

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

February 22, 2022

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 and on the City website at www.ontarioca.gov/Agendas/PlanningCommission.

- *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 all 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

Anderson __ Dean __ DeDiemar __ Gage __ Lampkin __ 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 January 25, 2022, approved as written.

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, unless there are a number of person's wishing to speak and then the Chairperson will allow only three (3) minutes, to accommodate for more persons. The Planning/Historic Preservation 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.

B. ENVIRONMENTAL ASSESSMENT, PLANNED UNIT DEVELOPMENT, TENTATIVE PARCEL MAP, DEVELOPMENT PLAN, AND CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NOS. PUD22-001, PMTT21-009, PDEV21-017, AND PHP21-021:

A request for the following entitlements: [1] a Planned Unit Development (File No. PUD22-001) to establish development standards, design guidelines, and infrastructure requirements for the Project site; [2] a Tentative Parcel Map (File No. PMTT21-009 (TPM 20394)) to subdivide a 0.86-acre property into a single lot to establish 22 commercial airspace condominium units; [3] a Development Plan (File No. PDEV21-017) to construct two commercial buildings totaling 33,787 square feet; and [4] a Certificate of Appropriateness (File No. PHP21-021) to allow for the construction of the proposed Project within the Euclid Avenue Overlay Zoning District. The Project Site is located at 125 West Emporia Street, within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) 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 15332 (Class 32, In-Fill Development

Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1049-059-14) **submitted by RWSS Development LLC. City Council action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File No. PUD22-001 (Planned Unit Development)

Motion to Recommend Approval/Denial

3. File No. PHP21-021 (Certificate of Appropriateness)

Motion to Approve/Deny

4. File No. PMTT21-009 (Tentative Parcel Map)

Motion to Approve/Deny

5. File No. PDEV21-017 (Development Plan)

Motion to Approve/Deny

- C. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV21-021 AND PCUP21-009:** A Development Plan (File No. PDEV21-021) to construct a 4-story, 128-room Extended Stay/Residence Inn Hotel, in conjunction with a Conditional Use Permit (File No. PCUP21-009) to establish and operate the hotel use on 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0238-012-30) **submitted by Roger Barbosa. City Council action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File No. PCUP21-009 (Conditional Use Permit)

Motion to Recommend Approval/Denial

3. File No. PDEV21-021 (Development Plan)

Motion to Approve/Deny

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation (Standing): Met on February 10, 2022.
- 2) New Business
- 3) Nominations for Special Recognition

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 **Friday, February 18, 2022**, 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



Rudy Zeledon, Planning Director
Planning/Historic Preservation
Commission Secretary

**CITY OF ONTARIO PLANNING COMMISSION/
HISTORIC PRESERVATION MEETING
Virtual**

MINUTES

January 25, 2022

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**CITY OF ONTARIO PLANNING COMMISSION/
HISTORIC PRESERVATION MEETING**

MINUTES

January 25, 2022

REGULAR MEETING: Virtual Meeting
Called to order by Chairman Gage at 6:30 PM

COMMISSIONERS

Present: Chairman Gage, Vice-Chairman Willoughby, Dean, DeDiemar, Lampkin, and Ricci

Absent: Anderson

OTHERS PRESENT: Planning Director Zeledon, City Attorney Maldonado, Principal Planner Mercier, Senior Planner Ayala, Senior Planner Mejia, Senior Planner Hutter, Associate Planner Aguilo, Assistant Planner Vaughn, Assistant City Engineer Lee, and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Gage.

ANNOUNCEMENTS

Mr. Zeledon stated that there are redlines for Item A-03 on their Conditions of Approval and Resolution, for Item C there are also redlines on the EIR Resolution and 6 public comments were received for this item and Item D is being requested to be continued to a future date.

PUBLIC COMMENTS

Mr. Zeledon stated no public comments were received.

Mr. Mercier stated there were no persons wishing to speak at this time.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of December 20, 2021 approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-016: A Development Plan to construct a 37,309-square-foot industrial building on

1.60 acres of land located at the southeast corner of the Sunkist Street and Taylor Avenue, within the IG (General Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-212-05, 1049-212-06, 1049-212-07, 1049-212-08, 1049-212-09, 1049-212-10, 1049-212-11, and 1049-212-12) **submitted by OC Engineering.**

- A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-026:** A Development Plan to construct a 44,885-square-foot industrial building on 2.03 acres of land located at 1030 and 1042 East Holt Boulevard, within the IP (Industrial Park) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-131-13 and 1049-131-14) **submitted by Holt LPIV 8 LLC.**

