



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

February 5, 2018

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

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

Scott Ochoa, City Manager
Hassan Haghani, Development Director
John P. Andrews, Economic Development Director
Kevin Shear, Building Official
Scott Murphy, Assistant Development Director (Planning)
Louis Abi-Younes, City Engineer
Chief Brad Kaylor, Police Department
Fire Marshal Paul Ehrman, Fire Department
Scott Burton, Utilities General Manager
Brent Schultz, Housing and Municipal Services Director

PUBLIC COMMENTS

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

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

AGENDA ITEMS

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

CONSENT CALENDAR ITEMS

A. MINUTES APPROVAL

Development Advisory Board Minutes of January 17, 2018, approved as written.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-049**: A Development Plan (File No. PDEV17-049) to construct a 314 square-foot addition and façade improvements to an existing 2,446 square-foot commercial building (ARCO service station/convenience store), on 0.45 acres of land located at 1245 E. Fourth Street, within the CN (Neighborhood Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) 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: 1047-462-13) **submitted by Joseph Karaki / Karaki Western States.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section §15301

2. File No. PDEV17-049 (Development Plan)

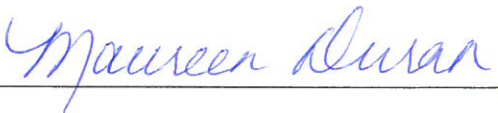
Motion to Approve / Deny

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

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

The next **Development Advisory Board** meets on **February 21, 2018**.

I, Maureen Duran, Office Specialist of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **February 1, 2018**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



CITY OF ONTARIO

Development Advisory Board

Minutes

January 17, 2018

BOARD MEMBERS PRESENT

Rudy Zeledon Acting Chairman, Planning Department
Pedro Rico, Building Department
Charity Hernandez, Economic Development Agency
Paul Ehrman, Fire Department
Joe De Sousa, Housing and Municipal Services Agency
Ahmed Aly, Municipal Utilities Company
Bryan Lirley, Engineering Department
Doug Sorel, Police Department

BOARD MEMBERS ABSENT

Khoi Do, Chairman, Engineering Department

STAFF MEMBERS PRESENT

Jeanie Aguilo, Planning Department
John Andrews, Economic Development
Elly Antuna, Planning Department
Maureen Duran, Planning Department
Naiim Khoury, Planning Department
Chuck Mercier, Planning Department
Henry Noh, Planning Department
Miguel Sotomayor, Engineering Department
Dean Williams, Engineering Department

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

- A. APPROVAL OF MINUTES:** Motion to approve the minutes of the December 18, 2017, meeting of the Development Advisory Board was made by Mr. DeSousa; seconded by Mr. Sorel; and approved unanimously by those present (8-0).

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-036:** A Development Plan to construct a new automobile sales lot with a 36,818-square foot sales and service facility (Ontario Infiniti) on 3.9 acres of land generally located at the southwest corner of Inland Empire Boulevard and QVC Way, within the Urban Commercial land use district of the Meredith International Centre Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File Nos. PGPA13-005 and PSPA14-003, for which the Meredith International Centre Specific Plan Amendment Environmental Impact Report (SCH No. 2014051020) was certified by the City Council on April 7, 2015. This Application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0110-321-71) **submitted by Cordy Cerami.**

Representative Cordy Cerami of Infiniti was present and agreed to the conditions of approval. There were no further questions or concerns.

Motion to approve **File No. PDEV17-036** subject to conditions was made by Mr. DeSousa; seconded by Mr. Rico and approved unanimously by those present (8-0).

- C. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP TIME EXTENSION REVIEW FOR FILE NO. PMTT14-020:** A one-year Time Extension of the expiration date for the approval of File No. PMTT14-020, a Tentative Parcel Map (PM 19552) to subdivide a 0.20-acre parcel of land into a single parcel for condominium purposes, located on the west side of Euclid Avenue, approximately 450 feet north of Elm Street, at 1420 South Euclid Avenue, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) and EA (Euclid Avenue) Overlay zoning districts. 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: 1050-051-01); **submitted by Johnathan Ma. Planning Commission action is required.**

There was no representative in attendance. There were no questions or concerns from the the board. Mr. Zeledon recommended a motion from the board.

