tract construction; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PGPA06-001, a General Plan Amendment for which The Ontario Plan Environmental Impact Report, State Clearinghouse No. 2008101140, ("Certified EIR") was adopted by the Ontario City Council on January 27, 2010, and this Application introduces no new significant environmental impacts; and

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

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

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

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

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

WHEREAS, on September 4, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-051, recommending the Planning Commission approve the Application; and

WHEREAS, on September 24, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

- <u>SECTION 1</u>: *Environmental Determination and Findings.* As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:
- (1) The environmental impacts of this project were previously reviewed in conjunction with File No. PGPA06-001, a General Plan Amendment for which The Ontario Plan Environmental Impact Report, State Clearinghouse No. 2008101140, was adopted by the Ontario City Council on January 27, 2010.
- (2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and
- (4) The Planning Commission has determined that 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, as a condition of Project approval; and
- (5) The decision to use of the previous Certified EIR reflects the independent judgment of the Planning Commission.
- <u>SECTION 2</u>: **Subsequent or Supplemental Environmental Review Not Required.** Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:
- (1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- (2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

- (3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:
- (a) The project will have one or more significant effects not discussed in the Certified EIR; or
- (b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or
- (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or
- (d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.
- SECTION 3: **Housing Element Compliance.** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.
- SECTION 4: Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as "ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP

Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

<u>SECTION 5</u>: **Concluding Facts and Reasons.** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

- (1) The proposed Tentative Tract/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 Map is located within the RR (Rural Residential) land use district of the Policy Plan Land Use Map, and the AR-2 (Residential-Agriculture 0 to 2.0 DU/Acre) 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 providing "a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life" (Goal LU1). Furthermore, the project will promote the City's policy to "incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario" (Policy LU1-6 Complete Community).
- (2) The design or improvement of the proposed Tentative Tract Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments. The proposed Tentative Tract Map is located within the RR (Rural Residential) land use district of the Policy Plan Land Use Map, and the AR-2 (Residential-Agriculture 0 to 2.0 DU/Acre) 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 contribute to providing "[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct" (Goal CD2). Furthermore, the project will promote the City's policy to "create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:
 - A pattern of smaller, walkable blocks that promote access, activity and safety;

- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the "outdoor living room"), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb." (Policy CD2-2 Neighborhood Design).
- (3) The site is physically suitable for the type of development proposed. The project site meets the 18,000 square foot minimum lot area and dimensions of the AR-2 (Residential-Agriculture 0 to 2.0 DU/Acre) zoning district, and is physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions. The minimum parcel size proposed is 18,921 square feet, and the largest parcel size is 26,155 square feet.
- (4) The site is physically suitable for the density/intensity of development proposed. The project meets the minimum 18,000 square foot lot area and dimensions of the AR-2 (Residential-Agriculture 0 to 2.0 DU/Acre) zoning district, and is physically suitable for the proposed density / intensity of development. The minimum parcel size proposed is 18,921 square feet, and the largest parcel size is 26,155 square feet.
- (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 18-lot single-family residential subdivision, is not likely to cause serious public health problems, as the project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous

materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

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

<u>SECTION 6</u>: *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

<u>SECTION 7</u>: *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.

<u>SECTION 8</u>: *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.

<u>SECTION 9</u>: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of September 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Nancy DeDiemar
Planning Commission Vice-Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

Planning Commission Resolution File No. PMTT18-007 (TT 20198) September 24, 2019 Page 10	
STATE OF CALIFORNIA COUNTY OF SAN BERNARDINO CITY OF ONTARIO)))
City of Ontario, DO HEREBY CERTII	Pro Tempore of the Planning Commission of the FY that foregoing Resolution No was duly Commission of the City of Ontario at their regular by the following roll call vote, to wit:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Gwen Berendsen Secretary Pro Tempore

Planning Commission Resolution File No. PMTT18-007 (TT 20198) September 24, 2019 Page 11

ATTACHMENT A:

File No. PMTT18-007 (TT 20198) Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date:

September 24, 2019

File No:

PMTT18-007 (TT 20198)

Related Files:

N/A

Project Description: A Tentative Tract Map to subdivide 9.57 acres of land into 18 single-family lots, located at 1103 South Benson Avenue, within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) zoning district. APNs: 1011-431-01 & 1011-521-06; **submitted by FM Management Services LLC.**

Prepared By:

Luis E. Batres, Senior Planner

Phone: 909.395.2431 (direct)

Email: Lbatres@ontarioca.gov

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

- **1.0 Standard Conditions of Approval.** The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.
- **2.0** Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

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

2.2 <u>Subdivision Map</u>.

- (a) The Final Tract Map shall be in conformance with the approved Tentative Tract/Parcel Map on file with the City. Variations rom the approved Tentative Tract/Parcel Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Tract/Parcel Map may require review and approval by the Planning Commission, as determined by the Planning Director.
- **(b)** Tentative Tract/Parcel Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

Planning Department; Land Development Division: Conditions of Approval

File No.: PMTT18-007/ TT 20198

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(c) The subject Tentative Tract/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 <u>Agreements.</u> Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance
- (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 access between parcels.
 - (d) CC&Rs shall ensure 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 access drives; and
 - (iv) Utility and drainage easements.
 - (v) Equestrian trails

Planning Department; Land Development Division: Conditions of Approval File No.: PMTT18-007/ TT 20198

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(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.

2.6 <u>Disclosure Statements.</u>

- (a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:
- (i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.
- (ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.
- (iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.
- (iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.7 Environmental Review.

- (a) The public hearing for this project was duly advertised as requiring the adoption of a Mitigated Negative Declaration; however, upon further analysis, staff has determined that the proposed project was previously adequately analyzed by The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), which was certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001. 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.
- **(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.
- 2.8 <u>Indemnification</u>. 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.

2.9 Additional Fees.

Planning Department; Land Development Division: Conditions of Approval

File No.: PMTT18-007/ TT 20198

Page 4 of 4

- (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 <u>Plan Check</u> and <u>Inspection</u> fees shall be paid at the rate established by resolution of the City Council.

2.10 Additional Requirements.

- (a) A Development Plan is required to be reviewed and approved by the City prior to any building permits being issued for the development of the homes. In addition, Development Plan will be required to comply with all Development Code, development requirements.
- **(b)** After Planning Commission approval, the applicant shall submit two reduced sets of plans (11" x 17") to the Planning Department.



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)

☑ DEVELOPMENTPLAN☐ OTHER		EL MAP CONDOMINI		CT MAP DSES					
PROJECT FILE NO. TM 20198									
RELA	TED FILE N	O(S). PMTT	18-007						
⊠ OR	IGINAL 🗌	REVISED:	_/_/_						
CITY PROJECT ENGINEER 8		(909) 395-2							
CITY PROJECT PLANNER &	PHONE NO:	Luis Batres, Senior Planner (909) 395-2431							
DAB MEETING DATE:		September 4, 2019							
PROJECT NAME / DESCRIP	ΓΙΟΝ:	subdivide seighteen (1	a Tentative T 9.57 acres of 18) single fam AR-2 zoning	land into nily lots					
LOCATION:		991 and 11	03 South Ber	nson					
APPLICANT:		Kevin Kent	Ł						
REVIEWED BY:		Bryan Lirley		es, LLC 8/14/19 Date					
APPROVED BY:		Principal En Raymond Le Assistant C	Le	8/14/19. Date					

Last Revised: 8/14/2019



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

1.	PHIC	RIOF		Check Wher Complete	n
\boxtimes	1.01	Dedica	te to the City of Ontario, the right-of-way, described below:		П
		a)	14-feet on Benson Avenue frontage to achieve an ultimate half-street width of	44-feet.	
		b)	Right-of-way necessary to construct full street improvements on existing, pub Clair Street.	lic W.	
		c)	Property line corner cut-back at Benson/Ralston and Benson/Clair (private).		
\boxtimes	1.02	Dedicat	te to the City of Ontario, the following easement(s):		
		a)	Project shall provide a Public Utility Easement (PUE) across private W. Ralston and a PUE and Pedestrian Access Easements across private W. Clair Street, in minimum 15-foot wide easement through the cul-de-sac of private W. Clair Streexisting, public W. Clair Street, as shown on the tentative tract map.	ncluding a	
	1.03	Restrict	vehicular access to the site as follows:		
	1.04	Vacate	the following street(s) and/or easement(s):		
	1.05	easeme	a copy of a recorded private reciprocal use agreement or easement. The agreement shall ensure, at a minimum, common ingress and egress and joint maintenant access areas and drive aisles.	eement or ince of all	
	1.06	Departm provide for all c landsca establis CC&Rs improve space/e	e (original document) Covenants, Conditions and Restrictions (CC&Rs) as approper and as approved by the City Attorney and the Engineering and ments, ready for recordation with the County of San Bernardino. The CC& for, but not be limited to, common ingress and egress, joint maintenance responded in the Common access improvements, common facilities, parking areas, utilities, meaning improvements and drive approaches, in addition to maintenance requisited in the Water Quality Management Plan (WQMP), as applicable to the prospending also address the maintenance and repair responsibility for ements/utilities (sewer, water, storm drain, recycled water, etc.) located with assements. In the event of any maintenance or repair of these facilities, the store disturbed areas to current City Standards.	Planning &Rs shall consibility edian and uirements oject. The or public	
	1.07	develope Letter". requiren Covenar disclosu	development occurring south of the Pomona Freeway (60-Freeway) and within the ry limits (per Boundary Map found at http://tceplumecleanup.com/), the er/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Property owner may wish to provide this Letter as part of the Real Estate Transferments under California Civil Code Section 1102 et seq. This may include notifications, Conditions and Restrictions (CC&Rs) or other documents related to property transfer. Additional information on the plume is available from the Santa Ana Regio Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T1000	property Disclosure Disclosure ons in the ansfer and	
	1.08	processi	application for Reapportionment of Assessment, together with payment of a reappoing fee, for each existing assessment district listed below. Contact the Management at (909) 395-2124 regarding this requirement.	ortionment It Services	
		(1)			



		(2)	
\boxtimes	1.09	Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.	
\boxtimes	1.10	Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.	
\boxtimes	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).	
\boxtimes	1.14	Other conditions:	
		a) Developer/applicant shall reserve a minimum 4-foot wide private drainage easement adjacent to the southerly tract boundary across proposed Lots 15, 16, 17, 18 for the benefit of proposed Lots 15, 16, 17, 18.	
2.	PRIO	R TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:	
		NERAL its includes Grading, Building, Demolition and Encroachment)	
\boxtimes	2.01	Record Tract Map No. 20198 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.	
\boxtimes	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	

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	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 .	
\boxtimes	2.08	Submit a soils/geology report.	
	2.09	Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:	
		State of California Department of Transportation (Caltrans) San Bernardino County Road Department (SBCRD) San Bernardino County Flood Control District (SBCFCD) Federal Emergency Management Agency (FEMA) Cucamonga Valley Water District (CVWD) for sewer/water service United States Army Corps of Engineers (USACE) California Department of Fish & Game Inland Empire Utilities Agency (IEUA) Other:	
	2.10	Dedicate to the City of Ontario the right-of-way described below:	
		Property line corner 'cut-back' required at the intersection ofand	
	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 app	olicable fees as set forth by said agreement.				
		shall a	resign proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a m 3-foot high retaining wall.				
	2.13	improve deposit	a security deposit to the Engineering Department to guarantee construction of the public ements required herein valued at% of the approved construction cost estimate. Security shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible ase, in accordance with City procedure, upon completion and acceptance of said public ements.				
	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.					
\boxtimes	2.15	Pay all	Pay all Development Impact Fees (DIF) to the Building Department.				
\boxtimes	2.16	Other c	onditions:				
		a)	The Final Utility Systems Map (USM) shall be consistent with the Infrastructure Plan submitted with the entitlement package. Any deviation from this plan shall require the USM to be updated and resubmitted to OMUC for review and approval. A final USM shall be submitted for review and approval with the Precise Grading Plan.				
		b)	The applicant/developer shall pay a storm drain in-lieu fee, approximately \$114,075.00, for the "Priority B" storm drain in Benson Avenue. Final fee shall be determined based on the approved site plan.				

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

Improvement	Benson Avenue	Existing Public W. Clair St.	Within Ontario PUE on W. Clair St. (Private)	Within Ontario PUE on W. Ralston St. (Private)
Curb and Gutter	New; 32 ft. from C/L Replace damaged Remove and replace	New curb and gutter for cul-de-sac, join existing Replace damaged Remove	New; ft. from C/L Replace damaged Remove and replace	New;ft. from C/L Replace damaged Remove and replace
AC Pavement	Replacement Widen 18 additional feet along frontage, including pavm't transitions	Replacement New cul-desac per City Std. Dwg. 1101 and as necessary to join existing pavm't	Replacement Widen additional feet along frontage, including pavm't transitions	Replacemen Widen additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	New Modify existing	New Modify existing	New Modify existing	New Modify existing
Drive Approach	New Remove and replace	New Remove and replace to construct cul-de sac (if needed)	New Remove and replace	New Remove and replace
Sidewalk	New Remove and replace	New sidewalk along cul-de-sac, join existing sidewalk or driveway Remove and replace	New Remove and replace	New Remove and replace
ADA Access Ramp	New Remove and replace	New Remove and replace	New Remove and replace	New Remove and replace
Parkway		Trees Landscaping	Trees Landscaping	Trees Landscaping

(w/irrigation)

(w/irrigation)

(w/irrigation)

(w/irrigation)



Raised Landscaped Median	New Remove and replace	New Remove and replace	New Remove and replace	New Remove and replace
Fire Hydrant	New / Upgrade Relocation	New / Upgrade Relocation	New Relocation	New Relocation
Sewer (see Sec. 2.C)	Main Lateral	Main Lateral	Main Lateral	Main Lateral
Water (see Sec. 2.D)	Main Service	Main to connect to new W. Clair (private) Service	Main Service	Main Service
Recycled Water (see Sec. 2.E)	Main Service	Main Service	Main Service	Main Service
Traffic Signal System (see Sec. 2.F)	New Modify existing	New Modify existing	New Modify existing	New Modify existing
Traffic Signing and Striping (see Sec. 2.F)	New Modify existing	New Modify existing	New Modify existing	New Modify existing
Street Light (see Sec. 2.F)	New Relocation	New Relocation	New / Upgrade Relocation	New / Upgrade Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	New Modify existing	New Modify existing	New Modify existing	New Modify existing
Storm Drain (see Sec. 2G)	Main Lateral	Main Lateral	Main Lateral	Main Lateral
Fiber Optics (see Sec. 2K)	Conduit / Appurtenances	Conduit / Appurtenances	Conduit / Appurtenances	Conduit / Appurtenances
Overhead Utilities	Underground Relocate	Underground Relocate	Underground Relocate	Underground Relocate
Removal of Improvements	Existing improvements to widen street	Existing improvements to construct cul-desac and join existing		
Other Improvements				

Date: September 4, 2019



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

a) During the course of maintenance and repairs of public utilities within the public easement, the City will restore trenches per the latest City standards, as applicable. Restoration of any enhancements above and beyond City standards, including but not limited to architectural paving, hardscape and landscape enhancements shall be the responsibility of the HOA.

		b) T b	he new y the H	w W. Clair St. and W. Ralston St. are private and shall be owned and mainta	ined			
	2.18	Construct	a 2" ası	sphalt concrete (AC) grind and overlay on the following street(s):				
	2.19	1011, may	be req	f the full pavement structural section, per City of Ontario Standard Drawing number of the existing pavement condition and final street design. Minimulation shall be along property frontage, from street centerline to curb/gutter.	oer m			
	2.20	Sewer s Sewer s	service	ents with the Cucamonga Valley Water District (CVWD) to provide water so the site. This property is within the area served by the CVWD and Applicantation to the City verifying that all required CVWD fees have been paid.	service nt shall			
	2.21	Code (Or	dinanc	es shall be under-grounded, in accordance with Title 7 of the City's Murce No. 2804 and 2892). Developer shall pay in-lieu fee of \$350, of utilities in accordance with Section 7-7.303.e of the City's Municipal Co	ft for			
	2.22	Other con a) O O	n-site	s: private streets from curb to curb shall be designed and constructed per Cipublic street standards.	ty of			
	C. SE	WER						
\boxtimes	2.23	A 12-inch sewer main is available for connection by this project in Benson Avenue. (Ref: Sewer plan bar code: S13092)						
	2.24	Design and closest mai	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	Applicant s results of the sewer syst	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.					
\boxtimes	2.26	Other cond				Г		
		se	paratio	<u>aterals:</u> Project shall install sewer cleanouts/laterals at a minimum hori on of 5 feet from BMPs and 10 feet from water meters/laterals per State ces Control Board Division of Drinking Water (DDW) requirements.	zontal Water			
		lin	ewer L ne impi quirem	<u>line Improvements:</u> Prior to the issuance of any permits, the following provements shall be designed and constructed per City standards and conents:	sewer lesign			
				Install an 8-inch sewer line along W. Ralston St. from Benson Avenue cul-de-sac, with a point of connection to the existing sewer line in Beavenue.	to the enson			
			b. I	Install an 8-inch sewer line along W. Clair St. from Benson Avenue to th	e cul-			

de-sac, with a point of connection to the existing sewer line in Benson Avenue.