PLANNING COMMISSION ACTION

It was moved by DeDiemar, seconded by Willoughby, to approve the Consent Calendar including the Planning Commission Minutes of December 20, 2021, as written, the Development Plan, File No. PDEV21-016 and the Development Plan, File No. PDEV21-026, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Dean, Gage, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Anderson. The motion was carried 6 to 0.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT20-005:** A Tentative Parcel Map (TPM 20253) to subdivide 53.53-acres of land into 27 numbered lots and 3 “common” lettered lots generally bordered by Guasti Road to the north, Old Guasti Road to the south, Turner Avenue to the east and Archibald Avenue to the west, within Planning Areas 2 and 3 of the Guasti Plaza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Guasti Plaza Specific Plan, File No. 4413-SP, for which an Environmental Impact Report (FEIR No. 90-4/State Clearinghouse No. 91-122-009) was certified by the City Council on August 20, 1996 and in conjunction with an amendment to the Guasti Plaza Specific Plan, File No. PSPA08-006, for which a Supplemental Environmental Impact Report (State Clearinghouse No. 2008111072) was certified by the City Council on May 3, 2011. 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); (APNs: 0210-192-11 and 0211-201-15) **submitted by Ontario Airport Venture, LLC.**

Senior Planner Ayala, presented the staff report. She stated that staff is recommending the Planning Commission approve File No. PMTT20-005, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Ms. DeDiemar wanted to know the current condition of buildings on the property.

Ms. Ayala stated the buildings have been mothballed to preserve and there is a condition of approval to the project, that a conditions assessment of each building is to be completed.

Ms. DeDiemar wanted to know when the assessment would need to be completed.

Ms. Ayala stated before the recordation of the final parcel map.

Mr. Willoughby wanted to know if the new owner must take steps to preserve the buildings according to the assessment.

Ms. Ayala stated that is correct.

Mr. Gage wanted clarification on the PAP referenced being waived.

Ms. Ayala explained the PAP options.

Mr. Gage wanted clarification on parcels being sold individually in reference to the PAP.

Ms. Ayala explained they would have the option to either use this PAP or present a new PAP or a Development plan.

Mr. Gage wanted to know if parking would be evaluated at that time.

Ms. Ayala stated yes, those items would be considered at that time.

Mr. Gage wanted clarification regarding the staff report on page 6 – the red letter conditions reroof structure

Ms. Ayala stated it was condition 2.15a (page 22 of 49), that was requested to be added by the applicant, to clarify the intent of the conditions assessment and resolve eminent threats, but not to include rehabilitation or reroofing.

Mr. Gage wanted further clarification on what their obligations would be regarding the roofs.

Ms. Ayala responded that it is difficult to say at this time without the conditions assessment.

Mr. Gage wanted to know if the red letter condition prevents reroofing from being completed.

Ms. Ayala responded that the conditions assessment is critical to see what the next step is.

Mr. Gage wanted to know big picture if dividing the parcels what is in place to make sure this area is cohesive in the final build out.

Ms. Ayala stated the Guasti Plaza Specific Plan that will unify the site, and preserves the rehabilitation of the historic core.

Mr. Lampkin wanted to know if project comes forward is it a requirement for a Historian to be on staff.

Ms. Ayala stated there is no requirement but a Certificate of Appropriateness would be required from HPSC.

PUBLIC TESTIMONY

Mr. Pat Russell with Saris Regis Group was present virtually and spoke in favor of the project.

Ms. DeDiemar wanted an explanation regarding the impetus to add residential instead of business park.

Mr. Russell stated this was presented by the previous owner.

Ms. DeDiemar wanted to clarify it was existing.

Mr. Russell stated that is correct and that those residential units are included in the updated housing element.

Mr. Gage wanted to know why he wanted to change item 2.15 regarding no reroofing.

Mr. Russell responded what they were trying to clarify what the future uses are going to be, mainly the warehouses, and want to protect in place, not do structural rebuilds at this time.

Mr. Gage wanted to know if they are marketing cohesively around the historic aspects.

Mr. Russell responded that the SP has controls in place to compliment the historic era and structures and make it cohesive.

Mr. Gage wanted to know if Planning Area 3 is being marketed for three parking structures.

Mr. Russell responded this was a plan created by the previous owner and they will look at the allowed uses and what is compatible with what is existing.

Mr. Lampkin wanted to know what damage has been done from winds and what are they doing to protect them.

Mr. Russell stated the only damage is to the plastic sheeting that protects the bungalows and they are looking to repair and replace that sheeting.

Mr. Mercier stated no other persons wanted to speak on this item.

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

Mr. Lampkin spoke in favor of moving this project forward.

Mr. Gage spoke regarding the history of the project area and about adding a condition regarding the roofs and preserving the historic structures.

PLANNING COMMISSION ACTION

It was moved by Lampkin, seconded by DeDiemar, to adopt a resolution to approve the Tentative Parcel Map, File No., PMTT20-005, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Dean, Lampkin, Ricci, and Willoughby; NOES, Gage; RECUSE, none; ABSENT, Anderson. The motion was carried 5 to 1.