Motion recommending approval of **File No. PMTT14-020** subject to conditions to the Planning Commission was made by Mr. Sorel; seconded by Ms. Hernandez and approved unanimously by those present (8-0).

- D. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-028:** A Development Plan to construct 37 multiple-family apartment units on 1.13 acres of land generally located on the north side of Sixth Street, approximately 150 feet east of Interstate 10, at 941 East Sixth Street, within the HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, Infill Development) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1047-172-03 and 1047-172-19) **submitted by Kirk Wallace. Planning Commission action is required.**

Sergio Sendowsky, representing Kirk Wallace, was present and agreed to the conditions of approval. There were no further questions or concerns.

Motion recommending approval of **File No. PDEV17-028** subject to conditions to the Planning Commission was made by Mr. DeSousa; seconded by Mr. Rico and approved unanimously by those present (8-0).

- E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-045:** A Development Plan (File No. PDEV17-045) to construct 190 conventional single-family homes on 40.20 acres of land located within the Conventional Medium Lot Residential district of Planning Area 3 of the Subarea 29 Specific Plan, located at the southeast corner of Archibald Avenue and Eucalyptus Avenue. The environmental impacts of this project were previously reviewed in conjunction with an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015. 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); (APNs: 0218-281-15 and 0218-281-16) **submitted by KB Home. Planning Commission action is required.**

Applicant RJ Hernandez of KB Homes was present and agreed to the conditions of approval. There were no questions or concerns.

Motion recommending approval of **File No. PDEV17-045** subject to conditions to the Planning Commission was made by Mr. De Sousa; seconded by Mr. Lirley and approved unanimously by those present (8-0).

There being no further business, the meeting was adjourned. The next Development Advisory Board Meeting will be held on February 5, 2018.

Respectfully submitted,



Maureen Duran
Recording Secretary



Development Advisory Board Decision

February 5, 2018

DECISION NO.: [insert #]

FILE NO.: PDEV17-049

DESCRIPTION: A Development Plan (File No. PDEV17-049) to construct a 314 square-foot addition and façade improvements to an existing 2,446 square-foot commercial building (ARCO service station/convenience store), on 0.45 acres of land located at 1245 E. Fourth Street, within the CN (Neighborhood Commercial) zoning district. (APN 1047-462-13); **submitted by Joseph Karaki / Karaki Western States.**

Part I—BACKGROUND & ANALYSIS

JOSEPH KARAKI / KARAKI WESTERN STATES, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV17-049, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 0.45 acres of land located at 1245 E. Fourth Street, and is depicted in **Exhibit A: Aerial Photograph**, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Retail	Neighborhood Commercial	CN (Neighborhood Commercial)	N/A
<i>North:</i>	Retail	Neighborhood Commercial	CN (Neighborhood Commercial)	N/A
<i>South:</i>	Park	Open Space Recreation	OS-R (Open Space – Recreation)	N/A
<i>East:</i>	Retail	Neighborhood Commercial	CN (Neighborhood Commercial)	N/A
<i>West:</i>	Retail	Neighborhood Commercial	CN (Neighborhood Commercial)	N/A

(2) **Project Description: Background** — On September 22, 2017, Joseph Karaki / Karaki Western States (“Applicant”) submitted an application for a Development Plan (File No. PDEV17-049) to construct a 314 square-foot addition and façade improvements to an existing 2,446 square-foot commercial building, for a total of 2,760 square feet on 0.45 acres of land. The project is subject to Development Advisory Board review due to the substantial remodel and conversion/removal of the abandoned service bay doors.

Site Design/Building Layout — The project site is developed with an existing ARCO gas station with a convenience store and an unused two-bay service garage. The proposed addition to the building will be located along the southwest elevation of the existing convenience store that fronts onto Fourth Street (see **Exhibit B: Site Plan and Exhibit C: Elevations**). The project will convert the service garage into useable

space for the convenience store, including administrative space and cold storage for new beverage refrigerators. The project also features new landscaping throughout the site, a new trash enclosure, and façade improvements for the convenience store (see **Exhibit C: Elevations**). The existing fueling station canopies will remain as-is.