	D. W	D. WATER					
\boxtimes	2.27	An 8-in W. Clai	ch wat r Stree	ter et. (main is available for connection by this project in Benson Avenue and existing Ref: Water plan bar code: W11460, W10510)		
	2.28	Design	and co	nst	ruct a water main extension. A water main is not available for direct connection. The proximately feet away.		
\boxtimes	2.29	Other c	onditio	ons			
		a)	syste	emi emi	er Flow Test: Submit an application with the Fire Prevention Bureau requesting ater Flow Test in order to verify the size and alignment of the proposed water mprovements for this project. The project is responsible for installing all water mprovements which may be necessary in order to meet Fire Flow requirements itigate any potential deficiencies.		
		b)	separ	rati	terals: Project shall install water meters/laterals at a minimum horizontal on of 5 feet from BMPs and 10 feet from sewer cleanouts/laterals per State esources Control Board Division of Drinking Water (DDW) requirements.		
		c)	potab	ole 1	<u>Mater Improvements:</u> Prior to the issuance of any permits, the following water improvements shall be designed and constructed per City standards and equirements:		
			а		nstall an 8-inch waterline along W. Ralston St. from Benson Avenue to the cul- de-sac, with a point of connection to the existing waterline in Benson Avenue.		
			b		nstall an 8-inch waterline along W. Claire St. from Benson Avenue through the cul-de-sac of W. Claire Street for looping, with a point of connection to the existing waterline in Benson Avenue and existing waterline in W. Claire Street.		
	E. RE	CYCLED	WATE	R			
	2.30	A (Ref: Re	_inch r	ecy Wa	cled water main is available for connection by this project in ter plan bar code:)		
	2.31	Design a exist in the	and co he vicir	nst nity	uct an on-site recycled water system for this project. A recycled water main does of this project.		
	2.32	would lik	curre e to co	ntiy	exist in the vicinity of this project, but is planned for the near future. If Applicant exist in the vicinity of this project, but is planned for the near future. If Applicant exist to this recycled water main when it becomes available, the cost for the connection by by the Applicant.		
	2.33	Departm	use of ent of I	rec Pub	d copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), ycled water, to the OMUC for review and subsequent submittal to the California lic Health (CDPH) for final approval.		
		Note: Th Contact t	e OMU	JC tari	and the CDPH review and approval process will be approximately three (3) months. Municipal Utilities Company at (909) 395-2647 regarding this requirement.		
	2.34	Other co	ndition	s:_			
	F. TRA	AFFIC / TI	RANSF	POF	RTATION		
	2.35	Submit a State of the City E 1. On-si 2. Traffi	focuse Califor Engine ite and c level	ed to nia. er: off of s	raffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the The study shall address, but not be limited to, the following issues as required by site circulation service (LOS) at 'build-out' and future years fic intersections as selected by the City Engineer		
	2.36	New traff number #	fic sign	nal i 044	nstallations shall be added to Southern California Edison (SCE) customer account -3877.		



\boxtimes	2.37	Other cond	itions:					
		a)	Design and construct the ultimate half street improvements along the project frontage on Benson Avenue (88' R/W, 64' C/C). Improvements shall include appropriate pavement transitions, signing/striping, street lights, and street light service pedestals as deemed necessary by the City Engineer.					
		b)	Design and construct street improvements for the existing, public W. Clair Street cul-de-sac in accordance with City standard drawings including, but not limited to, concrete curb and gutter, sidewalk, LED street lights, street light service pedestals, signing/striping, and parkway landscaping.					
		c)	The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting signing/striping and/or street lighting design.					
		d)	The Applicant/Developer shall obtain all rights-of-way necessary to construct all required improvements.					
		e)	All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.					
	G. DF	RAINAGE / HY	DROLOGY					
	2.38	Ainc (Ref: Storm I	h storm drain main is available to accept flows from this project in 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 co Engineering	improvement plans. 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	on the Flood	the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. shall be subject to the provisions of the National Flood Insurance Program.					
	2.43	Other conditi						
	H. ST (NPDE	ORM WATER	QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM	Age I				
	2.44	Permit for th surface wate Certification and a 404 F bodies classi conditions, o Flood Contro If a 401 Cer engineer sha	regulative Certification/404 Permit — Submit a copy of any applicable 401 Certification or 404 to subject project to the City project engineer. Development that will affect any body of the city can describe the City project engineer. Development that will affect any body of the city can be compared to the City project engineer. Development that will affect any body of the city can be compared to the City project engineer. Development that will affect any body of the city can be compared to the City project engineer. Development and the City can be compared to the City can be compared to the City project engineer. Development that will affect any body of the City can be compared to the City project engineer. Development that will affect any body of the City can be compared to the City project engineer. Development that will affect any body of the City can be called the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineer. Development that will affect any body of the City project engineers (USACE). The City project engineers (USACE) and the Ci					

	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 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, vertical support bars, and removable component to facilitate maintenance and cleaning.	
	2.47	Other conditions:	
	J. SP	ECIAL DISTRICTS	
	2.48	File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.	
	2.49	Other conditions:	
	K. FIE	BER 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. Fiber optic system will generally be located along project frontage on Benson Avenue, private Ralston Street and private Clair Street.	
\boxtimes	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. So	iid 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	
\boxtimes	2.53	Other conditions:	
		a) Final Solid Waste Handling Plan (SWHP): The PMTT18-007 Solid Waste Handling Plan, revision dated 06/19/2019, shall be updated to meet all conditions and revised into a Final SWHP. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan. The SWHP shall demonstrate compliance with the "Solid Waste Handling Plan Requirements".	



3.	PRIC	R TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:	
\boxtimes	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.	
		\square 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.	
\boxtimes	3.05	Confirm payment of all Development Impact Fees (DIF) to the Building Department.	
\boxtimes	3.06	Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).	



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PMTT 18-007 / Tract Map No. 20198

The following items are required to be included with the first plan check submittal	1:
-------------------------------------------------------------------------------------	----

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

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.:	PMTT18-007			Deviewed Dur	
Address:	991 and 1103 South Be	enson Avenue		Reviewed By: Lorena Mejia	
APN:					
Existing Land Use:	Single Family Homes			Contact Info: 909-395-2276 Project Planner:	
Proposed Land Use:	Subdivide 9.57 acres in	to 18 numbered lots for res	idential purposes	Luis Batres	
Site Acreage:	9.57 ac	Proposed Structure I	Height: N/A	Date: 6/11/18	
ONT-IAC Projec	t Review: n/a			CD No.: 2018-032	
Airport Influence	Area: ONT			PALU No.: n/a	
TI	ne project is imp	pacted by the follo	owing ONT ALUCP Compa	atibility Zones:	
Safet	ty	Noise Impact	Airspace Protection	Overflight Notification	
Zone 1		75+ dB CNEL	High Terrain Zone	Avigation Easement	
Zone 1A	\bigcirc	70 - 75 dB CNEL	FAA Notification Surfaces	Dedication Recorded Overflight	
Zone 2	$\tilde{\cap}$	65 - 70 dB CNEL	Airspace Obstruction	Notification	
Zone 3		60 - 65 dB CNEL	Surfaces	Real Estate Transaction Disclosure	
Zone 4	•	00 - 00 dB CNEL	Airspace Avigation Easement Area	O Discission o	
Zone 5			Allowable		
20ile 3	APPENDING SOME SHEET		Height: 200 ft +		
	The project is i	mpacted by the f	ollowing Chino ALUCP Sa	fety Zones:	
Zone 1	Zone 2	Zone 3	Zone 4 Zone	Zone 6	
Allowable Heigl	nt:				
		CONSISTENC	CY DETERMINATION		
This proposed Pro	ject is: Exempt fro	om the ALUCP C	onsistent • Consistent with Con	nditions 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 Co	ondition			,	
Airport Planner Si	gnature:	Lanun	. Ulgie		

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT

CD No.:	2018-032	
PALU No.:		
4-17		

PROJECT CONDITIONS

New Residential land uses are required to have a Recorded Overflight Notification appearing on the Property Deed and Title incorporating the following language:

(NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.)

CITY OF ONTARIO MEMORANDUM

TO: FROM: DATE: SUBJECT:	PLANNING DEPARTMENT, Luis Batres BUILDING DEPARTMENT, Kevin Shear May 14, 2018 PMTT18-007
⊠ The p	plan <u>does</u> adequately address the departmental concerns at this time. No comments Report below.
1. Standard	Conditions of Approval d Conditions of Approval apply.

KS:lm

RECEIVED

MAY 1 4 2018

City of Ontario Planning Department



CITY OF ONTARIO MEMORANDUM

TO:

Luis Batres, Senior Planner

Planning Department

FROM:

Paul Ehrman, Deputy Fire Chief/Fire Marshal

Fire Department

DATE:

April 7, 2019

SUBJECT:

PMTT18-007- A Tentative Tract Map to subdivide 9.57 acres of land into

18 single family lots, located at 991 and 1103 South Benson, within the AR-2 (Agriculture Residential). APN's 1011-431-01 and 1011-521-06.

(Revision 1)

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

Standard Conditions of Approval apply. See previous report for Conditions



CITY OF ONTARIO MEMORANDUM

TO:

Luis Batres, Senior Planner

Planning Department

FROM:

Paul Ehrman, Deputy Fire Chief/Fire Marshal

Fire Department

DATE:

May 17, 2018

SUBJECT:

PMTT18-007- A Tentative Tract Map to subdivide 9.57 acres of land into

18 single family lots, located at 991 and 1103 South Benson, within the AR-2 (Agriculture Residential). APN's 1011-431-01 and 1011-521-06

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

Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

A. 2013 CBC Type of Construction: Type V-B Wood Frame

B. Type of Roof Materials: Non-rated

C. Ground Floor Area(s): Varies

D. Number of Stories: Single Story

E. Total Square Footage: Varies

F. 2013 CBC Occupancy Classification(s): R-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, 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

3.0 WATER SUPPLY

4.0 FIRE PROTECTION SYSTEMS

An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13 D. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- ∑ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.



CITY OF ONTARIO

MEMORANDUM

Department	Signature	Title Date
Douce Department	Bound Sore	MARKENENT 5/22/18
	The conditions contained in the attached report r Development Advisory Board.	nust be met prior to scheduling for
The plan	n does not adequately address the departmental of	
Ø	Standard Conditions of Approval apply	
	Report attached (1 copy and email 1 copy)	
″ 🗆	No comments	
The plan	n does adequately address the departmental cond	cerns at this time.
ioto, iocateu	DESCRIPTION: A Tentative Tract Map to subdivide at 991 and 1103 South Benson, within the AR-2-431-01 and 1011-521-06	de 9.57 acres of land into 18 single family (Agriculture Residential).
	Only Zoning Administrator action is required	
	DAB, Planning Commission and City Council ad	ctions are required
	Only Planning Commission action is required	
	Both DAB and Planning Commission actions ar	re required
your DAB re	ng project has been submitted for review. Please eport to the Planning Department by Wednesday Only DAB action is required	send one (1) copy and email one (1) copy of , May 23, 2018.
SUBJECT:		inance Acct#:
DATE:	May 09, 2018	
	Luis Batres, Senior Planner	
FROM:	Lorena Mejia, Senior Planner Steve Wilson, Engineering/NPDES Joe De Sousa, Code Enforcement (Copy of m Jimmy Chang, IT Department David Simpson, IT Department (Copy of memo	
	Khoi Do, Assistant City Engineer Carolyn Bell, Landscape Planning Division Ahmed Aly, Municipal Utility Company Doug Sorel, Police Department Paul Ehrman, Deputy Fire Chief/Fire Marshal Jay Bautista, T. E., Traffic/Transportation Man	ager
TO:	Hassan Haghani, Development Director Scott Murphy, Assistant Development Directo Cathy Wahlstrom, Principal Planner (Copy of Charity Hernandez, Economic Development Kevin Shear, Building Official	or (Copy of Memo only) memo only)



CITY OF ONTARIO

MEMORANDUM

TO:	Scott Murphy, Development Director Cathy Wahlstrom, Planning Director Diane Ayala, Advanced Planning Division Charity Hernandez, Economic Development Kevin Shear, Building Official Khoi Do, Assistant City Engineer Carolyn Bell, Landscape Planning Division Ahmed Aly, Municipal Utility Company Doug Sorel, Police Department Paul Ehrman, Deputy Fire Chief/Fire Marshal Jay Bautista, T. E., Traffic/Transportation Manager Lorena Mejia, Aiport Planning Steve Wilson, Engineering/NPDES Joe De Sousa, Code Enforcement (Copy of memo only) Jimmy Chang, IT Department				
FROM:	Luis Batres, Senior Planner				
DATE:	August 15, 2018				
SUBJECT:	FILE #: PMTT18-007 Finance Acct#:				
The followin of your DAB	g project has been resubmitted for review. Please send one (1) copy and email one (1) copy report to the Planning Department by Wednesday, August 29, 2018 .				
PROJECT D	DESCRIPTION: A Tentative Tract Map to subdivide 9.57 acres of land into 18 single family at 991 and 1103 South Benson, within the AR-2 (Residential-Agriculture - 0 to 2.0 DU/Acre) ct (APN's 1011-431-01 and 1011-521-06).				
The pla	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				

Ad. Planning Claries Burch Aress Planner 8/29/1/8
Department Signature Title Date

The conditions contained in the attached report must be met prior to scheduling for

The plan does not adequately address the departmental concerns.