- C. **ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT, AND SPECIFIC PLAN REVIEW FOR FILE NOS. PGPA19-004 AND PSP19-001:** A public hearing to consider certification of the Final Environmental Impact Report (State Clearinghouse No. 2021010318), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, in conjunction with the following: [1] A General Plan Amendment (File No. PGPA19-004) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01), changing the land use designation on 219.39 acres of land from 157.06 acres of Low-Medium Density Residential (5.1-11 dwelling units per acre) and 62.36 acres of Business Park (0.6 FAR) to 184.22 acres of Industrial (0.55 FAR) and 35.17 acres of Business Park (0.6 FAR), and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the proposed land use designation changes; and [2] A Specific Plan (File No. PSP19-001, South Ontario Logistics Center Specific Plan) to establish the land use districts, development standards, guidelines, and infrastructure improvements for the potential development of up to 5,333,518 square feet of Industrial and Business Park land uses on the project site, generally bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, existing right-of-way for the future Campus Avenue extension to the west, and Grove Avenue to the east. 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 (ONT 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; (APNs: 1054-071-01, 1054-071-02, 1054-081-03, 1054-091-01, 1054-091-02, 1054-101-01, 1054-101-02, 1054-231-01, 1054-231-02, 1054-241-01, 1054-241-02, 1054-321-01, 1054-321-02, 1054-311-01, 1054-311-02, 1054-051-01, 1054-051-02, 1054-061-01, 1054-061-02, 1054-251-01, 1054-251-02, 1054-301-01, and 1054-301-02); **submitted by Grove Land Venture, LLC. City Council action is required.**

Assistant Planner Vaughn, presented the staff report. She stated that staff is recommending the Planning Commission recommend approval to City Council for File Nos. PGPA19-004 and PSP19-001, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Lampkin wanted to know what is in the surrounding area and how it effects what can be built.

Mr. Zeledon responded regarding the area and the surrounding industrial and Chino Airport restrictions.

Mr. Lampkin wanted clarification regarding the potential buildout of the buildings and the cohesiveness.

Mr. Zeledon responded projects will be evaluated for consistency and usually go with a theme.

Mr. Lampkin wanted to know if this was designed with the intent for residents to live and work local.

Mr. Zeledon stated job house balance is the goal.

Mr. Lampkin wanted clarification regarding the surrounding streets current use.

Mr. Zeledon stated currently traffic has increased with construction in the area, and Eucalyptus is being used as an east west connector to get to Euclid, Merrill is seeing more use as it is a truck route, and Grove Ave. is currently limited and not heavily used, but they will be used more as development continues in the area.

Mr. Lampkin wanted to know when the NOP was circulated for this project.

Ms. Vaughn stated it went together with the Community meeting in December 2020.

Mr. Lampkin wanted to know about community input at that time.

Mr. Zeledon stated there were a few comments.

Mr. Lampkin wanted to clarify there was virtual participation at the meeting.

Ms. Vaughn stated that is correct.

Mr. Willoughby wanted south side of Merrill city of Chino will those improvements done on the North and South side concurrently.

Mr. Zeledon stated that is the idea and they are working with City of Chino regarding the south side improvements.

Mr. Willoughby wanted to make sure Merrill would be able to handle the truck traffic.

Assistant City Engineer Lee stated they have been working with City of Chino regarding some of the area right of ways, and we currently have enough room for the circulation lanes for both directions and are working on the sidewalk and parkway areas.

Mr. Willoughby wanted to clarify the airport impact regarding residential.

Mr. Zeledon stated that is correct and yes impacts from the airport are not conducive to residential, but also with Industrial already to the east and west.

Mr. Willoughby wanted to know in PA 5 that has an airport zoning area overlay, is parking allowed there.

Mr. Zeledon stated there are limits to what is allowed and it would need to be analyzed.

Ms. DeDiemar wanted to know within the 600 foot noticing radius, how many residential addresses are in that area.

Mr. Zeledon stated that not a lot of residential are in more of the AG area.

Ms. Vaughn stated a lot of PO boxes to the south property owners at the airport, and 500 total mailers, which includes the interest list that includes about 60.

Mr. Zeledon stated the mailing didn't included any of the Ontario Ranch communities.

Mr. Lampkin wanted to clarify one of the CEQA guidelines issue to resolve land use compatibility.

Mr. Zeledon stated yes land use compatibility was looked at and residential is not compatible.

Mr. Lampkin wanted to know if we would be in violation of CEQA guidelines if we put in residential.

Mr. Zeledon stated not necessarily, that any land use would have an impact and you would need to evaluate it.

Mr. Lampkin wanted to clarify this is more of a holistic approach.

Mr. Zeledon stated that is correct.

PUBLIC TESTIMONY

Jeff Johnston with Grove Land Ventures and REDA, was present virtually and spoke in favor of the project.

Samuel Nateo spoke in opposition of the project.

Louie Lopez with Ironworks Local 433, spoke in opposition of the project.

Godfrey Washtiera with CARE, spoke in opposition of the project.

Lois Sicking Dieter with LOCCA, spoke in opposition of the project.

David Hansen with Local 398 Plumbers and Steam Cutters, spoke in opposition of the project.

Ayda Marshall with CARE, spoke in opposition of the project.

Eli Gonzalez with District Ironworks, spoke in opposition of the project.

Anthony Noriega with LULAC, spoke in opposition of the project.

Randy Wetmur with Ironworkers Local 416, spoke in opposition of the project.

Irene Chisholm spoke in opposition of the project.

Juan Amado with Southwest Regional Council of Carpenters, spoke in favor of the project.

Mario Vasquez with Teamster Local 1932, spoke in opposition of the project.

Ivan with Anchor Church, spoke in opposition of the project.

Andrea Galvan spoke in opposition to the project.

Desiree Vincenta spoke in opposition to the project.