Site Access/Circulation — The subject property has street frontage and vehicular access along Grove Avenue and Fourth Street. Access to the site will still be provided by the four existing driveways, and the removal of a storage shed will allow for reconfiguration of the site to provide parking and landscaping. The project frontage along Grove Avenue and Fourth Street will be improved by repairing sidewalks, installing 5-foot irrigated parkways and updating the existing landscaping at the southeast corner of the lot.

Parking — In accordance with the Ontario Development Code, the project is required to provide nine parking spaces. The applicant is proposing nine parking spaces, not including the parking spaces under the gasoline station canopies.

Architecture — The project proposes a modern architectural design for the convenience store that incorporates stone veneer, stucco siding, wood panel siding, metal canopies, aluminum window mullions and an enlarged roof overhang located at the main entrance (see **Exhibit D: Color and Materials**). The existing fueling station canopies are complimentary to the proposed convenience store.

Landscaping — An existing 120 square-foot landscape planter is located at the southeast portion of the project site. The project is proposing 6.5-foot wide landscape planters along the northern and western property lines, as well as a landscape planter along southwest convenience store elevation, which will soften the project site and provide additional accent trees. The project is proposing 15.5% landscape coverage, which meets the Development Code requirement.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

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

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

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County,

and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on February 5, 2018, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

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

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

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

SECTION 3: 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 Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“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 body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2)

and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the NC (Neighborhood Commercial) land use district of the Policy Plan Land Use Map, and the CN (Neighborhood Commercial) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained are consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed addition, façade improvements, landscaping, parking, and trash enclosure will greatly enhance an already developed site with an existing gas station, and provide an added benefit to its customers, facility neighbors, and passers-by alike. Therefore, the project is consistent with the goals and policies of the Policy Plan (General Plan); and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the CN (Neighborhood Commercial) zoning district, including standards relative to the particular land use proposed (gas station), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The existing site currently has very limited landscaping. Proposed improvements to the site include landscape planters and shade trees along the property lines, which will help to provide a buffer between the site and adjacent properties. Further, the proposed improvements will help to bring the property into compliance with current Development Code standards; and

(3) **The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Neighborhood Commercial zoning district. The proposed project will enhance the project site and surrounding area by providing additional landscaping on the project site, landscaping planters along the Fourth Street and Grove Avenue frontages, and façade improvements to the existing convenience store; 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 (gas station). The proposed project will bring the existing development into compliance with current Development Code standards in terms of the above-listed items. As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

SECTION 5: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 6: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

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

APPROVED AND ADOPTED this 5th day of February, 2018.