Development Advisory Board.

CITY OF ONTARIO

LANDSCAPE PLANNING DIVISION

303 East "B" Street, Ontario, CA 91764

CONDI	TIONS	OF AP	PROVAL
001101	110140		LUCAME

	Sign (
0	

Jamie Richardson, Sr. Landscape Planner

07/15/2019

Dovi	owar's News	The second secon			
Reviewer's Name: Jamie Richardson, Sr. Landscape Planner			Phone: (909) 395-2	615	
D.A.B. File No.: Related Files: PMTT18-007 Rev 3			Case Planner: Luis Batres		
Proje	ct Name and Location:				
	Single Family Homes				
991	and 1103 South Benson				
	cant/Representative:				
	Management				
449	W Foothill Blvd				
	dora, CA 91741				
\boxtimes					
	A Tentative Tract Map () has not been approved. Corrections noted below are required prior to DAB approval.				

On Construction plans:

CORRECTIONS REQUIRED

- Show storm water swales proposed in landscape areas to avoid street tree root zone 10' clear 30' oc. Not completed, show infiltration swales in sections to allow a level 10' space 30'oc for street trees in amended soil, not in the infiltration trench. 07/15/2019 Not complete; show and callout on plan.
- 2. Relocate utilities to min. clearances to allow parkway trees spaced 30' apart with a 10' clear tree space, 5' clearance each side of tree from any utility or hardscape including water, sewer, drain lines and driveways; and min. 10' clear from street lights. 07/15/2019 Not complete; adjust utilities to provide required trees.
- 3. Show transformers located in planter areas, and set back 3' from paving for small transformers less than 4' high and 5' setback for large transformer greater than 4' high. Locate on level grade. Coordinate with landscape plans. 07/15/2019 Not complete; show transformers on plan in appropriate locations.
- 4. Show walls and detail to screen adjacent cul-de-sacs in the front yards of lots 14 & 15.
- Provide HOA or CC&R with instructions to maintain infiltration trenches. 07/15/2019 Not complete.
- 6. Landscape and irrigation shall meet the requirements of the Landscape Development Guidelines. See http://www.ontarioca.gov/landscape-planning/standards
- 7. Replace high maintenance and poor performing plants.
- 8. After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council. Typical fees are:

Plan Check—5 or more acres	\$2,326,00
Inspection—Construction (up to 3 inspections)	\$278.00
Total	\$2 604 00



FILE NOS.: PUD18-001 & PDEV18-035

SUBJECT: A Planned Unit Development (File No. PUD18-001) to establish development standards and guidelines to facilitate the development of a high density residential apartment project (30.3 dwelling units per acre); and a Development Plan (File No. PDEV18-035) to construct a three-unit apartment building on 0.102 acre of land located at 418 East Transit Street, within the MU-1 (Downtown Mixed Use) zoning district; (APN: 1049-067-04) **submitted by Richard Southerland. City Council action is required for File No. PUD18-001.**

PROPERTY OWNER: 418 Transit, LLC

RECOMMENDED ACTION: That the Planning Commission consider and approve the attached resolutions:

- [1] Recommending the City Council approve File No. PUD18-001; and
- [2] Approving File No. PDEV18-035 pursuant to the facts and reasons contained in

the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 0.102-acre of undeveloped land located at 418 East Transit Street, within the MU-1 (Downtown Mixed Use) zoning district, and is depicted in Figure 1: Project Location, right. Properties surrounding the project site all lie within the MU-1 (Downton Mixed Use) zoning district and are occupied by a mix of land uses, including commercial land uses to the north, across Transit Street; single-family residential land uses to the east; undeveloped land to the south; and a mix



Figure 1: Project Location

Case Planner:	Charles Mercier
Planning Director Approval:	/ /////////////////////////////////////
Submittal Date:	11/09/2018

Hearing Body	Date	Decision	Action
DAB	09/16/2019	Approval	Recommend
PC	09/24/2019		Final
CC			

September 24, 2019

of residential, commercial and industrial land uses to the west.

PROJECT ANALYSIS:

[1] <u>Background</u> — The project site is located within the Center City Redevelopment Project Area, established in 1983. While the practice of redevelopment was eliminated by the State, the Center City Redevelopment Project Area Plan is still in effect, and encourages the development of a high intensity, multi-use central business district. In addition, The Ontario Plan ("TOP") Policy Plan (General Plan) contains goals and policies for the City's Downtown and East Holt Mixed Use Areas, which further support the goals of the Center City Redevelopment Project Area Plan.

The Center City Redevelopment Project Area Plan envisions revitalization of the City's Downtown Mixed Use Area, in part, by infusing medium and high density residential developments, and mixed-use developments, into the area. The Policy Plan was established to further this vision, and provides for the creation of low-rise developments (up to 5 stories in height) consisting of a mixture of retail, office and residential uses, for the purpose of creating identity and place in the Downtown Mixed Use Area. Furthermore, within the Downtown Mixed Use Area, the Policy Plan specifies a residential density range of 25 to 75 dwelling units per acre.

The Policy Plan specifies that the Downtown Mixed Use Area is to be implemented through the approval of an Area Plan or Planned Unit Development ("PUD") prior to the development of properties within the Area. In compliance with this requirement, the Applicant has submitted the 418 E. Transit St. PUD (included as Attachment 1 to the attached Resolution), which is consistent with this vision, and the goals and policies of the Policy Plan.

The purpose of the PUD is to secure a fuller realization of the Policy Plan than would result from the strict application of present zoning district regulations and to: [a] promote high standards in urban design; [b] encourage the development of exceptionally high quality, mixed-use, medium to high intensity projects, while establishing regulations and standards for uses with unique regulatory and design needs; and [c] ensure harmonious relationships with surrounding land uses.

A PUD is comparable to a Specific Plan in that it sets development regulations that are unique to a specific area; however, it is also unlike a Specific Plan in that a PUD is typically intended to apply to a single development project or several interrelated development projects that function together as a single, comprehensive project.

In conjunction with the proposed 418 E. Transit St. PUD, the Applicant is requesting Development Plan approval to construct a three-unit apartment building on the project site, at a density of 30.3 dwellings per acre. On September 16, 2019, The Development Advisory Board considered the Development Plan and recommended that the Planning

September 24, 2019

Commission approve the application, subject to the recommended departmental conditions of approval included with the attached resolution.

[2] Planned Unit Development (File No. PUD18-001).

- [a] Land Use and Development Regulations Consistent with the requirements of the MU-1 (Downtown Mixed-Use) zoning district, the proposed PUD allows for residential uses at a density of 25 to 75 dwelling units per acre, which may be developed to a maximum height of 35 feet. Building setbacks are limited to 10 feet from the Transit Street right-of-way, and 5 feet from interior property lines (side and rear).
- [b] Landscaping and Drainage A conceptual landscape plan is required to be submitted with the Development Plan for construction of the project site. The PUD requires the use of "California friendly," low water using plant materials and a water efficient irrigation system with weather-based controllers consistent with Assembly Bill 1881 and other applicable State laws.
- [c] Off-Street Parking The PUD is located one street south of Holt Boulevard, which is a major transportation corridor with access to multiple bus lines and the future West Valley Connector Bus Rapid Transit (BRT) line. For this reason, the PUD proposes parking ratios that are below the standards specified in the Development Code. Below, is a comparison of the proposed reduced off-street parking standards and current Development Code standards:

Development Code Requirement		Proposed 418 E. Transit St. PUD	
One-Bedroom:	1.75 spaces per dwelling, including one space in a garage or carport	One-Bedroom:	1.0 spaces per dwelling, including one space in a garage or carport
<u>2-Bedrooms</u> :	2.0 spaces per dwelling, including one space in a garage or carport	2-Bedrooms:	2.0 spaces per dwelling, including one space in a garage or carport
3 or more Bedrooms:	2.5 spaces per dwelling, including one space in a garage or carport	3 or more Bedrooms:	2.5 spaces per dwelling, including one space in a garage or carport
Visitor Parking:		<u>Visitor Parking</u> :	One space per 4
Portion < 50 dwellings:	One space per 4 dwellings		dwellings, which may be provided on-street
50 to 100 dwellings:	One space per 5 dwellings		
Portion > 100 dwellings	: One space per 6 dwellings		
	spaces shall be provided er of dwellings proposed.		

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[d] Design Guidelines — The PUD intends that development on the project site will serve as a transition from the industrial and commercial uses in the area, to a residential use. The buildings will be designed with contemporary/modern architecture style that will blend with neighboring industrial buildings. The PUD requires that architectural treatments be carried around to all sides of the buildings, providing full 360-degree architecture.

[3] Development Plan (File No. PDEV18-035).

[a] Site Design/Building Layout — The project comprises a single apartment building containing three attached dwellings in a two-story townhouse configuration, located toward the rear of the project site, and three attached one-car garages situated at the front of the site, in a side-on configuration (see Exhibit B—Site Plan, attached). The dwelling unit characteristics (size, no. of bedrooms and baths, etc.) are included in the Technical Appendix of this report.

The open space requirements of the 418 East Transit Street PUD requires that the project provide a minimum of 130 square feet of private open space for each unit, and achieve a private open space average area of 190 square feet for the project. The project has provided each dwelling with a balcony having a minimum horizontal dimension of 6 feet, and an area ranging from 130 to 224 square feet, meeting the minimum private open space requirements for the project. Due to the proposed project's small size, common open space is limited to the project's passive open space areas within the landscaped side and rear setback areas, and no common recreation amenity has been required.

- [b] Site Access/Circulation Vehicular access to the project site will be from a single driveway on Transit Street.
- [c] Parking The 418 East Transit PUD requires that the project provide a minimum of three covered resident parking spaces and one guest parking space, which may be provided on street. The project has provided three garage spaces for use by residents and one on-street guest space, meeting the project's minimum off-street parking requirements.
- [d] Architecture A contemporary architectural style is proposed, which will blend with the existing and proposed architecture in the area (see Exhibits D-1 and D-2—Exterior Elevations, attached). The building uses horizontal and vertical changes in wall plane, color, and materials, to differentiate units. Architectural elements proposed include a mix of stucco walls, wood siding, masonry veneer, decorative sectional overhead-rolling garage doors, a mix of casement and fixed windows, and double French doors at second floor balconies.

The proposed project illustrates the type of high-quality residential architecture promoted within the Downtown Mixed Use District, which is exemplified through the use of: (i) articulation in the building footprint, incorporating horizontal changes in the in the exterior

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building walls; (ii) articulation in the building parapet/roof lines, which serves to accentuate the building's entries and openings, and breaks up large expanses of building wall; (iii) variations in building massing; (iv) a mix of exterior materials, finishes and fixtures; and (v) Incorporation of base and top treatments defined by the layering of design elements, including horizontal changes in the exterior wall plane in combination with changes in exterior color and materials.

- [e] Landscaping The project provides an overall landscape coverage of 19 percent, including a 10-foot landscaped setback provided along the project's Transit Street frontage, measured from the street property line to the nearest area of the building, and 5-foot side and rear yard landscaped setbacks (see Exhibit E—Landscape Plan, attached). Moreover, a variety of landscape materials been provided to enhance the project and decorative paving and lighting will be provided at the vehicular entrance, pedestrian walkways, and other key locations within the project.
- [f] *Utilities (drainage, sewer)* Public utilities (water and sewer) are available to serve the project. Additionally, the Applicant has submitted a completed Preliminary Water Quality Management Plan ("PWQMP") form, which established that the project is not listed under one of the categories subject to the requirements of the San Bernardino County Municipal Separate Storm Sewer System Permit ("MS4 Permit"); therefore, the proposed development is not required to design and install Site Design Low Impact Development ("LID") Best Management Practices ("BMPs") or Treatment Control BMPs to treat a two-year, 24-hour storm event.

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

[1] City Council Goals.

- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

[2] <u>Vision</u>.

Distinctive Development:

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

September 24, 2019

[3] Governance.

Decision Making:

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

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
- ➤ <u>LU1-1 Strategic Growth</u>. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
- ➤ <u>LU1-6 Complete Community</u>: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).
 - Goal LU2: Compatibility between a wide range of uses.
- ➤ <u>LU2-6</u>: <u>Infrastructure Compatibility</u>: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- <u>Goal H2</u>: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.
- ➤ <u>H2-5 Housing Design</u>. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

September 24, 2019

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.
- ➤ <u>CE1-6 Diversity of Housing</u>. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.
- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.
- ➤ <u>CE2-1 Development Projects</u>. We require new development and redevelopment to create unique, high-quality places that add value to the community.
- ➤ <u>CE2-2 Development Review</u>. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.
- ➤ <u>CE2-4 Protection of Investment</u>. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.
- ➤ <u>CE2-5 Private Maintenance</u>. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.
- ➤ <u>S1-1 Implementation of Regulations and Standards</u>. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

■ <u>Goal CD1</u>: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

September 24, 2019

- ➤ <u>CD1-1 City Identity</u>. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.
- ➤ <u>CD1-2 Growth Areas</u>. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.
- ➤ <u>CD1-3 Neighborhood Improvement</u>. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.
- Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.
- ➤ <u>CD2-1 Quality Architecture</u>. We encourage all development projects to convey visual interest and character through:
- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.
- ➤ <u>CD2-7 Sustainability</u>. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.
- ➤ <u>CD2-8 Safe Design</u>. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.
- ➤ <u>CD2-9 Landscape Design</u>. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- ➤ <u>CD2-11 Entry Statements</u>. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

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- ➤ <u>CD2-13 Entitlement Process</u>. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.
- ➤ <u>CD3-1 Design</u>. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.
- ➤ <u>CD3-3 Building Entrances</u>. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.
- ➤ <u>CD3-5 Paving</u>. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.
- ➤ <u>CD3-6 Landscaping</u>. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.
- <u>Goal CD5</u>: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- ➤ <u>CD5-1 Maintenance of Buildings and Property</u>. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.
- ➤ <u>CD5-2 Maintenance of Infrastructure</u>. We require the continual maintenance of infrastructure.

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

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

ENVIRONMENTAL REVIEW: The 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, and meets all of the following conditions: [1] The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and

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regulations; [2] The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; [3] The project site has no value as habitat for endangered, rare, or threatened species; [4] Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and [5] the Project site can be adequately served by all required utilities and public services.

CONDITIONS OF APPROVAL: See attached department reports.