Pastor Zack with CARE California, spoke in opposition to the project.

Shawn Silva with CARE California, spoke in opposition to the project.

Albert Duarte with Ironwork Local 416, spoke in opposition to the project.

Frankie Jimenez with Ironworks Local 416, spoke in opposition to the project.

Thomas Ruiz with Labors and National Union #783, spoke in support of the project.

Raymond Smith a resident in South Ontario, spoke in opposition of the project.

Mr. Johnston the applicant rebutted the opposition.

Steven Peekcorn with Golden State Environmental Justice Alliance, spoke in opposition of the project.

Mr. Lampkin wanted to know if the commission could include in the COA, a condition to have a certain percentage of local workers used in the project.

Attorney Albert Maldonado spoke to clarify that this would be inappropriate to require such a condition at this time.

Kevin Thomas with Kimley Horn, the EIR consultant, spoke in rebuttal of the comments received regarding the EIR.

Mr. Willoughby wanted to clarify that they would look at all the comments and they would be addressed in the Final EIR.

Mr. Thomas stated that is correct.

Mr. Willoughby wanted to know when the Final EIR would be circulated.

Mr. Thomas stated the Final EIR would be available to the public 10 days before City Council.

Mr. Zeledon stated CEQA doesn't require any changes to the DEIR and the Final EIR must be 10 days before City Council for circulation.

Mr. Willoughby wanted to clarify that all comments are being addressed appropriately.

Mr. Zeledon stated yes.

Mr. Thomas responded to the EIR air quality with an overriding of consideration.

Ms. DeDiemar wanted to know why the commission is approving the DEIR.

Mr. Zeledon stated the only difference in the Final EIR would be the response to comments which will be part of the City Council packet.

Ms. DeDiemar wanted to know if the EIR should be recirculated after the response to comments.

Mr. Zeledon stated the response to comments is not required to recirculate and does not change the Draft EIR.

Mr. Gage wanted to clarify where the pollution comes from and what safeguards are put in place to help mitigate.

Mr. Thomas responded regarding regulations with emissions from warehouses.

Mr. Gage want to know if diesel emissions were the main contributor.

Mr. Thomas stated yes, the majority and energy consumption.

Mr. Mercier stated no other persons wished to speak on this item.

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

Ms. DeDiemar broke down the public comments into three main issues: The EIR is a draft and not the Final EIR which includes the response to comments, the use of union labor, and the project being a warehouse and all the issues that come with that. She stated that the EIR consultant and applicant adequately answered all those areas and spoke in favor of the project.

Mr. Willoughby wanted to know the number of warehouses in the City.

Mr. Zeledon stated he doesn't have an exact number.

Mr. Willoughby wanted to know how many warehouses in the city exceed 1 million square feet.

Mr. Zeledon stated about 10.

Mr. Willoughby spoke regarding emission regulations coming down, the compatibility with the surrounding warehouses and airport, the much needed infrastructure, and spoke in favor of the project.

Mr. Lampkin reiterated DeDiemar and Willoughby's comments and spoke in favor of the public participation and the project.

Mr. Gage reiterated the other Commissioners comments and spoke in favor of the project.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by DeDiemar, to recommend adoption of the EIR with a Mitigation Monitoring and Reporting Program and a Statement

of Overriding Considerations Roll call vote: AYES, DeDiemar, Dean, Gage, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Anderson. The motion was carried 6 to 0.

It was moved by Willoughby, seconded by DeDiemar, to recommend adoption of a resolution to approve the General Plan Amendment, File No., PGPA19-004, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Dean, Gage, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Anderson. The motion was carried 6 to 0.

It was moved by Willoughby, seconded by DeDiemar, to recommend adoption of a resolution to approve the Specific Plan, File No., PSP19-001, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Dean, Gage, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Anderson. The motion was carried 6 to 0.

- D. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA22-001:** A public hearing to consider a Development Code Amendment proposing the repeal of Division 6.07 (Public Art) of Chapter 6.0 (Development and Subdivision Regulations) and Reference I (Public Art Program) of the Development Code (Title 9 of the Ontario Municipal Code). This Amendment will facilitate the future establishment of a substantially revised Public Art Ordinance within Title 5 (Public Welfare, Morals, and Conduct) of the Ontario Municipal Code. The project 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 (general rule) that CEQA applies only to projects that have the potential for causing a significant effect on the environment; **City Initiated. City Council action is required.**

Mr. Zeledon stated this Item is being requested to be continued to a future date.

No one responded.

PUBLIC TESTIMONY

Mr. Mercier stated no persons wished to speak on this item.

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

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Gage, seconded by Dean, to continue this item to a future meeting. Roll call vote: AYES, DeDiemar, Dean, Gage, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Anderson. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on January 13, 2022.

Mr. Willoughby stated they removed some tier determinations for the airport, as HPSC was not the lead authority for the properties.

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

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

New Business

Mr. Willoughby requested an update on industrial buildings within the city, at a future briefing.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Zeledon stated the Monthly Activity Reports for November and December are in their packets.

ADJOURNMENT

Lampkin motioned to adjourn, seconded by Willoughby. The meeting was adjourned at 10:00 PM.