Development Advisory Board Chairman

Exhibit A—AERIAL PHOTOGRAPH



Exhibit B—SITE PLAN

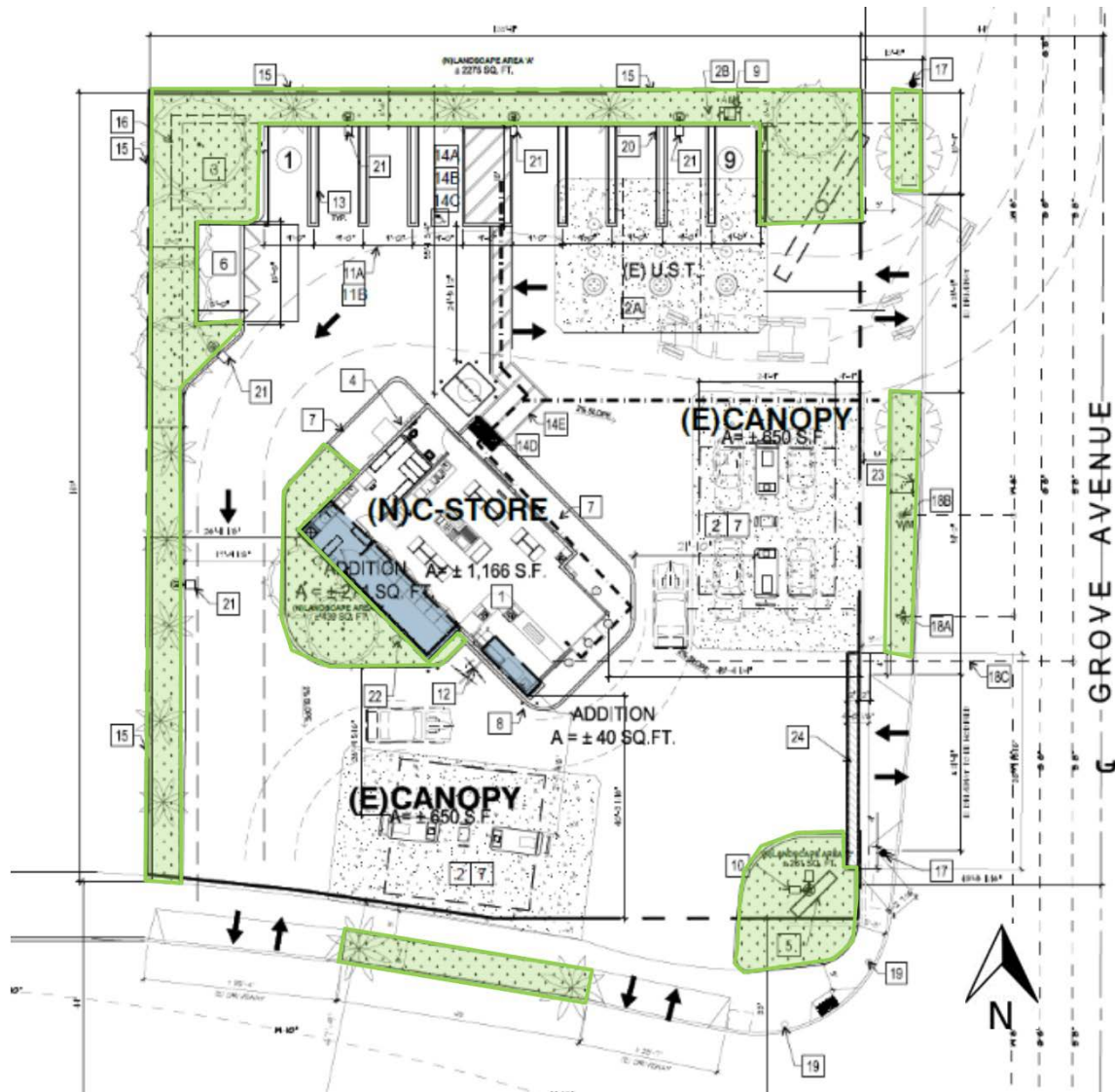


Exhibit C—ELEVATIONS



*NOTE: The roof-access ladder on the east elevation has been relocated inside the building.

Exhibit D—COLORS AND MATERIALS



Exhibit E—SITE PHOTOGRAPHS



View looking northwest of storage unit (to be removed and replaced with landscaping)



View looking northwest of existing trash enclosure (to be relocated and updated)



View looking northeast (area to be re-striped and landscaped)



View looking south from northeast corner of site



View looking north of small landscape area at the southeast corner of the site



View looking north along the west property line (future landscape buffer)



Southwest elevation: garage bay doors, cabinet sign to be removed

Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: February 5, 2018

File No: PDEV17-049

Project Description: A Development Plan (File No. PDEV17-049) to construct a 314 square-foot addition and façade improvements to an existing 2,446 square-foot commercial building (ARCO service station/convenience store), on 0.45 acres of land located at 1245 E. Fourth Street, within the CN (Neighborhood Commercial) zoning district. (APN 1047-462-13); **submitted by Joseph Karaki / Karaki Western States.**

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

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

(b) 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).

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

2.6 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

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

2.7 Mechanical and Rooftop Equipment.

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

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

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

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

(a) Any new signage, or updates/changes to existing signage, shall be applied for under a separate permit (Sign Plan Application).

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 Project is categorically exempt from environmental review pursuant to **Section 15301 (Class 1, Existing Facilities)** of the CEQA Guidelines, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible (less than 10,000 square feet) or no expansion, and is consistent with the following conditions:

(i) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the Policy Plan (General Plan) component of The Ontario Plan; and

(ii) The area in which the project is located is not environmentally sensitive.