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TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site:	Undeveloped	Downtown Mixed Use District	MU-1 (Downtown Mixed Use)	N/A
North:	Commercial	Downtown Mixed Use District	MU-1 (Downtown Mixed Use)	N/A
South:	Undeveloped	Downtown Mixed Use District	MU-1 (Downtown Mixed Use)	N/A
East:	Single-Family Residential	Downtown Mixed Use District	MU-1 (Downtown Mixed Use)	N/A
West:	Residential, Commercial & Industrial	Downtown Mixed Use District	MU-1 (Downtown Mixed Use)	N/A

General Site & Building Statistics

Item	Required Min./Max.	Provided (Ranges)	Meets Y/N
Project area (in acres):	n/a	0.102 acre	Y
Maximum project density (dwelling units/ac):	75 DUs/Acre	30.3 DUs/Acre	Y
Maximum coverage (in %):	n/a	57%	Y
Front yard setback (in FT):	10 FT	10 FT	Y
Side yard setback (in FT):	5 FT	5 FT	Y
Rear yard setback (in FT):	5 FT	5 FT	Υ
Drive aisle setback (in FT):	0 FT	0 FT	Υ
Parking setback (in FT):	n/a	n/a	Υ
Maximum dwelling units/building:	n/a	n/a	n/a
Maximum height (in FT):	35 FT	20.5 FT	Υ
Parking – resident:	3 spaces (garage or carport)	3 spaces (garage)	Υ
Parking – guest:	1 space	1 space	Υ
Open space – private:	60 SF	130 to 231 SF	Y
Open space – common:	n/a	n/a	Υ

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Dwelling Unit Count:

Item	Required Min./Max.	Provided (Ranges)	Meets Y/N
Total no. of units	2 DUs min./7 DUs max.	3 DUs	Υ
Total no. of buildings	n/a	One	Υ
No. units per building	n/a	3 DUs	Y

Dwelling Unit Statistics:

Unit No.	Size (in SF)	No. Bedrooms	No. Bathrooms	No. Stories	Private Open Space (in SF)
1	674	1	1.5	2	130
2	840	1	1.5	2	231
3	840	1	1.5	2	231

Exhibit A—PROJECT LOCATION



Exhibit B—SITE PLAN

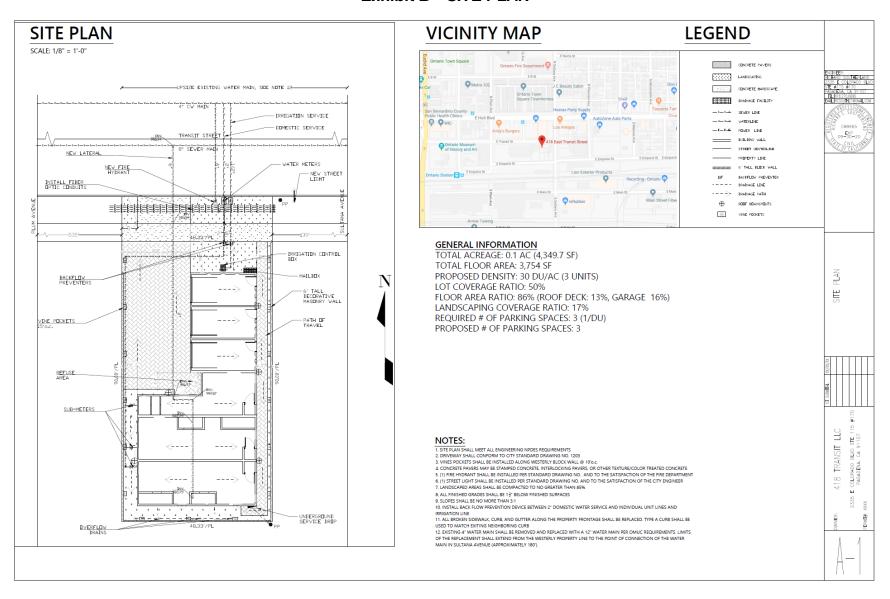
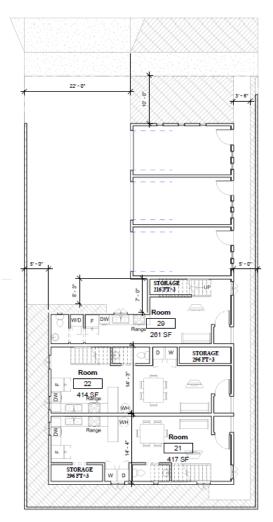
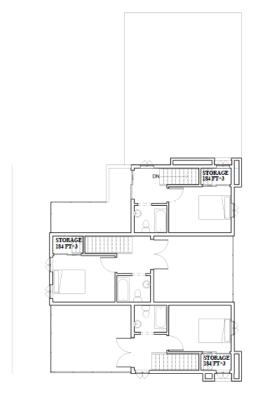
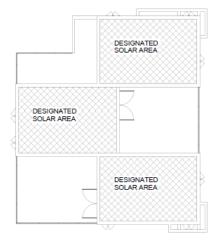


Exhibit C—FLOOR AND ROOF PLANS

Transit Street







First Floor Plan

Second Floor Plan

Roof Plan

Exhibit D-1—EXTERIOR ELEVATIONS



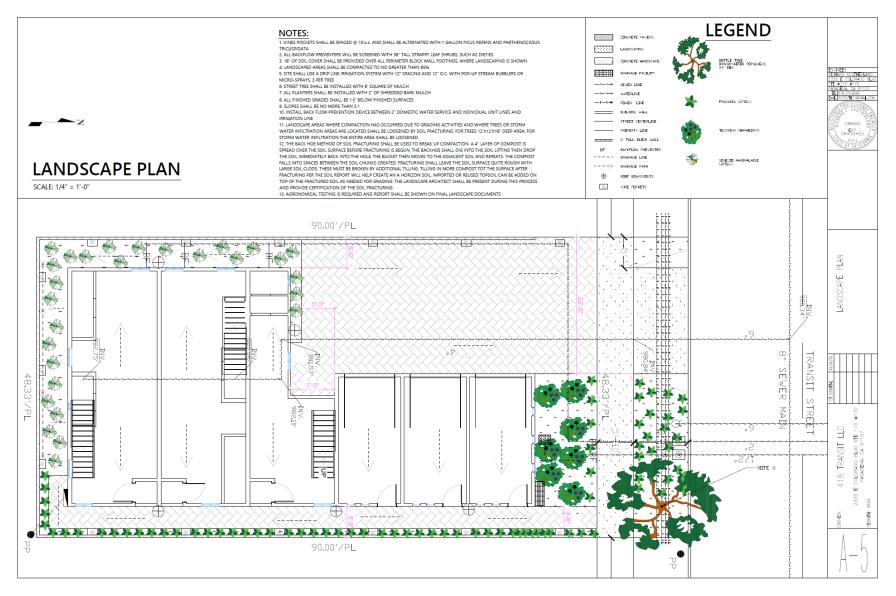
Right Side (West) Elevation

Exhibit D-2—EXTERIOR ELEVATIONS





Exhibit E—LANDSCAPE PLAN



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PUD18-001, A PLANNED UNIT DEVELOPMENT TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE DEVELOPMENT OF A HIGH DENSITY RESIDENTIAL APARTMENT PROJECT ON 0.102 ACRE OF LAND LOCATED AT 418 EAST TRANSIT STREET, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-067-04.

WHEREAS, Richard Southerland ("Applicant") has filed an Application for the approval of a Planned Unit Development, File No. PUD18-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.102 acre of land generally located on the south side of Transit Street, approximately 110 feet west of Sultana Avenue, at 418 East Transit Street within the MU-1 (Mixed Use Downtown) zoning district, and is presently undeveloped; and

WHEREAS, the property to the north of the Project site is within the MU-1 (Mixed Use Downtown) zoning district, and is developed with commercial land uses. The property to the east is within the MU-1 (Mixed Use Downtown) zoning district, and is developed with single-family residential land uses. The property to the south is within the MU-1 (Mixed Use Downtown) zoning district, and is undeveloped. The property to the west is within the MU-1 (Mixed Use Downtown) zoning district, and is developed with a mix of residential, commercial and industrial land uses; and

WHEREAS, the project site is located within the Center City Redevelopment Project Area, established in 1983. While the practice of redevelopment was eliminated by the State, the Center City Redevelopment Project Area Plan is still in effect, and encourages the development of a high intensity, multi-use central business district. In addition, The Ontario Plan ("TOP") Policy Plan (General Plan) contains goals and policies for the City's Downtown and East Holt Mixed Use Areas, which further support the goals of the Center City Redevelopment Project Area Plan; and

WHEREAS, the Center City Redevelopment Project Area Plan envisions revitalization of the City's Downtown Mixed Use Area, in part, by infusing medium and high density residential developments, and mixed-use developments, into the area. The Policy Plan was established to further this vision, and provides for the creation of low-rise developments (up to 5 stories in height) consisting of a mixture of retail, office and residential uses, for the purpose of creating identity and place in the Downtown Mixed

Use Area. Furthermore, within the Downtown Mixed Use Area, the Policy Plan specifies a residential density range of 25 to 75 dwelling units per acre; and

WHEREAS, the Policy Plan specifies that the Downtown Mixed Use Area is to be implemented through the approval of an Area Plan or Planned Unit Development ("PUD") prior to the development of properties within the Area. In compliance with this requirement, the Applicant has submitted the 418 E. Transit St. PUD (included as Attachment 1 to the attached Resolution), which is consistent with this vision, and the goals and policies of the Policy Plan; and

WHEREAS, The purpose of the PUD is to secure a fuller realization of the Policy Plan than would result from the strict application of present zoning district regulations and to: [a] promote high standards in urban design; [b] encourage the development of exceptionally high quality, mixed-use, medium to high intensity projects, while establishing regulations and standards for uses with unique regulatory and design needs; and [c] ensure harmonious relationships with surrounding land uses; and

WHEREAS, A PUD is comparable to a Specific Plan in that it sets development regulations that are unique to a specific area; however, it is also unlike a Specific Plan in that a PUD is typically intended to apply to a single development project or several interrelated development projects that function together as a single, comprehensive project; and

WHEREAS, In conjunction with the proposed 418 E. Transit St. PUD, the Applicant is requesting Development Plan approval to construct a three-unit apartment building on the project site, at a density of 30.3 dwellings per acre; and

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 Planning Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; and

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

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

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

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

WHEREAS, on September 24, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

<u>SECTION 1</u>: **Environmental Determination and Findings.** As the recommending authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

- (1) The administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and
- (2) The Project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, and meets all of the following conditions: [1] 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; [2] The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially

surrounded by urban uses; [3] The project site has no value as habitat for endangered, rare, or threatened species; [4] Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and [5] the Project site can be adequately served by all required utilities and public services; and

- (3) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and
- (4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

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

SECTION 3: Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as "ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

<u>SECTION 4</u>: **Concluding Facts and Reasons.** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing,

and upon the specific findings set forth in Section 1 through 3, above, the Planning Commission hereby concludes as follows:

- (1) The proposed PUD, or amendment thereto, 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 Downtown Mixed Use land use district of the Policy Plan Land Use Map, and the MU-1 (Downtown Mixed Use) 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.
- (2) The proposed PUD, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. The City has required certain safeguards, and has required certain changes, which have been established to ensure that: [i] the purposes of the Planned Unit Development 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.
- (3) In the case of an application affecting specific property(ies), the proposed PUD, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses. A thorough review and analysis of the proposed project and its potential to adversely impact properties surrounding the subject site was completed by City staff. As a result of this review, certain design considerations were incorporated into the project 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 hardscape elements.
- (4) In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development. In preparing the proposed PUD, a thorough review and analysis of the proposed project and the project site's physical suitability for the proposed project was completed, including analysis of the project size, shape, intensity of development, building height, building setbacks, site access, site landscaping and drainage, fences and walls, vehicle circulation, pedestrian connections, availability of mass transit, necessary street dedication and easements, public right-of-way improvements, availability of utilities and other infrastructure needs, off-street parking and circulation, building orientation and streetscapes, architectural character, building materials and color, and site signage.

(5) The proposed PUD is superior to that which could be obtained through the application of the Development Code or a specific plan. The proposed PUD addresses aspects of the project that are specifically related to the Development Plan proposed in conjunction with the PUD application, including necessary building setbacks, site access points, off-street parking and site circulation, and architectural character.

<u>SECTION 5</u>: **Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

<u>SECTION 6</u>: *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.

<u>SECTION 7</u>: **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.

<u>SECTION 8</u>: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of September 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Nancy DeDiemar
Planning Commission Vice-Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

Planning Commission Resolution File No. PUD18-001 September 24, 2019 Page 8	
STATE OF CALIFORNIA) COUNTY OF SAN BERNARDINO) CITY OF ONTARIO)	
City of Ontario, DO HEREBY CERTIFY	Tempore of the Planning Commission of the that foregoing Resolution No was duly nmission of the City of Ontario at their regular the following roll call vote, to wit:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Gwen Berendsen Secretary Pro Tempore

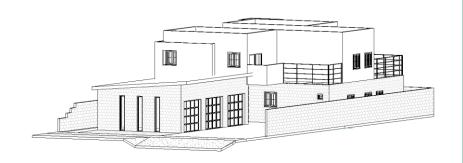
ATTACHMENT A:

File No. PUD18-001 Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

418 East Transit Street

Planned Unit Development



File No. PUD18-001 Ordinance No. **** Approved: **/**/****



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2.	Objectives	6
3.	Land Use Plan	10
4.	Regulations for Development	11
5.	Parking and Circulation	14
6.	Design Guidelines	16
7.	Administration	17

1. Introduction

This document is intended to function as a set of planning and design principles, development regulations, and performance standards to guide and govern the development of a 4,350-square foot parcel of land fronting Transit Street and within the block bounded by Sultana Avenue to the East, Plum Avenue to the West, and Emporia Street to the South (see Exhibit 1-1: Project Location Map and Exhibit 1-2: Aerial Map of Project Site, below). The project site is located within the Downtown Mixed Use District as established by Exhibit LU-01, Land Use Plan, of the Policy Plan component of The Ontario Plan, which requires establishment of a Planned Unit Development (hereinafter referred to as "PUD") prior to the approval of a precise plans for development (hereinafter referred to as "Development Plans"). The requirements for establishing a PUD is outlined in Ontario Development Code Section 4.01.030 (Planned Unit Development (PUD) and Amendments). Approval of this PUD will establish the land use and development standards, and design guidelines, for this particular parcel. The 418 East Transit Street PUD will replace the existing zone district designations and zoning standards that apply to the affected property. Unless defined herein, definitions and interpretations contained in the Development Code shall apply. Where the provisions of this PUD are silent, the provisions of the City of Ontario Development Code shall be used.

City staff and private developers will rely on this PUD to determine whether Development Plans will adequately meet the City's land use and design objectives.

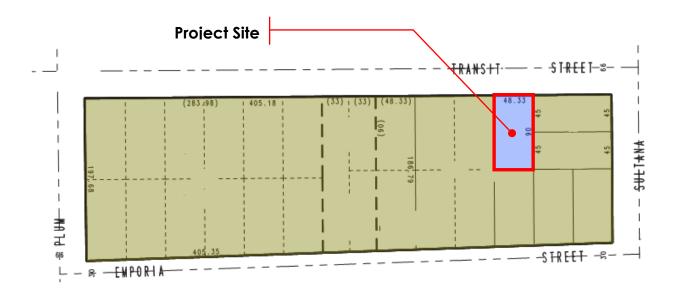


Exhibit 1-1: Project Location Map



Exhibit 1-2: Aerial Map of Project Site

2. Objectives

2.1 The Ontario Plan Objectives

The Ontario Plan Policy Plan designates the project area as Downtown Mixed Use (MU-1). The 418 East Transit Street Planned Unit Development is consistent with the principles, goals, and policies contained within the components that make up The Ontario Plan (hereinafter referred to as "TOP"), including: (1) Vision, (2) Policy Plan, and (3) City Council Priorities. Policies that are supplemented by this PUD are as follows:

(1) Vision

Distinctive Development

Commercial and Residential Development

- Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.
- A demonstrated ability to attract housing in pursuit of our acknowledged responsibility to balance housing with the job growth that drives our quality of life.
- One of the most comprehensive and diverse housing stocks in the region that
 offers broad choices for its diverse workforce and their families, ranging from
 entry level housing to executive level development; from semi-rural to highly
 urban.
- Distinctive and well-maintained neighborhoods that offer exceptional variety in lifestyles, with convenient access to schools, recreation and cultural facilities, places of worship, places of employment and shopping.
- Diverse and highly successful villages that benefit from preservation, enhancement, and selective intensification (Original Model Colony).