Secretary Pro Tempore

Chairman, Planning Commission

FILE NOS: PUD22-001, PMTT21-009(TPM 20394), PDEV21-017, and PHP21-021

SUBJECT: A request for the following entitlements: [1] a Planned Unit Development (File No. PUD22-001) to establish development standards, design guidelines, and infrastructure requirements for the Project site; [2] a Tentative Parcel Map (File No. PMTT21-009 (TPM 20394)) to subdivide a 0.86-acre property into a single lot to establish 22 commercial airspace condominium units; [3] a Development Plan (File No. PDEV21-017) to construct two commercial buildings totaling 33,787 square feet; and [4] a Certificate of Appropriateness (File No. PHP21-021) to allow for the construction of the proposed Project within the Euclid Avenue Overlay Zoning District. The Project Site is located at 125 West Emporia Street, within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning districts. (APN: 1049-059-14) **submitted by RWSS Development LLC. City Council action is required.**

PROPERTY OWNER: City of Ontario


RECOMMENDED ACTION: That the Planning/Historic Preservation Commission consider and adopt the following:

- (1) A resolution recommending the City Council approve File No. PUD22-001; and
- (2) Resolutions approving File Nos. PMTT21-009 (TPM 20394), PDEV21-017, and PHP21-021, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the departmental reports included as "Attachment A" to each respective resolution.

PROJECT SETTING: The Project site is comprised of 0.86-acre of land located at the easterly terminus of Emporia Street, north of the Union Pacific Railroad right-of-



Figure 1: Project Location

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	
Submittal Date:	04/21/2021

Hearing Body	Date	Decision	Action
DAB	02/07/2022	Approval	Recommend
PC	02/22/2022		Final
CC	03/15/2022		PUD-Final

way, at 125 West Emporia Street, as depicted in Figure 1: Project Location Map. Emporia Street terminates at the Project site where Euclid Avenue is approximately 20 feet below grade. Located within the proposed Downtown Historic District, the site is currently developed with a paved public parking lot. The Emporia Street frontage is improved with a 5-foot-wide scored sidewalk, rock curb in poor condition, and a 7-foot-wide parkway with mature *Washingtonia filifera* (California palm) and heritage *Grevillea robusta* (silk oak) street trees. Surrounding the Project site are several historic buildings, including the Pacific Electric Bus Depot (Local Landmark No. 37) located at the northeast corner of Laurel Avenue and Emporia Street, the Old Post Office (Local Landmark No. 38) located at the southeast corner of Laurel Avenue and Transit Street, the Charles Frankish Building (Local Landmark No. 12 and listed on the National Register) located at the southwest corner of Transit Street and Euclid Avenue, the Salvation Army building (Eligible Historic Resource) located at the northwest corner of Emporia Street and Euclid Avenue, the Ontario Museum of History and Art located at the southeast corner of Euclid Avenue and Transit Street, and the Euclid Avenue median and parkway (Local Landmark No. 67 and listed on the National Register). Other development in the area includes a mix of light industrial, office, commercial, residential, and civic buildings constructed in varying architectural styles and construction dates. The existing surrounding land uses, zoning, and general plan are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — During Ontario's early settlement period, several grand Victorian style homes were constructed for prominent city pioneers along Emporia Street, facing the railroad tracks, in a marketing strategy to attract town settlers, which was referred to as "Developer's Row." The Project site was part of Developer's Row but was developed as a parking lot in the 1950s, which is presently underutilized. In the 1980s, the Euclid Avenue Grade Separation project was constructed, providing an underpass for trucks and passenger vehicles, and a bridge for railway lines (Southern and Union Pacific Railroads) that altered street intersections/connections on Euclid Avenue, within the surrounding area. Due to the grade separation, Emporia Street's direct access to Euclid Avenue was eliminated and cul-de-sacs were constructed on the east and west side of Euclid Avenue, limiting access to the parking lot. The Euclid Avenue public right-of-way, from Philadelphia Street to Interstate 10, was designated as Local Landmark No. 67 on January 16, 2001. On August 10, 2005, the Euclid Avenue right-of-way, from Philadelphia Street in Ontario to 24th Street in Upland, was listed on the National Register of Historic Places as a significant cultural landscape.

The Ontario Plan describes the Downtown Mixed-Use Area as an intensive vertical and horizontal mixture of retail, office, and residential uses in a pedestrian friendly atmosphere, where the historic character is prominent. The most intensive uses are envisioned along Euclid Avenue and Holt Boulevard. The Downtown Mixed-Use Area is the historic core of Ontario, which has a unique blend of historic, social and cultural

uses set in a compact street grid. The Downtown Mixed-Use Area includes the Civic Center, City library and surrounding diverse residential neighborhoods that provide increased demand for retail opportunities along Euclid Avenue, Holt Boulevard and B Street.

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 Art District West Planned Unit Development (included as Attachment A to the attached PUD 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. In addition, the Art District West Planned Unit Development ("ADWPUD") is intended to function as a set of planning and design principles, development regulations, and performance standards to guide and govern the development of the 0.86-acre site. The ADWPUD will facilitate the development of retail and commercial services that will help achieve the City's goals to economically revitalize and aesthetically enhance the historic downtown area.