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

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

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

2.13 Additional Fees.

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

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



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)

DAB MEETING DATE: February 5th, 2018

PROJECT: PDEV17-049, a Development Plan to construct a 314-square foot addition and façade improvements to an existing 2,446-square foot commercial building, for a total of 2,760-square feet on 0.445 acres of land. [Related File: PCUP17-022]

APN: 1047-462-13

LOCATION: 1245 East Fourth Street

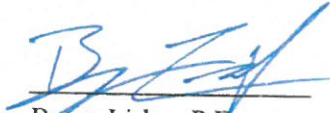
PROJECT ENGINEER: Antonio Alejos, Engineering Assistant *A.A.* (909) 395-2384

PROJECT PLANNER: Alexis Vaughn, Assistant Planner (909) 395-2416

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

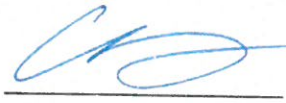
1. Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. The applicant/developer shall install parkway landscaping with an irrigation system along the project frontage at Fourth Street and Grove Avenue.
3. The applicant/developer shall construct a sidewalk behind the southerly driveway approach on Grove Avenue per City Standard Drawing Number 1203.
4. The applicant/developer shall process a public sidewalk easement for a portion of sidewalk to be constructed behind the property line along the southerly driveway approach on Grove Avenue.
5. The applicant/developer shall equip the existing fire hydrant with a break-off check valve per City Standard Drawing Number 4101.
6. The applicant/developer shall equip all existing water meters with backflow device per City Standard Drawing Number 4206.

7. The applicant/developer shall construct a new 2-bin trash enclosure with a solid roof and pedestrian access per the Refuse & Recycling Planning Manual.
8. The applicant/developer shall pay all Development Impact Fees (DIF) to the Building Department.



Bryan Lirley, P.E.
Principal Engineer

12/20/17
Date



Khoi Do, P.E.
Assistant City Engineer

12-21-17
Date

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

PRELIMINARY PLAN CORRECTIONS

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Planner

12/4/17
 Date

Reviewer's Name:
Carolyn Bell, Sr. Landscape Planner

Phone:
(909) 395-2237

D.A.B. File No.:
 PDEV17-049 Rev 1

Case Planner:
 Alexis Vaughn

Project Name and Location:
 C-Store
 1245 E Fourth St

Applicant/Representative:
 Joseph Karaki, Karaki Western States
 4887 E La Palma Ave Ste 707
 Anaheim Ca 92807

A Preliminary Landscape Plan (dated 11/21/17) 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.

CORRECTIONS REQUIRED

Landscape Plans

1. Show all utilities on the landscape plans. Coordinate so utilities are clear of required tree locations. **Domestic and fire backflow devices not shown. Must be behind right of way line in a planter area. Verify with civil for locations – water line connections may need to be moved.**
2. Note that irrigation plans shall provide separate systems for tree stream bubblers with pc screens.
3. Show concrete mowstrips to identify property lines. **Show concrete curb along NE property line where fence ends.**
4. Show minimum on-site tree sizes per the Landscape Development standards **5% 48" box, min 1, 10% 36 box, 30% 24" box, 55% 15 gallon - ok**
5. Show 25% of trees as California native (~~Platanus racemosa~~, removed due to the shot hole borer local attacks). Consider Quercus agrifolia, Quercus wislizenii, Quercus douglasii or similar in **appropriate locations, such as the large NW corner planter.**
6. 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
Total.....	\$1579.00

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



CITY OF ONTARIO
MEMORANDUM

TO: Hassan Haghani , Development Director
Scott Murphy, Assistant Development Director (Copy of memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Sheldon Yu, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Senior Planner
Steve Wilson, Engineering/NPDES
Joe De Sousa, Supervising Code Enforcement Officer
Jimmy Chang , IT Department
David Simpson , IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: November 21, 2017

SUBJECT: FILE #: PDEV17-049

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Tuesday, December 5, 2017**.

PROJECT DESCRIPTION: A Development Plan to construct a 314-square foot addition and façade improvements to an existing 2,446-square foot commercial building, for a total of 2,760-square feet on 0.445 acres of land located at 1245 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 1047-462-13). Related File: PCUP17-022.