<u>Development Quality</u>

 Superior quality and design of the built environment and open spaces through careful attention to detail at every scale, including public and private spaces and structures.

(2) Policy Plan

Land Use Element

- LU 1-4 <u>Mobility</u> We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities
- **LU 1-6** <u>Complete Community</u> We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers, and visitors have a

- wide spectrum of choices of where they can live, work, shop, and recreate within Ontario.
- **Lu 2-1** <u>Land Use Decisions</u> We minimize adverse impacts on the adjacent properties when considering land use and zoning requests.
- **LU 3-1** <u>Development Standards</u> We maintain clear development standards which allow flexibility to achieve our Vision.
- **Lu 3-3** <u>Land Use Flexibility</u> We consider uses not typically permitted within a land use category if doing so improves livability, reduces vehicular trips, creates community gathering places and activity nodes, and helps create identity.

Housing Element

- **H 2-1** <u>Corridor Housing</u> We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally and aesthetically suited to corridors.
- **H 2-6** <u>Infill Development</u> We support the revitalization of neighborhoods through the construction of higher density residential developments on underutilized residential and commercial sites.
- H 3-2 <u>Flexible Standards</u> We allow flexibility in the application of residential and mixed-use development standards to gain benefits such as exceptional design quality, economic advantages, sustainability, or other benefits that would otherwise be unrealized.
- **H 3-3** <u>Development Review</u> We maintain a residential development review process that provides certainty and transparency for project stakeholders and the public, yet allows for the appropriate review to facilitate quality housing development.

Environmental Resource Element

ER 1-6 <u>Urban Runoff Quantity</u> – We encourage the use of low impact development strategies to intercept runoff, slow the discharge rate, increase infiltration, and ultimately reduce discharge volumes to traditional storm drain systems.

Complete Community

CE 1-6 <u>Diversity of Housing</u> - We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

Community Development

CD 1-1 <u>City Identity</u> – We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

- **CD 2-1** <u>Quality Architecture</u> We encourage all development projects to convey visual interest and character through:
 - Building volume, massing, and height to provide appropriate scale and proportion.
 - True architectural style which is carried out in plan, section, and elevation through all aspects of the building and site design and appropriate for its setting.
 - Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.
- CD 2-2 <u>Neighborhood Design</u> We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:
 - Variable setbacks to accommodate a diversity of housing types
 - Landscaped parkways, with sidewalks separated from the curb.
- **CD 3-6** <u>Landscaping</u> We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.
- **CD 5-1** <u>Maintenance of Buildings and Property</u> We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.
- (3) City Council Priorities
 - Invest in the growth and evolution of the City's economy.
 - Focus resources in Ontario's commercial and residential neighborhoods.

2.2 PUD Purpose and Objective

The purpose of the 418 East Transit Street PUD is to secure a greater realization of the general plan than that which would result from the application of present zone district regulations; to promote high standards in urban design; to encourage the development of an exceptionally high quality, high intensity residential project while establishing regulations and standards for uses with unique regulatory and design needs. The intent of the PUD is to:

- (1) Promote the development of a residential project, a three-unit multiple-family building, which is consistent with the land use/downtown objectives of The Ontario Plan.
- (2) Achieve a high-density residential development while maintaining high quality in design and construction.
- (3) Contribute to the revitalization of downtown and enhancement of the unique character of the downtown street streetscape.

- (4) Promote flexibility and innovative design of more intense urban development to provide efficient use of space and preserve significant natural, scenic and cultural features of a site.
- (5) Develop high quality, rental housing
- (6) Establish appropriate relationships among new residential neighborhoods as well as with adjacent land uses

3. Land Use Plan

Land uses will be allowed on the parcel as described below. The land uses have been established to meet the zoning standard of the Downtown Mixed-Use Zone (MU-1). The MU-1 zoning district was established to accommodate an intensive mixture of vertical and horizontal retail and office uses at a development intensity of up to 2.0 FAR, and residential uses at a density of 25 to 75 dwelling units per acre. Development projects within the MU-1 zoning district are intended to maintain a pedestrian friendly atmosphere, while enhancing the historic character of the surrounding area. Consistent with the intent of the MU-1 (Downtown Mixed Use) zoning district, the project site is hereby designated as the MFR (Multiple-Family Residential) land use district.

3.1 Residential Uses

The property will be developed as a high-density residential development in a mid-rise formation. One building comprised of three attached units in a townhome configuration. Each unit will be 2 stories with a one-car garage at grade level, habitable areas on the first, and second floors, with a roof deck on part of the second level. The garages will be detached from the living areas and placed in the front of the building complex. All units will be designed for an urban style of living in close proximity to existing shopping centers, entertainment, and dining venues.

3.1.1 Permitted Uses

The permitted land uses within the 418 East Transit Street PUD are as follows:

- (1) Single family residential dwellings;
- (2) Multiple family residential dwellings;
- (3) Live-work units;
- (4) Motor vehicle parking ancillary to multiple family housing developments;
- (5) Temporary uses as permitted within the residential districts of the City of Ontario Development Code Subject to an Administrative Permit; and
- (6) Other land uses compatible with multiple family residential development projects, as determined by the Zoning Administrator.
- (7) Uses may be prohibited through rental contracts and agreements, as provided by the owner and property management, unless prohibited by Federal, State, or Local laws.

4. Regulations for Development

4.1 Allowed Residential Density Range

The project site shall be developed within the density range of 25 to 75 dwelling units per acre.

4.2 Project Density

This project site consists of 0.102 acre of land. The density range stipulated in Section 4.1 (Residential Density), above, allows for the development of a minimum of two dwellings and a maximum of seven dwellings on the project site.

4.3 Building Height

No structure shall exceed 35 feet in height, except that the maximum height may be exceeded by roof mounted equipment, architectural projections, chimneys, elevator towers, parapet walls, and any other roof top structures by up to 10% of the allowed building height. No rooftop equipment shall be visible from anywhere on the project site, public streets, or adjacent properties, and shall be fully screened with as needed architectural treatments. Roof mounted equipment shall not exceed the height of the appurtenances used to screen them.

4.4 Building Setbacks

Table 4.1: Building Setbacks

Location	Distance
(1) Front yard:	10 FT
(2) Rear yard:	5 FT
(3) Side yard:	5 FT
(4) Building setback from drive aisles:	0 FT
(5) Building separation:	5 FT

4.5 Access

Along Transit Street one driveway access is allowed, providing primary access to the site. The driveway may be as small in width as 10 feet and as large as 22 feet.

4.6 Open Space

It is the intent of this section to ensure sufficient open space areas for the enjoyment of recreational activities by residents and their guests.

4.6.1 Private Open Space

- (1) Private Open Space shall be provided for each residential unit in order to provide private outdoor areas that can be enjoyed exclusively by the occupant of the residential unit and their guests. Types of areas considered Private Open Space include balconies, decks, patios, and enclosed yard areas.
- (2) Private Open Space shall be provided for all residential units, and shall have direct access from each residential unit. Residential units shall have a minimum private open space area of 130 square feet, and a minimum average Private Open Space area of 190 square feet shall be achieved for the overall project. The Space may be provided in multiple areas (i.e. balconies, covered porches, a yard, and patio, etc.), as-long-as the total area of the space meets the minimum private open space requirement for the unit. The minimum dimension for private open space shall be no less than 6 feet in any direction.

4.6.2 Common Open Space

Common Open Space is typically provided to allow for both passive and active types of recreation, along with the site landscape amenities; however, given the reduced size of the project site, common open space areas shall be restricted to passive areas within the project's side and rear setback areas.

4.7 Landscaping

4.7.1 Site Landscaping

A conceptual landscape plan shall be submitted with each Development Plan within the 418 East Transit Street PUD area. The plan shall specify all landscape and hardscape elements for the development plan site. Detailed Landscape and Irrigation plans shall be required prior to the issuance of building permits. The detailed plans shall show location of ground mounted utility boxes and equipment, along with the methods of screening for these items from the public right of way and adjacent residences where possible (see Figure 4-1: Conceptual Landscape Planting Legend).

The Landscape and irrigation plan shall be designed with water conservation in mind, utilizing "California friendly" species and drought tolerant planting materials. The landscaping and irrigation shall comply with AB 1881, and all other laws and regulations related to planting materials.

4.9.2 Compliance with State and Federal Laws

Provide landscaping and an irrigation system, which promotes the conservation of water as required by the Water Conservation in Landscaping Act of 2006 (AB 1881), commencing with the California Government Code Section 65591.

4.8 Screening

4.8.1 General Requirement

- (1) All roof and ground mounted mechanical equipment shall be screened pursuant to the requirements of the Ontario Development Code.
- (2) Screening shall include plant and building materials compatible with the project design so it is well integrated and hidden within the project area.
- (3) Building and plant materials used for screening shall be compatible with the architectural style and planting palette used on the project area.
- (4) All ground level screening shall comply with the requirements of the Ontario Development Code Section 6.02.030 (Protection of Intersection Visibility).

4.8.2 Fences, Wall, and Hedges

- (1) Fences, walls and hedges shall comply with Section 6.02.030 (Protection of Intersection visibility) of the Ontario Development Code, Engineering Department corner sight distance standards, and all other applicable city standards. Fences and wall shall be made of decorative materials that are compatible with, or enhance the overall architectural character of the project. All fences, walls and hedges shall be in scale with the development, and shall be used for screening, site enhancement, and creating a safer living environment for residents and their guests. All decorative walls, monuments, and/or other similar features, shall not encroach in to the public street right of way.
- (2) A 6-foot high decorative masonry block wall, with a decorative cap, shall be constructed along the perimeter of the project, including the interior side and rear project boundaries. The wall height shall be measured on the exterior side of the wall, at the highest point of natural ground or finished grade at the base of the wall, to the top of the wall above the same base point.

5. Parking and Circulation

5.2 Site Accessibility

The site shall be designed to promote safety for residents. This will be achieved by have separate entrances provided at opposite ends for pedestrians and vehicles.

5.3 Vehicle Circulation

The project area shall be designed to provide all guest parking off site to ensure accessibility. Location of drive aisles and entries shall be approved by the City Engineer. Vehicle circulation shall be designed in a way that promotes pedestrian safety and proper access to the parking garage areas.

5.4 Pedestrian Circulation

The development must provide for safe pedestrian circulation across the project site by separating the pedestrian areas from the vehicular access. This includes, but is not limited to, accessibility from garage areas to unit entries, site amenities, and perimeter sidewalks. Fencing and gates may be used to limit public access to resident-only areas.

5.5 Access to Mass Transit

The PUD development should encourage the use of existing bus stops.

5.6 Public Right-of-Way Improvements

The project site public right-of-way improvements shall be limited to the site frontage and shall only include sidewalk and driveway improvements.

5.7 Infrastructure

Water service will be provided by utilizing the existing 6-inch water line under Transit Street. The existing water line has been determined adequate for the proposed development. An upsizing of the line will not be required. Sanitary sewer connections for the project will be made to an existing 8-inch line under Transit Street. An upsizing of the sewer line will not be required. Two power poles are available at the subject property, in the North-East and South-East corners. Overhead power service drops shall be allowed to service the site.

5.8 Parking Requirements

5.8.1 On-Site Parking Requirements

The number of parking spaces provided is based on the number of bedrooms within each of the dwelling units proposed, and is subject to the following requirements:

- (1) All required resident parking spaces shall be provided on-site
- (2) All required resident parking spaces shall be covered spaces, in a garage or carport

(3) Each dwelling is intended for occupancy by one family, regardless of bedroom sizes provided in a particular unit. Parking for dwellings shall be provided pursuant to the requirements of Table 5.1: Minimum Parking Requirements, below. Each unit shall be provided a minimum of one covered parking space in a garage or carport

Table 5.1: Minimum Parking Requirements

No. of Bedrooms	No. of Resident Parking Spaces Required per Unit
(a) Studio and One-Bedroom Units:	1.0
(b) Two-Bedroom Units:	2.0
(c) Three-Bedroom Units:	2.5

In addition to the resident parking required above, a minimum of one guest parking spaces shall be provided for every four dwelling units and shall comply with Section 5.8.2 of this PUD.

5.8.2 On-Street Parking Requirements

On-street parking may be utilized to satisfy guest parking requirements, subject to the following conditions:

- (1) On-street parking may be used to satisfy guest parking requirements and shall not be used satisfy resident parking requirements.
- (2) On-street parking shall only be counted along the public street adjacent to the project site (Transit Street).

5.8.3 Parking Standards

All parking space size and location requirements shall conform to the standards set forth in City of Ontario Development Code Section 6.03.045 (Off-Street Parking Standards).

6. Design Guidelines

6.1 Building Orientation and Streetscapes

To preserve the existing neighborhood character, the development will act as a transition from the industrial/commercial use to a completely residential use. One pedestrian walkway will be placed from the public way to the site, running along the east side of the building, as shown in Figure 6.1 The existing parkway area will be remodeled to conform with the development on the property while adding to the overall streetscape.

6.2 Architectural Character

The building will be largely visible to public view and neighboring properties. The building will utilize large openings on all sides to encourage a modern building appearance, while increasing the amount of natural daylight into the structures. Whereas the buildings will be designed with modern architecture style, it will also blend with neighboring industrial buildings, by the representation of blocks on the exterior. The Development Plan will take this into account in its approval of architectural treatments. These treatments should be carried around all portions of the building.

6.3 Materials and Color

Durable high-quality materials shall be used at the pedestrian level. Foam features, trim, or similar materials are not allowed at pedestrian level due to the lack of durability and failure to maintain a quality appearance over time.

The color scheme for the project shall be taken from an earth tone palette to blend and coordinate the various architectural features of the building, with the surrounding area, to create a cohesive appearance.

6.4 On-Site Lighting

Decorative light fixtures attached to the buildings shall be compatible with the architectural style of the building

All other on-site lighting shall meet development standard of the Ontario Development Code

6.5 Off Site Improvements

All off-site improvements shall be installed in accordance with City standards, and to the satisfaction of the City Engineering department.

7. Administration

7.1 Items not addressed in the PUD

Any terms, requirements, or regulations not addressed within the PUD document shall be governed by the City of Ontario Development Code, the regulations of the High-Density Residential zones and City Standards.

7.2 Development Applications

A Development Plan for the development of the lot shall be submitted for review and approval per the requirements contained in Article 8 of the City of Ontario Development Code with the General Application.

7.3 Administrative Exceptions

Deviation from the development standards set forth in this document may be granted up to a maximum of 10 percent by the Zoning Administrator. Any deviation in excess of 10 percent shall require Variance approval.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV18-035, A DEVELOPMENT PLAN TO CONSTRUCT A THREE-UNIT APARTMENT BUILDING ON 0.102 ACRE OF LAND LOCATED AT 418 EAST TRANSIT STREET, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-067-04.