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.

On April 21, 2021, the Applicant submitted four applications to facilitate the development of the Project site, as follows:

- A Planned Unit Development (File No. PUD22-001: Art District West Planned Unit Development) to establish development standards, design guidelines, and infrastructure requirements for the Project site;
- A Certificate of Appropriateness (File No. PHP21-021) to allow for the construction of the proposed Project within the Euclid Avenue Overlay Zoning District and ensure that the development does not cause an adverse effect on the character-defining features of Euclid Avenue;
- A Tentative Parcel Map (File No. PMTT21-009 (TPM 20394)) to subdivide 0.86-acre of land into single lot for condominium purposes; and

- A Development Plan (File No. PDEV21-017) to construct two commercial buildings totaling 33,787 square feet.

On February 7, 2022, the Development Advisory Board ("DAB") conducted a hearing to consider the Tentative Parcel Map (File No. PMTT21-009 (TPM 20394)) and Development Plan (File No. PDEV21-017), and concluded the hearing, voting to recommend that the Planning Commission approve the Applications subject to conditions of approval, which are included as attachments to the Planning Commission resolutions.

On February 10, 2022, the Historic Preservation Subcommittee considered the Certificate of Appropriateness (File No. PHP21-021) application and recommended Historic Preservation Planning Commission approval.

(2) Planned Unit Development (File No. PUD22-001: Art District West PUD)

- a. Land Use and Development Regulation — Consistent with the requirements of the MU-1 (Downtown Mixed-Use) zoning district, the proposed PUD allows for uses intended as a dynamic destination for locals and tourists, while creating a fulfilling urban experience energized by artistic, educational, and commercial participants. The focus of the Area is to increase the number of collaborated events and programs within the Area, with the intent to attract visitors, promote economic vitality, and boost revenue. Street fairs, artist festivals, restaurants, galleries, work/live lofts, breweries, and artisan co-ops will contribute to the physical and cultural diversity of the Arts District. The development regulations set forth in the ADWPUD will govern the placement, height, and bulk of permitted buildings and structures; to establish locational criteria for vehicular access to site, parking and loading requirements, landscape, sign standards; and identify historic preservation features to be incorporated and/or considered for development plans. Buildings may be developed to a maximum height of 35 feet. Building setbacks are limited to 0 to 5 feet from the Euclid Avenue right-of-way and 0 to 3.5 feet from the Emporia Street right-of-way, 0 feet from the interior and rear (adjacent to the rail) property lines.
- b. Landscaping and Drainage — Landscaping elements provide significant contributions to the aesthetic quality and character of the ADWPUD, with respect to public and private spaces. Water conservation shall be provided through low water using plant materials, hydro zones, water efficient irrigation and weather-based controllers consistent with Assembly Bill 1881 and other applicable State laws.
- c. Off-Street Parking — Parking requirements within the ADWPUD will be governed by the established parking requirements of the City of Ontario Development Code. The ADWPUD allows one parking space within each

Car Condo Unit to be counted towards the required parking for the vehicle storage (Car Condo) use. In addition, the Ontario Development Code allows parking to be analyzed using the Downtown Ontario Parking Model.

- d. Design Guidelines — Section 6.8 (*Architectural Character\Details*) of the ADWPUD complies with the Ontario Downtown Design Guidelines of the historic downtown area. The Downtown Ontario Design Guidelines were adopted in 1998 to guide the physical revitalization of Ontario's historic downtown. The Guidelines provide architectural and design principals, as well as design concepts for downtown districts. The project area is located within the Education Center, a mixed-use area with a focus on commercial, retail, public, and educational uses. The design principles and desired architectural features for the mixed-use blocks are derived from the architectural style and elements set forth in Section 3.5.3 of the Downtown Design Guidelines, with respect to storefront modulation, entrances, roof design, mechanical equipment, building elements (cornices, storefront frame, mid-floor panel, transom windows, bulkheads), awnings, materials, and colors.
- (3) Tentative Parcel Map (File No. PMTT21-009 / TPM 20394) — The proposed Tentative Parcel Map (TPM 20394) will subdivide the 0.86-acre Project site into a single numbered lot for condominium purposes (see Exhibit B—Tentative Parcel Map) and one lettered lot consisting of private drive aisles, parking areas, and common open space. The condominium plan will establish 22 commercial condominium units that will be recorded with the Department of Real Estate, delineating the airspace for each unit, off-street parking, and common areas. The Development Code does not include provisions for a minimum lot size or project size within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) zoning district; however, it does require the approval of a PUD, which was filed concurrently with the Tentative Parcel Map and Development Plan. Final approval of the Tentative Parcel Map and Development Plan is contingent upon the City Council adopting the PUD for the Project site. Additionally, the proposed map will be required to provide Covenants, Conditions, and Restrictions (“CC&R’s”), which will establish the rules, regulations, rights, and responsibilities of the property owner’s association and condominium owners.
 - (4) Development Plan (File No. PDEV21-017)
 - a. Site Design/Building Layout — Proposed, is the construction of two commercial buildings totaling 33,787 square feet (see Exhibit C—Site Plan, attached). Building A (front building) is 9,669 square feet in size and is centrally located along the northern portion of the site, oriented in an east-west configuration, with the primary entrance facing north, towards Emporia Street. The building contains a 3,455-square-foot flex-space (for

retail uses and public/private art activities) six “Car Condo” suites and mezzanine areas totaling 6,214 square feet designed for the storage of personal vehicles (such as cars and recreational vehicles), and a trash enclosure and restrooms totaling 576 square feet. Two off-street parking lots are located to the east and west of Building A.