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

12/4/17

Landscape Planning Carolyn Bell S. Landscape Architect
 Department Signature Title Date



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
Scott Murphy, Assistant Development Director (Copy of Memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Sheldon Yu, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Senior Planner
Steve Wilson, Engineering/NPDES
Joe De Sousa, Supervising Code Enforcement Officer
Jimmy Chang, IT Department
David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: September 29, 2017

SUBJECT: FILE #: PDEV17-049 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Friday, October 13, 2017**.

Note: Only DAB action is required

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

PROJECT DESCRIPTION: A Development Plan to construct a 314-square foot addition and façade improvements to an existing 2,446-square foot commercial buildings totaling 2,760-square feet on .445 acres of land located at 1245 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 1047-462-13). Related File: (File No. PCUP17-022).

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

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

The plan does not adequately address the departmental concerns.

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

Airport + Planning
Department

Signature

Senior Planner
Title

10/13/17
Date

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-049& PCUP17-022

Address: 1245 East Fourth Street

APN: 1047-462-13

Existing Land Use: Gas Station, convenience store and auto repair

Proposed Land Use: 314 SF addition to convenience store and remodel to remove auto repair facility and ancillary alcohol sales

Site Acreage: 0.445 Proposed Structure Height: 19ft

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By:
Lorena Mejia

Contact Info:
909-395-2276

Project Planner:
Alexis Vaughn

Date: 11/28/17

CD No.: 2017-071 Rev. 1

PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Bureau of Fire Prevention

DATE: October 13, 2017

SUBJECT: PDEV17-049 - A Development Plan to construct a 314-square foot addition and façade improvements to an existing 2,446-square foot commercial building, for a total of 2,760-square feet on 0.445 acres of land located at 1245 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 1047-462-13). Related File: PCUP17-022

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

For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ci.ontario.ca.us, click on Fire Department and then on forms.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Alexis Vaughn
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: October 6, 2017
SUBJECT: PDEV17-049

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

Conditions of Approval

1. Standard Conditions of Approval apply.

PR:lm



CITY OF ONTARIO MEMORANDUM

TO: Hassan Haghani, Development Director
 Scott Murphy, Assistant Development Director (Copy of Memo only)
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, Assistant City Engineer
 Carolyn Bell, Landscape Planning Division
 Sheldon Yu, Municipal Utility Company
 Doug Sorel, Police Department
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 Lorena Mejia, Senior Planner
 Steve Wilson, Engineering/NPDES
 Joe De Sousa, Supervising Code Enforcement Officer
 Jimmy Chang, IT Department
 David Simpson, IT Department (Copy of memo only)

FROM: Alexis Vaughn, Assistant Planner

DATE: September 29, 2017

SUBJECT: FILE #: PDEV17-049 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Friday, October 13, 2017**.

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

PROJECT DESCRIPTION: A Development Plan to construct a 314-square foot addition and façade improvements to an existing 2,446-square foot commercial buildings totaling 2,760-square feet on .445 acres of land located at 1245 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 1047-462-13). Related File: (File No. PCUP17-022).

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

Building Department Assistant Building Official Signature 10-16-17 Title Date



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Planning Department

FROM: Douglas Sorel, Police Department

DATE: October 25, 2017

SUBJECT: PDEV17-049 – A DEVELOPMENT PLAN TO IMPROVE THE GAS STATION AND CONVENIENCE STORE AT 1245 EAST FOURTH STREET

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

- Required lighting for walkways, driveways, doorways, parking lots, hallways, 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 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 business shall maintain a security camera surveillance system in proper working order. A minimum of one camera shall record each cash register and at least one camera shall cover patrons entering and exiting the store. Each camera will record at a minimum resolution of 640x480 and a minimum of fifteen (15) frames per second. Recorded video shall be retained for a minimum of 30 days and made available to the Police Department upon request.

These conditions relate solely to the Development Plan for the location irrespective of any additional conditions placed on the location in the Conditional Use Permit process. The Applicant is invited to contact Douglas Sorel at (909) 395-2873 with any questions or concerns regarding these conditions.