WHEREAS, Richard Southerland ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV18-035, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.102 acre of land generally located on the south side of Transit Street, approximately 110 feet west of Sultana Avenue, at 418 East Transit Street within the MU-1 (Mixed Use Downtown) zoning district, and is presently undeveloped; and

WHEREAS, the property to the north of the Project site is within the MU-1 (Mixed Use Downtown) zoning district, and is developed with commercial land uses. The property to the east is within the MU-1 (Mixed Use Downtown) zoning district, and is developed with single-family residential land uses. The property to the south is within the MU-1 (Mixed Use Downtown) zoning district, and is undeveloped. The property to the west is within the MU-1 (Mixed Use Downtown) zoning district, and is developed with a mix of residential, commercial and industrial land uses; and

WHEREAS, the Project was submitted in conjunction with a Planned Unit Development (File No. PUD18-001) to establish development standards and guidelines to facilitate the development of a high density residential apartment project at a density of 30.3 dwelling units per acre; and

WHEREAS, the Project comprises a single apartment building containing three attached dwellings in a two-story townhouse configuration, located toward the rear of the project site, and three attached one-car garages situated at the front of the site, in a side-on configuration; and

WHEREAS, proposed dwelling units range from 674 to 840 square feet in size and each includes one bedroom and one and one-half bathrooms; and

WHEREAS, the Project has provided each dwelling with a balcony having a minimum horizontal dimension of 6 feet, and an area ranging from 130 to 224 square feet, meeting the minimum private open space requirements for the Project. Due to the proposed Project's small size, common open space is limited to the Project's passive

open space areas within the landscaped side and rear setback areas, and no common recreation amenity has been required; and

WHEREAS, the Project has provided three garage spaces for use by residents and one on-street guest space, meeting the Project's minimum off-street parking requirements; and

WHEREAS, a contemporary architectural style is proposed, which will blend with the existing and proposed architecture in the area. The building uses horizontal and vertical changes in wall plane, color, and materials, to differentiate units. Architectural elements proposed include a mix of stucco walls, wood siding, masonry veneer, decorative sectional overhead-rolling garage doors, a mix of casement and fixed windows, and double French doors at second floor balconies; and

WHEREAS, the Project provides an overall landscape coverage of 19 percent, including a 10-foot landscaped setback provided along the Project's Transit Street frontage, measured from the street property line to the nearest area of the building, and 5-foot side and rear yard landscaped setbacks. Moreover, a variety of landscape materials been provided to enhance the Project and decorative paving and lighting will be provided at the vehicular entrance, pedestrian walkways, and other key locations within the Project; and

WHEREAS, public utilities are available to serve the Project. Additionally, a completed Preliminary Water Quality Management Plan ("PWQMP") has been provided, which establishes that the Project is not listed under one of the categories subject to the requirements of the San Bernardino County Municipal Separate Storm Sewer System Permit ("MS4 Permit"); therefore, the proposed development is not required to design and install Site Design Low Impact Development ("LID") Best Management Practices ("BMPs") or Treatment Control BMPs to treat a two-year, 24-hour storm event; and

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 Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on September 16, 2019, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB19-053, recommending the Planning Commission approve the Application; and

WHEREAS, on September 24, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

<u>SECTION 1</u>: *Environmental Determination and Findings.* As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

- (2) The Project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, and meets all of the following conditions: [1] 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; [2] The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; [3] The project site has no value as habitat for endangered, rare, or threatened species; [4] Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and [5] the Project site can be adequately served by all required utilities and public services; and
- (3) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and
- (4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

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

SECTION 3: Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as "ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP

- Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.
- <u>SECTION 4</u>: **Concluding Facts and Reasons.** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the Planning Commission hereby concludes as follows:
- (1) The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed Project is located within the Downtown Mixed Use land use district of the Policy Plan Land Use Map, and the MU-1 (Downtown Mixed Use) 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.
- (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 MU-1 (Downtown Mixed Use) zoning district, including standards relative to the high density residential land use proposed, as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.
- (3) The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project. The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the 418 E. Transit St. Planned Unit Development 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.
- (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 418 E. Transit St. Planned Unit Development that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of offstreet 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 ([insert land use]). 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 418 E. Transit St. Planned Unit Development.

SECTION 5: **Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference; however, the Planning Commission's approval shall not be final and conclusive until File No. PDU18-001 has been approved by the City Council.

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.

<u>SECTION 7</u>: **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.

<u>SECTION 8</u>: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

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The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of September 2019, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Nancy DeDiemar
Planning Commission Vice-Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

Planning Commission Resolution File No. PDEV18-035 September 24, 2019 Page 8	
STATE OF CALIFORNIA COUNTY OF SAN BERNARDINO CITY OF ONTARIO)))
City of Ontario, DO HEREBY CER passed and adopted by the Planning	ry Pro Tempore of the Planning Commission of the TIFY that foregoing Resolution No was duly g Commission of the City of Ontario at their regular 9, by the following roll call vote, to wit:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Gwen Berendsen Secretary Pro Tempore

ATTACHMENT A:

File No. PDEV18-035 Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)



Planning Department Land Development Division Conditions of Approval

Meeting Date: September 16, 2019

File No: PDEV18-035

Related Files: PUD18-001

Project Description: A Development Plan to construct a three-unit apartment building on 0.102 acre of land located at 418 East Transit Street, within the MU-1 (Downtown Mixed Use) zoning district (APN: 1049-067-04); **submitted by Richard Southerland.**

Prepared By: Charles Mercier, Principal Planner

<u>Phone</u>: 909.395.2425 (direct) Email: cmercier@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, 2010. 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** <u>Time Limits.</u> 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.

Planning Department; Land Development Division: Conditions of Approval

File No.: PDEV18-035

Page 2 of 4

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** <u>Walls and Fences</u>. 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 back of the minimum street setback area.
- **(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, drive aisles, and driveways shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential 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.

Planning Department; Land Development Division: Conditions of Approval

File No.: PDEV18-035

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2.7 <u>Mechanical and Rooftop Equipment.</u>

(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).
- **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, and meets 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** <u>Indemnification</u>. 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

Planning Department; Land Development Division: Conditions of Approval

File No.: PDEV18-035

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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 <u>Plan Check</u> and <u>Inspection</u> fees shall be paid at the rate established by resolution of the City Council.
- **2.14** Additional Requirements. Project approval shall not be final and complete until such time that File No. PUD18-001 (418 East Transit Street PUD) has been approved by the City Council.

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.:	PDEV18-035 & PU	UD18-001		Reviewed By:			
Address:	418 East Transit St	t		Lorena Mejia			
APN:	1049-067-04	Contact Info:					
Existing Land Use:	Vacant			909-395-2276			
Proposed Land Use:	3-unit apartment co density residential	omplex & PUD to establish developi project	ment standards for a high	Project Planner: Chuck Mercier			
Site Acreage:	0.9	Proposed Structure Heig	ht: 65 FT	Date: 12/7/18			
ONT-IAC Project	t Review: N/A			CD No.: 2018-074			
Airport Influence		T		PALU No.: n/a			
		impacted by the fallow	ing ONT ALUCP Compa	tibility Zanası			
	- 1	impacted by the following	ing ONI ALUCI Compa	tibility Zolles:			
Safe	ty	Noise Impact	Airspace Protection	Overflight Notification			
Zone 1	(75+ dB CNEL	High Terrain Zone	Avigation Easement			
Zone 1A	(70 - 75 dB CNEL	✓ FAA Notification Surfaces	Dedication Recorded Overflight			
Zone 2	· ·		•	Notification			
\bigcirc	(65 - 70 dB CNEL	Airspace Obstruction Surfaces	Real Estate Transaction			
Zone 3		√ 60 - 65 dB CNEL	Airspace Avigation	Disclosure			
Zone 4			Easement Area				
Zone 5			Allowable Height: 65 FT				
	The project	t is impacted by the foll	owing Chino ALUCP Sa	fety Zones:			
Zone 1	Zone	z Zone 3	Zone 4 Zone	z 5 Zone 6			
Allowable Heig	ıht:						
		CONSISTENCY	DETERMINATION				
		_		_			
This proposed Pro	oject is: Exem	npt from the ALUCP Cons	sistent • Consistent with Cor	nditions 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.						
1 2		•	Area and is required to file and a ining a Certificate of Occupance	•			
Airport Planner S	Signature:	Lanen 1	Majre				

CITY OF ONTARIO LANDSCAPE PLANNING DIVISION

CONDITIONS OF APPROVAL

Sign Off

07/26/2019

Jamie Richardson, Sr. Landscape Planner
Date

303 East "B" Street, Ontario, CA 91764

Reviewer's Name: Phone: Jamie Richardson, Sr. Landscape Planner (909) 395-2615 D.A.B. File No.: Case Planner: PDEV18-035 Rev 2 **Chuck Mercier** Project Name and Location: 3 Unit Apartment 418 East Transit St Applicant/Representative: Richard Southerland 2335 E Colorado Blvd suite 115 Pasadena, CA 91107 A Preliminary Landscape Plan (dated 07/23/2019) meets the Standard Conditions for New \boxtimes Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents. A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval. A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE

Civil/ Site Plans

- 1. Show transformers located in planter areas, set back 5' from paving all sides.
- 2. Show backflow devices located in planter areas, set back 4' from paving all sides.
- 3. Show utilities including light standards, fire hydrants, and water and sewer lines to not conflict with required tree locations. Identify and move utility lines shown in center of parkway toward the sidewalk or street to allow a street tree centered in the parkway.

Landscape Plans

- 4. Show landscape screening for backflows, with 36" high strappy leaf shrubs such as Dietes in masses and group elsewhere. Trash enclosures and transformers with 4-5' high, narrow evergreen shrubs, such as Ligustrum or Dietes.
- 5. Show all utilities on the landscape plans clear of required tree locations. Coordinate.
- 6. Add California native (Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations. (Add a Cercis in front of building, off set from street tree).
- 7. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See http://www.ontarioca.gov/landscape-planning/standards
- 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:

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

	TO:	PLANNING DEPARTMENT, Charles Mercier
FI	ROM:	BUILDING DEPARTMENT, Kevin Shear
D	ATE:	April 22, 2019
SUBJ	ECT:	PDEV18-035
\boxtimes	The p	plan does adequately address the departmental concerns at this time.
		No comments
	\boxtimes	Report below.
		Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr



TO: Charles Mercier, Principal Planner

Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal

Fire Department

DATE: April 22, 2019

SUBJECT: PDEV18-035 - A Development Plan to construct a 3 unit apartment

building on 0.999 acres of land located at 418 East Transit Street, within the MU-1 (Mixed Use Downtown) zoning district (APN: 1049-067-04).

Related File: PUD18-001.

(Revision)

oximes The plan <u>does</u> adequately address Fire Department requirements at this time.

⊠ See previous report dated December 12, 2018, for conditions.



TO: Charles Mercier, Principal Planner

Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal

Fire Department

DATE: December 10, 2018

SUBJECT: PDEV18-035 - A Development Plan to construct a 3 unit apartment

building on 0.999 acres of land located at 418 East Transit Street, within the MU-1 (Mixed Use Downtown) zoning district (APN: 1049-067-04).

Related File: PUD18-001.

☐ The plan <u>does</u> 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): Not Listed

D. Number of Stories: 2

E. Total Square Footage: 4,799 Sq. Ft.

F. 2016 CBC Occupancy Classification(s): R

CONDITIONS OF APPROVAL:

1.0 GENERAL

2.0 FIRE DEPARTMENT ACCESS

- 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 <u>Standards #B-003</u>, <u>B-004</u> and <u>H-001</u>.

3.0 WATER SUPPLY

4.0 FIRE PROTECTION SYSTEMS

- ☑ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- □ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard Choose an item. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ≥ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finaled) <u>before</u> the building is enclosed.

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.
- ∑ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ∑ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.
- ∑ 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 <u>Standard #H-001</u> for specific requirements.



TO: Charles Mercier, Planning Department

FROM: Douglas Sorel, Police Department

DATE: April 23, 2019

SUBJECT: PDEV18-035 Rev2 – A DEVELOPMENT PLAN TO CONSTRUCT A 3

UNIT APARTMENT COMPLEX AT 418 E. TRANSIT AVE.

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. 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.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.
- The development <u>shall</u> participate in the Crime-Free Multi Housing program offered by the Ontario Police Department COPS Division.

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



CITY OF ONTARIO

MEMORANDUM

TO:	Cathy Wa Diane Ay Charity H Kevin Sh Khoi Do, Carolyn E Ahmed A Doug Son Paul Ehrr Jay Bauti Lorena M Eric Woo Joe De S	rphy, Development Director ahlstrom, Planning Director (Copy vala, Advanced Planning Division (dernandez, Economic Development ear, Building Official City Engineer Bell, Landscape Planning Division sly, Municipal Utility Company rel, Police Department man, Deputy Fire Chief/Fire Marsh dista, T. E., Traffic/Transportation M dejia, Airport Planning sley, Engineering/NPDES cousa, Code Enforcement (Copy of thang, IT Department	Copy of memo only) It It It It It It It It It I		
FROM:	Charles	Mercier, Principal Planner	^		
DATE:	April 15, 2019		REVISION NO.		
SUBJECT:	FILE#:	PDEV18-035	Finance Acct#:		
The following of your DAB	project ha	as been resubmitted for review. P	lease send one (1) copy and email one (1) copy		
PROJECT D	ESCRIPTION In Contract of the	ON: A Development Plan to const	truct a three-unit apartment building on 0.099 e MU-1 (Mixed Use Downtown) zoning district		
The plan	does ade	equately address the departmental	concerns at this time.		
×	No comm	ents			
	See previ	ious report for Conditions			
	Report att	tached (1 copy and email 1 copy)			
	Standard	Conditions of Approval apply			
The plan	does not	adequately address the departmen	ntal concerns.		
		itions contained in the attached repnent Advisory Board.	port must be met prior to scheduling for		

Department And Signature Title Who pate



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)

□ DEVELOPMENT PLAN	☐ PARC	EL MAP	TRACT MAP		
☐ OTHER	☐ FOR CONDOMINIUM PURPOSES				
PROJECT FILE NO. PDEV18-035					
RELATED	FILE NO(S).				
⊠ OR	IGINAL [REVISED:/_/	_		
CITY PROJECT ENGINEER 8	PHONE NO:	Antonio Alejos 🍐	.A . (909) 395-2384		
CITY PROJECT PLANNER &	PHONE NO:	Charles Mercier	(909) 395-2425		
DAB MEETING DATE:		September 16 th , 2019			
PROJECT NAME / DESCRIPT	ION:	PDEV18-035, a Development Plan to construct a three-unit apartment building on 0.102 acre of land.			
LOCATION:		418 East Transit S	treet		
APPLICANT:		418 Transit LLC	/		
REVIEWED BY:		Bryan Lirley, P.E. Principal Engineer	9/10/19 Date		
APPROVED BY:		Raymond Lee, P.E. Assistant City Eng	Date 9/10/19		

Last Revised: 9/6/2019



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



	1.10	Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.	
	1.11	Provide a preliminary title report current to within 30 days.	
	1.12	File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.	
	1.13	New Model Colony (NMC) Developments:	
		☐ 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.	
		 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents). 	
		☐ 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).	
		= /	
	1.14	Other conditions:	
		Other conditions:	
2.			
2.	PRIO	Other conditions:	
2.	PRIO	Other conditions: OR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: ENERAL	
2.	PRIO	Other conditions:	
2.	PRIO A. GE (Perm 2.01	Other conditions:	
2	PRIO A. GE (Perm 2.01	Other conditions: OR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: INERAL Inits includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario	
	PRIO A. GE (Perm 2.01 2.02 2.03	Other conditions: OR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL: INERAL Inits includes Grading, Building, Demolition and Encroachment) Record Parcel Map/Tract Map No pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code. Submit a duplicate photo mylar of the recorded map to the City Engineer's office. Note that the subject parcel is a recognized parcel in the City of Ontario per 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	
	PRIO A. GE (Perm 2.01 2.02 2.03 2.04	Other conditions:	



	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 .	
\boxtimes	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 ofand	
	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.	