Building B (rear building), located along the east, south and west property lines, is 24,012 square feet in size and is configured in a U-shape. The building contains a 2,470-square-foot retail space with mezzanine designed to accommodate a tap room with both ground and second floor outdoor patio areas located at the northeast corner of the site. The remainder of the building is 21,542 square feet in size and is divided into fourteen Car Condo suites.

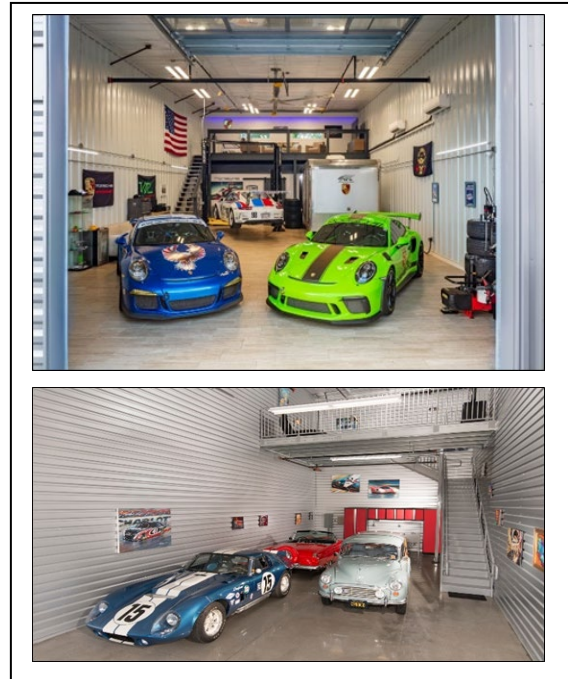


Figure 2: Car Condo Examples

There is a total of 20 car condo suites proposed within portions of Buildings A and B. The ADWPUD defines car condos as space you own and customize to house your vehicles. The car condos offer car aficionados a safe, secure, and private space to store and display their vehicles (sports, classic, racing, exotics, hot rods, and/or other collectible cars), motorized toys, and/or personal treasures. Each unit includes a mezzanine area that can be customized to include a loft area, office, TV viewing area and/or refreshment kitchenette area (See Figure 2: Car Condo Examples, below). The unit's footprint range in size from 420 to 1,836 square feet, which range from 30 to 68 feet in depth and 14 to 68 feet in width. Residential occupancy of the Car Condo units will be prohibited by the CC&Rs.

- b. Site Access/Circulation — The Project site will be accessed from two points along Emporia Street (see Exhibit C—Site Plan, attached). The driveways are located at the northwest and northeast corners of the Project site, immediately to the east and west of Building A. A 20-foot to 35-foot-wide U-shaped drive-aisle is proposed between Buildings A and B, connecting the two points of access and providing on-site circulation and access to each Car Condo unit.
- c. Parking — The ADWPUD requires the Project to provide off-street parking at the rates required by the Development Code and allows one parking

space within each Car Condo Unit to be counted towards the required parking for the vehicle storage (Car Condo) use. The Project has provided off-street parking pursuant to the “Drinking Places” and “General Business Offices” parking standards specified in the Development Code. The Project requires a total of 59 passenger vehicle parking spaces and 29 parking spaces have been provided, resulting in a deficit of 30 parking spaces. Table 1, below, provides the off-street parking calculations for the proposed Project.

Table 1: On-Site Parking Summary Table				
Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
Motor Vehicle Storage (Car Condos):	27,756 SF	1 space per Car Condo Unit	20	20
Restaurant/ Drinking Place (Tap Room):	2,470 SF	10 spaces per 1,000 SF (0.01/SF) of GFA	25	9
Office (Flex Space):	3,455 SF	General Business Office – 4 spaces per 1,000 SF (0.004/SF) of GFA	14	
TOTAL			59	29
Parking Deficit				(-30)

Although, the Project does not provide sufficient off-street parking, the Project site is located within the Downtown Mixed Use District, which pursuant to the Ontario Development Code, allows parking to be analyzed using the City's Downtown Ontario Parking Model (see Exhibit G—Downtown Parking Model Blocks Map, attached). The Downtown Parking Model specifically evaluates each block within the Downtown Area and calculates the parking demand on an hourly basis, from 6:00 A.M. to 12:00 A.M. Additionally, it allows a project's parking demands to be met by utilizing the available parking on the project site block, in combination with the surrounding blocks. The Project site is located on Block 72 (see Exhibit H—Parking Model Blocks Map: Blocks 67, 68, 71, and 72, attached) and can accommodate a total of 14 parking spaces (5 on-street and 9 on-site). The surrounding blocks utilized to analyze the parking demand for the proposed Project include:

- Block 67 (City of Ontario Community Improvement Office), located north of the Project site, which provides 92 parking spaces (32 on-street and 60 off-street);
- Block 68 (multiple-family units, retail, office and service uses), located northwest of the Project site, which provides 65 parking spaces (20 on-street and 45 off-street); and
- Block 71 (live/work units), located directly west of the Project site, which provides 38 parking spaces (11 on-street and 27 off-street).