Project File No. <u>PDEV18-035</u> Project Engineer: <u>Antonio Alejos</u> DAB Date: <u>09/16/19</u>



	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.	
\boxtimes	2.15	Pay all Development Impact Fees (DIF) to the Building Department.	
П	2.16	Other conditions:	П

Last Revised 9/11/2019



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

Improvement	Transit St	Street 2	Street 3	Street
Curb and Gutter	Remove and replace; 18-ft from C/L	New; ft. from C/L	New; ft. from C/L	New;
AC Pavement	Replacement	Replacement	Replacement	Replacen
PCC Pavement (Truck Route Only)	New Modify existing	New Modify existing	New Modify existing	New Modi
Drive Ap proach (see Sec. 2.F)	Remove and replace In-fill existing driveway approach no longer to be used	New Remove and replace	New Remove and replace	New Remo
Sidewalk	Repair broken sidewalk panels	New	New	New
ADA Access Ramp	New	New	New	New
Parkway	✓ Trees✓ Landscaping (w/irrigation)	Trees	Trees	Trees
Raised Landscaped Median	New	New	New	New
Fire Hydrant (see Sec. 2.D)	New Relocation	New / Upgrade Relocation	New / Upgrade Relocation	New / Upgra
Sewer (see Sec. 2.C)	∑ Lateral	Main Lateral	Main Lateral	Main Latera
Water (see Sec. 2.D)	Main New Service for Domestic Use Only w/ Backflow Device New Service for Irrigation Use Only w/	Main Service	Main Service	Main Service
Recycled Water (see Sec. 2.E)	Main Service	Main Service	Main Service	Main Service



	Traffic Signal System (see Sec. 2.F)	New Modify existing	New Modify existing	New Modify existing	New Modify existing
	Traffic Signing and Striping (see Sec. 2.F)	New Modify existing	New Modify existing	New Modify existing	New Modify existing
	Street Light (see Sec. 2.F)	New Relocation	New / Upgrade Relocation	New / Upgrade Relocation	New / Upgrade Relocation
	Bus Stop Pad or Turn-out (see Sec. 2.F)	New Modify existing	New Modify existing	New Modify existing	New Modify existing
	Storm Drain (see Sec. 2G)	Main Lateral	Main Lateral	Main Lateral	Main Lateral
	Fiber Optics (see Sec. 2K)	Conduit / Appurtenances	Conduit / Appurtenances	Conduit / Appurtenances	Conduit / Appurtenances
	Overhead Utilities	Underground Relocate	Underground Relocate	Underground Relocate	Underground Relocate
	Removal of Improvements	Abandon services/laterals no longer to be used			
	Other Improvements				
	Specific notes for imp	rovements listed in item n	o. 2.17, above:		
2.18	Construct a 2" asphal	t concrete (AC) grind and	overlay on the follo	wing street(s):	
2.19	1011, may be require	full pavement structural so d based on the existing pa n shall be along property fo	vement condition a	nd final street des	ign. Minimum
2.20	sewer service to t	with the Cucamonga Valle he site. This property is w n to the City verifying that	ithin the area serve	ed by the CVWD a	and Applicant shall
2.21	Overhead utilities sha (Ordinance No. 2804	all be under-grounded, in 1 and 2892). Developer ities in accordance with So	accordance with may pay in-lieu	Title 7 of the City fee, approximate	's Municipal Code [
2.22	Other conditions:				[



	C. SE	EWER	
	2.23	An 8-inch sewer main is available for connection by this project in Transit Street. (Ref: Sewer plan bar code: <u>S10390</u>)	
	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.	
\boxtimes	2.26	Other conditions: 1. The applicant/developer shall install a new sewer lateral to the existing 8-inch sewer main in Transit Street and equip a clean-out behind the property line per the latest City Design Guidelines/Standard Drawings.	
	D. WA	ATER	
	2.27	Ainch water main is available for connection by this project in(Ref: Water plan bar code:)	
\boxtimes	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.	
\boxtimes	2.29	Other conditions:	
		 The applicant/developer shall be responsible to design and construct a 12-inch domestic water main (to replace the existing 4-inch domestic water main) from the westerly property line of the project site to the intersection of Transit Street & Sultana Avenue per the latest City Design Guidelines/Standard Drawings. The applicant/developer shall install a new fire hydrant to the new 12-inch domestic water main in Transit Street per the latest City Design Guidelines/Standard Drawings. The applicant/developer shall install a new domestic water service to the new 12-inch domestic water main in Transit Street and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings. The applicant/developer shall install a separate domestic water service (for irrigation purposes only) to the new 12-inch domestic water main in Transit Street and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings. 	
	E. RE	CYCLED WATER	
	2.30	Ainch 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.	
	2.34	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. Other conditions:	



F. TF	AFFIC / TRANSPORTATION	
2.35	Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: 1. On-site and off-site circulation 2. Traffic level of service (LOS) at 'build-out' and future years 3. Impact at specific intersections as selected by the City Engineer	
2.36	New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.	
2.37	Other conditions: 1. The applicant/developer shall be responsible to design and construct an in-fill public street light along Holt Boulevard property frontage. Street lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines. 1a. The applicant/developer's engineer-of-record shall meet with City Engineering staff prior to starting street lighting design plans.	
	2. The applicant/developer shall reconstruct the westerly driveway approach per City Standard Drawing Number 1203.	
	3. The applicant/developer shall in-fill the easterly driveway approach with full height curb, gutter, parkway landscaping and sidewalk per the latest City Design Guidelines/Standard Drawings.	
G. DF	AINAGE / HYDROLOGY	
2.38	Ainch 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. STO	ORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM S)	
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	

Project File No. <u>PDEV18-035</u> Project Engineer: <u>Antonio Alejos</u> DAB Date: <u>09/16/19</u>



		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. SP	ECIAL 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:	
	2.43	Other conditions.	
	K. FIE	SER 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. See Fiber Optic Exhibit herein for reference only.	
\boxtimes	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. Sol	id 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	
\boxtimes	2.53	Other conditions: 1. Refuse staging area shall be in Transit Street to be picked-up along curb side.	

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3.	PRIC	OR 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.	
\boxtimes	3.05	Confirm payment of all Development Impact Fees (DIF) to the Building Department.	
\boxtimes	3.06	Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).	

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EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

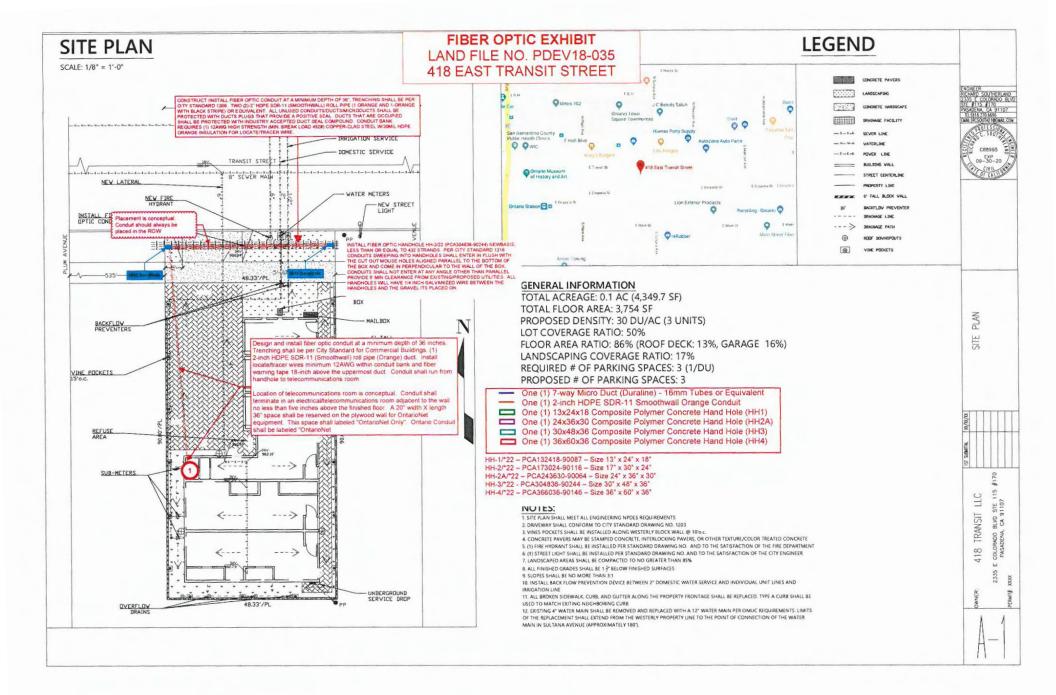
	Project Number: PDEV18-035, and/or Parcel Map/Tract Map No				
The following items are required to be included with the first plan check submittal:					
1.	□ A copy of this check list				
2.	□ Payment of fee for Plan Checking				
3.	☑ One (1) copy of Engineering Cost Estimate (on City form) with engineer's 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).				
3.	☐ 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				
3.	☐ 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)				
Э.	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 Man/Parcel Man				

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Project File No. <u>PDEV18-035</u> Project Engineer: <u>Antonio Alejos</u> DAB Date: <u>09/16/19</u>



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:

Chairman and Members of the Planning Commission

FROM:

Cathy Wahlstrom, Planning Director (

DATE:

September 24, 2019

SUBJECT:

MONTHLY PLANNING DEPARTMENT ACTIVITY REPORT; MONTH

OF AUGUST 2019

Attached, you will find the Planning Department Monthly Activity Report for the month of August 2019. The report describes all new applications received by the Planning Department and actions taken on applications during the month. Please contact me if you have any questions regarding this information.

The attached reports, along with reports from past months, may also be viewed on the City's web site. New applications may be viewed at http://www.ontarioca.gov/planning/reports/monthly-activity-reports-actions. and actions taken on applications may be viewed at http://www.ontarioca.gov/planning/reports/monthly-activity-reports-actions.

DEVELOPMENT ADVISORY BOARD MEETING

DEVELOPMENT ADVISORY BOARD MEETING		August 5, 2019
	Meeting Cancelled	
ZONING ADMINISTRATOR	MEETING	August 5, 2019
	Meeting Cancelled	
CITY COUNCIL/HOUSING A	AUTHORITY MEETING	August 6, 2019
CITI GOONGIL/HOUSING	Meeting Cancelled	nugust 0, 2017

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

August 19, 2019

<u>002 (TT 20157)</u>: A Tentative Tract Map (File No. PMTT18-002 / TT 20157) to subdivide 81.35 acres of land into 6 lots and 5 lettered lots for residential, public streets, landscape neighborhood edges, and common open space purposes, for properties generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-002, an Environmental Impact Report for which the Esperanza Specific Plan (SCH No. 2002061047) was previously adopted by the City Council on January 16, 2007. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-252-07, 0218-252-08 and 0218-252-09) submitted by RWT Preserve Holdings, LLC. Planning Commission action is required.

Action: The Development Advisory Board approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NOS. PMTT18-003, PMTT18-004, AND PMTT18-005: A request for the following Tentative Tract Map entitlements: 1) File No. PMTT18-003 (TTM 20158) to subdivide 15.41 acres of land into 31 lots and 15 lettered lots; 2) File No. PMTT18-004 (TTM 20159) to subdivide 13.94 acres of land into

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15 lots and 5 lettered lots; and 3) File No. PMTT18-005 (TTM 20160) to subdivide 22.84 acres of land into 113 lots and 32 lettered lots for residential and public streets, landscape neighborhood edges and common open space purposes, generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-002, an Environmental Impact Report for which the Esperanza Specific Plan (SCH No. 2002061047) was previously adopted by the City Council on January 16, 2007. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-252-07, 0218-252-08 and 0218-252-09) submitted by RWT Preserve Holdings, LLC. Planning Commission action is required.

<u>Action</u>: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-012:

A Development Plan to remodel an existing Chevron Gas Station that includes the construction of a new 1,879 square foot convenience store and a 630 square foot automated carwash facility on 0.35 acres of land located at 1425 East Fourth Street, within the CN (Neighborhood Commercial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 0108-381-24) submitted by St. Mary & St. Michael, Inc.

Action: The Development Advisory Board approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-043:

A Development Plan to construct a 51,555 square foot industrial building on 2.05 acres of land located at 426 South Palmetto Avenue, within the IL (Light Industrial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 1011-193-04 and 1011-193-03) submitted by State Street Ontario OZ Properties, LLC. Planning Commission action is required.

<u>Action</u>: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

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ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-007:

A Development Plan to construct a 14,656-square foot industrial building on 0.84 acres of land located at 1166 South Mildred Avenue, within the IG (General Industrial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 0113-351-09) submitted by MCI Properties, Inc.

<u>Action</u>: The Development Advisory Board approved the project subject to conditions.

ZONING ADMINISTRATOR MEETING	August 19, 2019
Meeting Cancelled	

CITY COUNCIL/HOUSING AUTHORITY MEETING

August 20, 2019

<u>SUPPORTING THE 2020 U.S. CENSUS</u>: A resolution establishing that the City of Ontario supports the 2020 U.S. Census in an effort to obtain an accurate and complete count for our City; **City Initiated**.

Action: The City Council approved a resolution supporting the 2020 U.S. Census.

MUNICIPAL CODE AMENDMENT: A public hearing to consider an amendment to the City of Ontario Municipal Code, revising Section 4-6.1009 to add provisions prohibiting the overnight parking of commercial vehicles in residential zoning districts. The proposed Municipal Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); City Initiated.

<u>Action</u>: The City Council introduce and waive further reading of an ordinance approving an amendment to the City of Ontario Municipal Code, revising Section 4-6.1009.

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ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT AMENDMENT REVIEW FOR

FILE NO. PDA17-001: A public hearing to consider a Development Agreement Amendment (First Amendment – File No. PDA17-001) between the City of Ontario and Ronald and Kristine Pietersma Family Trust and Loyola Properties I L.P., to modify certain provisions related to the second installment of the Phase 2 Water Participation Fee, for Tentative Parcel Map 19787 (File No. PMTT16-021), within the High Density Residential (Planning Areas 7 and 8) land use designation of the Grand Park Specific Plan, located at the southeast corner of Ontario Ranch Road and Archibald Avenue. The environmental impacts of this project were previously reviewed in conjunction with the Grand Park Specific Plan, for which an Environmental Impact Report (SCH#2012061057) certified by the City Council on February 4, 2014. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-241-32) submitted by RCCD, Inc. The Planning Commission recommended approval of this item on July 23, 2019, with a vote of 5 to 0.

<u>Action</u>: The City Council introduced and waived further reading of an ordinance approving File No. PDA17-001.

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA18-010:

A public hearing to consider an Amendment to the Ontario Gateway Specific Plan to change the land use designation for 3.9 acres of land from Office to Mixed-Use, and reduce the rear parking/landscape setback adjacent to the Southern Pacific Railroad right-of-way from 20-feet to 10-feet, affecting 15.12 acres of land generally located at the southeast corner of Haven Avenue and Guasti Road. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 210-212-57) submitted by Prime A Investments, LLC. The Planning Commission recommended approval of this item on July 23, 2019, with a vote of 5 to 0.

Action: The City Council approved a resolution approving File No. PSPA18-010.

ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE REVIEW FOR FILE NO. PZC18-003: A Zone Change altering the zoning designation on 1.02 acres of land from CC (Community Commercial) to MDR-11 (Low-Medium Density Residential – 5.1 to 11.0 DUs/Acre) and to change the zoning designation on 0.46 acres of land from CC (Community Commercial) to CCS (Convention Center Support), located at the south west corner of G Street and Corona Avenue. Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact

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Report (SCH# 2008101140) certified by City Council on January 27, 2010. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (Related File PGPA18-009) (APNs: 0110-241-18, 0110-241-56 & 0110-241-57) **submitted by LHL Investment Group, LLC.** The Planning Commission recommended approval of this item on June 25, 2019, with a vote of 7 to 0.

<u>Action</u>: The City Council approved and waived further reading of an ordinance approving File No. PZC18-003.

PLANNING/HISTORIC PRESERVATION COMMISSION MEETING

August 27, 2019

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV18-043:

A Development Plan to construct a 51,555 square foot industrial building on 2.05 acres of land, located at 508 South Palmetto Avenue, within the IL (Light Industrial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 1011-193-04 and 1011-193-03) submitted by State Street Ontario OZ Properties, LLC.

Action: The Planning Commission approved the project subject to conditions.

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

Action: The Planning Commission approved the project subject to conditions.

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

<u>002</u>: A Tentative Tract Map (File No. PMTT18-002 / TT 20157) to subdivide 81.35 acres of land into 6 lots and 5 lettered lots for residential, public streets, landscape neighborhood edges, and common open space purposes, for properties generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Esperanza Specific Plan (File No. PSP05-002) Environmental Impact Report (SCH # 2002061047) certified by the City Council on February 6, 2007. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0218-252-07, 0218-252-08 and 0218-252-09) submitted by RWT Preserve Holdings, LLC.

Action: The Planning Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NOS. PMTT18-003, PMTT18-004, AND PMTT18-005: A request for the following Tentative Tract Map entitlements: 1) File No. PMTT18-003 (TTM 20158) to subdivide 15.41 acres of land into 31 lots and 15 lettered lots; 2) File No. PMTT18-004 (TTM 20159) to subdivide 13.94 acres of land into 15 lots and 5 lettered lots; and 3) File No. PMTT18-005 (TTM 20160) to subdivide 22.84 acres of land into 113 lots and 32 lettered lots for residential and public streets, landscape neighborhood edges and common open space purposes, generally located at the southeast corner of Mill Creek Avenue and Old Edison Road, within PA-1 (RD-7), PA-2 (RD-4), PA-3 (RD-8), and PA-4 (RD-6) of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Esperanza Specific Plan (File No. PSP05-002) Environmental Impact Report (SCH # 2002061047) certified by the City Council on February 6, 2007. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0218-252-07, 0218-252-08 and 0218-252-09) submitted by RWT Preserve Holdings, LLC.

Action: The Planning Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW FOR FILE NO. PDA19-002: A Development Agreement between the City of Ontario and SLV LC Center, LLC; HCW LC Center, LLC; Strack Farms Land, LLC; RHV Edison Avenue, LLC; MV Edison Avenue, LLC; and EPC Holdings 938, LLC, to establish the terms and conditions for the development of Tentative Tract Map 20157 (PMTT18-002), for property located at the southeast corner of Mill Creek Avenue and Old Edison Road, within Planning Areas 1 through 4 (RD-4, RD-6, RD-7, and RD-8) of the Esperanza

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Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Esperanza Specific Plan (File No. PSP05-002) Environmental Impact Report (SCH # 2002061047) certified by the City Council on February 6, 2007. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0218-252-07, 0218-252-08, 0218-252-09, 0218-252-10). Submitted by Richland Communities. City Council action is required.

Action: The Planning Commission recommended the City Council approve the project.

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PCUP19-017:

Submitted by Miguel Velez

A Conditional Use Permit to convert an existing 745-square foot garage into a single-family dwelling with a new 499-square foot addition and construct a new 745-square foot detached garage and storage space, with a second-story 800-square foot accessory dwelling, on 0.131 acre of land located at 1024 South Campus Avenue, within the LDR-5 (Low-Density Residential – 2.1 to 5.0 DUs/Acre) zoning district (APN: 1049-502-11). **Zoning Administrator action required.**

PDEV19-047:

Submitted by X & W Investment, LLC

A Development Plan to construct 10 single-family dwellings on 10 vacant parcels totaling approximately 1.83 acres of land generally located at the northwest corner of Olive Street and Orange Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) zoning district (APNs: 0108-481-18, 0108-481-19, 0108-481-20, 0108-481-21, 0108-481-22, 0108-481-23, 0108-481-24, 0108-481-25, 0108-481-26, 0108-481-27). **Planning Commission action required.**

PDEV19-048:

Submitted by Holt LPIV 3, LLC

A Development Plan to construct two industrial buildings totaling 85,123 square feet on 3.35 acres of land generally located on the south side of Holt Boulevard, approximately 1,070 feet east of Imperial Avenue, within the BP (Business Park) zoning district (APNs: 0110-111-02, 0110-111-03, 0110-111-11, 0110-111-12). Related file: PMTT19-012. **Planning Commission action required.**

PDIF19-005:

Submitted by LS-Ontario, LLC (Land Sea Homes)

A Development Impact Fee Credit Agreement with LS-Ontario LLC (Land Sea Homes) for Tract Maps 18929 and 18930, located at the northwest corner of Merrill Avenue and Archibald Avenue, within the Subarea 29 Specific Plan. **City Council action required.**

PGPA19-005:

Submitted by Rich Haven Marketplace, LLC

An Amendment to the Land Use Element of the Policy Plan (General Plan) component of The Ontario Plan, to include an Industrial Overlay on 71.72 acres of land that presently has a Mixed Use land use designation, located at the northwest corner of Hamner Avenue and Ontario Ranch Road, within Planning Area 7 of the Rich Haven Specific Plan, and modifying Exhibit LU-03 (Future Buildout Table) to be consistent with this land use designation change (APNs: 0218-211-27, 0218-211-17 & 0218-211-24). Related File: PSPA19-006. **City Council action required.**

PHP-19-013:

Submitted by Susan Rojas

A Mills Act Contract for a Contributor to the designated Rosewood Court Historic District, located at 325 East Rosewood Court (APN: 1048-063-19). **City Council action required.**

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PHP-19-014:

Submitted by 200 N Euclid Ave, LLC

A Certificate of Appropriateness for the adaptive reuse of two historic buildings located at 200 North Euclid Avenue, into proposed Bank of Italy and Bumstead Bicycles buildings, within the PUD (Planned Unit Development) zoning district of the Historic Ontario Downtown (APN: 0104-855-219). **Historic Preservation omission action required.**

PMTT19-012:

Submitted by Holt LPIV 3, LLC

A Tentative Parcel Map to subdivide 3.35 acres of vacant land into two lots generally located on the south side of Holt Boulevard, approximately 1,070 feet east of Imperial Avenue, within the BP (Business Park) zoning district (APNs: 0110-111-02, 0110-111-03, 0110-111-11, 0110-111-12). Related file: PDEV19-048. **Planning Commission action required.**

PSGN19-091:

Submitted by Lennar Homes of California, Inc.

A Sign Plan for the installation of a monument sign to read: LANDMARK, for Tract 20012 located at the southwest corner of La Avenida Drive and Broadway Avenue, within The Avenue Specific Plan (APN: 0218-414-59). **Staff action required.**

PSGN19-092: Submitted by Citisign

A Sign Plan for the installation of one illuminated wall sign to read: MASSAGE, on property located at 1305 East Fourth Street, Space 105, within the CN (Neighborhood Commercial) zoning district (APN: 0108-381-33). **Staff action required.**

PSGN19-093:

Submitted by New Image signs and service inc

A Sign Plan for the installation of two illuminated wall signs (32 SF, each), one menu board, and one monument sign for RAISING CANE'S, located at 1437 North Mountain Avenue, within the Main Street District of the Mountain Village Specific Plan (APN: 1008-431-28). **Staff action required.**

PSGN19-094:

Submitted by Spirit Hallowen

A Sign Plan for the installation of a temporary banner (4 FT x 8 FT) for SPIRIT HALLOWEEN, located at 921 North Milliken Avenue, Suite B, within the Ontario Center Specific Plan (APN: 0210-501-35). Banner to be displayed 8/12/2019 to 11/4/2019. **Staff action required.**

PSGN19-095:

Submitted by American Banner

A Sign Plan for the installation of a temporary grand opening banner for the new STATER BROTHERS grocery store located at 3460 East Ontario Ranch Road, within the Retail land use district of The Avenue Specific Plan. Banner to be displayed 9/18/2019 to 10/18/2019 (APN: 0218-392-26). **Staff action required.**

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PSGN19-096: Submitted by Eagle Signs

A Sign Plan for the installation of one wall sign (16.5 SF) for SOLVIS EMPLOYMENT, located at 730 North Archibald Avenue, within the Garden Commercial land use district of the Ontario Center Specific Plan (APN: 0110-431-11). **Staff action required.**

PSGN19-097: Submitted by Encore Image

A Sign Plan for three new wall signs and reface 2 existing monument signs for CITIZENS BUSINESS BANK, located at 701 North Haven Avenue, within the Garden Commercial land use district of the Ontario Center Specific Plan (APN: 0210-182-26). **Staff action required.**

PSGP19-004: Submitted by Signs Express

A Sign Program to allow for additional signage on building 5 of the Home Center Ontario Sign Program, located at 4210 Inland Empire Boulevard, within the Ontario Center Specific Plan. Related file: PSGP01-002. **Staff action required.**

PSPA19-005: Submitted by City of Ontario

A Minor Specific Plan Amendment to the Esperanza Specific Plan to: [1] allow a motorcourt townhomes product within Planning Area 1 (RD-7: Row Townhomes) and [2] allow 6-Parck Courtyard Homes within Planning Area 2 (RD-4: SFD Cottages) on properties generally located south of Ontario Ranch Road, west of Hamner Avenue, north of Bellegrave Avenue, and east of Cleveland Avenue and Mill Creek Avenue; City-initiated. **Staff action required.**

PSPA19-006: Submitted by Rich-Haven Marketplace

An Amendment to the Rich Haven Specific Plan, changing the land use designation on 81.1 acres of land from Planning Area 7 (Mixed Use Overlay, Stand-Alone Residential Overlay, Regional Commercial & SCE Easement/Gas Easement) to Planning Area 7a (Industrial and Utilities Corridor - 66.1 acres) and 7b (Mixed Use Overlay- 15 acres), on property generally located at the northwest corner of Hamner Avenue and Ontario Ranch Road (APNs: 0218-211-27, 0218-211-17 and 0218-211-24). Related File: PGPA19-19-005. **City Council action required.**

PTUP19-053: Submitted by Home Depot

A Temporary Use Permit for an employee recognition event to be held at Home Depot, located at 2980 South Euclid Avenue, within the Borba Village Specific Plan. Event to be held on 8/14/2019. **Staff action required.**

PTUP19-054: Submitted by Hooters Ontario

A Temporary Use Permit for a Car Show hosted by Hooters, located at 725 North Milliken Avenue. Event to be held on 9/23/2019. **Staff action required.**

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PTUP19-055:

Submitted by Landsea Homes

A Temporary Use Permit for a model homes complex and sales trailer for home development per File No. PDEV19-008, located at 2620 East Mabel Lane, within the Subarea 29 - Shadetree Complex. Model home sales to begin in 10/2019. **Staff action required.**

PTUP19-056:

Submitted by Carmen Orantes

A Temporary Use Permit for a one-day carwash event for Church of God of Prophecy, located at 1130 South Campus Avenue, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district (APN: 1049-503-33). Event to be held on 8/17/2019. **Staff action required.**

PTUP19-057:

Submitted by Bob's Discount Furniture

A Temporary Use Permit for a Labor Day tent sales event for Bob's Discount Furniture, located at 4195 East Inland Empire Boulevard (APN: 0210-501-32). Event to be held on 8/28/2019 to 9/3/2019. **Staff action required.**

PTUP19-058:

Submitted by Elks Lodge #1419

A Temporary Use Permit for the Tenth Annual Elks Lodge Car Show, to be held in the Lodge parking lot, located at 1150 West Fourth Street. Event to be held on 10/6/19, 8:00AM to 2:00PM. **Staff action required.**

PVAR19-006:

Submitted by Holt - San Antonio, LLC

A Variance to deviate from the minimum drive aisle street setback, from 20 feet to 2.5 feet, in conjunction with the construction of a fast-food restaurant with drive-thru facility, on 0.34 acre of land located at 624 West Holt Boulevard, within the MU-1 (Downtown Mixed Use) zoning district (APN:1048-591-30). Related File: PDEV19-018. **Planning Commission action required.**

PVER19-047:

Submitted by CRE Zoning

A Zoning Verification for property located at 2160 South Haven Avenue (APN: 0211-275-46). **Staff action required.**

PVER19-048:

Submitted by The Planning and Zoning Resource Company

A Zoning Verification for properties located at 1035 to 1155 South Milliken Avenue; and 4315 to 4395 East Lowell Street, within the Light Industrial land use district of the California Commerce Center Specific Plan (APN: 0238-201-28). **Staff action required.**

PVER19-049:

Submitted by Rich Haven Marketplace, LLC

A Zoning Verification for properties located in the northwest corner of Hamner Avenue and Ontario Ranch Road, within the Rich Haven Specific Plan (APNs: 0218-211-17, 0218-211-24, and 0218-211-27). **Staff action required.**

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PVER19-050: Submitted by Shenice Lewis

A Zoning Verification for property located at 551 East Riverside Drive (La Terraza Apartments) (APN: 1051-601-79). **Staff action required.**

PVER19-051: Submitted by Becky Friend

A Zoning Verification for property located at 5555 East Jurupa Street within the IH (Heavy Industrial) zoning district (APN: 0238-101-11). **Staff action required.**

PVER19-052: Submitted by Becky Friend

A Zoning Verification for property located at 5772 East Jurupa Street, within the IH (Heavy Industrial) zoning district (APN: 0238-133-12). **Staff action required.**

PVER19-053: Submitted by Battle Lab LLC

An Administrative Use Permit to establish alcoholic beverage sales for on-premises consumption, including beer and wine (Type 41 ABC license -- On-Sale Beer and Wine for Bona Fide Public Eating Place) in conjunction with an existing 25,341 square foot laser tag facility on approximately 1.19 acres of land located at 301-321 West Holt Boulevard, within the MU-1 (Downtown Mixed-Use) zoning district (APN: 1049-053-09). Related Record: PCUP15-029. **Zoning Administrator action required.**

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