The Tables 2 and 3, below, illustrate the available parking for Blocks 67, 68, 71 and 72, with the proposed uses. Within Table 4 (see Technical Appendix), the Parking Model found a deficit of 1 to 14 parking spaces on Blocks 71 and 72, between the hours of 10:00 A.M. to 8:00 P.M.; however, there is a surplus of 56 to 100 parking spaces within the combined four Blocks, addressing any single block deficiencies. Therefore, staff has determined that based upon the Downtown Ontario Parking Model, sufficient parking exists on the Project site and its' surrounding blocks, to support the proposed Project.

Table 2: Available Public Parking with Proposed Use: Daytime Hours (8:00 A.M.–3:00 P.M.)									
Blocks	8 A.M.	9 A.M.	10 A.M.	11 A.M.	12 P.M.	1 P.M.	2 P.M.	3 P.M.	
67, 68, 71 & 72	103	98	92	81	67	61	56	72	

Table 3: Available Public Parking with Proposed Use: Evening Hours (4:00 P.M.–12:00 A.M.)									
Blocks	4 P.M.	5 P.M.	6 P.M.	7 P.M.	8 P.M.	9 P.M.	10 P.M.	11 P.M.	12 A.M.
67, 68, 71 & 72	67	78	80	99	100	128	132	133	131

- d. Architecture — A contemporary industrial inspired architectural design is proposed to complement the surrounding historic buildings and context of the historic downtown area (see Exhibit D—Conceptual Elevations and Exhibit E—Project Rendering, attached). Building’s A and B are single-story buildings with a two-story massing (27 feet to 30 feet) consistent with the existing surrounding buildings located to the north and west of the Project site. Both buildings will incorporate a combination of vertical corrugated metal panels, horizontal flat metal siding, brick veneer, metal canopies, storefront glazing, and a contrasting color palette that includes black, grey, brown, and red tones.

The eastern elevation of Building B will be prominently seen from Euclid Avenue. The tap room was strategically located on the northeast corner of the site as part of Building B, to provide a prominent architectural element facing Euclid Avenue. The tap room portion of the building incorporates a brick veneer, a 20-foot-long blade sign and a round tower element designed to have the appearance of a beer vat. The upper portion of the tower is treated with horizontal corrugated metal siding and a metal roof, and the ground floor incorporates deep recessed clear storefront glazing that allow views of the beer vat design from Euclid Avenue. To the west of the tower, the Project is also incorporating a ground floor and second story outdoor patio that will face Emporia Street and be visible from Euclid Avenue, which has been integrated into the overall design of the building and features similar building materials.

The Project illustrates similar architectural features, building placement, scale and massing to the surrounding historic buildings and within the context of the historic

downtown area. The Project is appropriate in scale and massing and through use of materials and design and will not detract or adversely affect the historic character of neither Euclid Avenue nor the proposed Downtown Historic District. This is exemplified through the use of:

- Articulation in storefront modulation through color and material changes, bulkhead/base, glass roll up doors, storefront glazing, and enhanced accent banding; and
- Articulation in the building parapet, roof lines, and a corner tower element which serves to accentuate the building's entries and openings, and breaks up large expanses of building wall; and
- A mix of exterior colors, 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 its massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree) appearance; and
- Utilizing strong and identifiable building forms using the corner tower element to demarcate street intersections.

Furthermore, the Project demonstrates the type of development and architecture promoted by the proposed ADWPUD. The Project incorporates the design principles and the desired architectural features of the proposed ADWPUD using:

- Simple, yet varied massing, with wall openings that create shadow line and provide visual relief; and
 - Incorporation of human-scaled details such as canopies, transparent windows, and windows displays. These are required at public entrances and along heavily trafficked outdoor areas; and
 - Providing highly visible public entrances, oriented to streets and outdoor spaces; with shop entrances clearly expressed with recesses, overhangs, special materials, and detailing; and
 - Creating visual interest by using at least three different building materials on building facades including brick, flat metal siding, and corrugated metal panels.
- e. Landscaping — Landscaping elements provide significant contributions to the aesthetic quality and character of Euclid Avenue and the historic downtown area, with respect to public and private spaces. The proposed landscape design highlights building and driveway entries and softens the appearance of the building along Emporia Street. Due to the

configuration of the proposed buildings, landscaping is primarily featured along the Emporia Street frontage and the northwestern parking lot. The proposed landscape plant pallet includes Ginko Biloba, Tabebuia Impetiginosa, Prunus Cerasifera 24-inch and 36-inch box size trees, 8 shrub varieties (Hemerocallis hybrid, Ruellia brittoniana, Rosea Floribunda, Rosmarinus Officinalis, Loropetalum chinensis, atropurpurea, Lanvendula agustina, Tulbaghia violacea and Pittosporum) and one groundcover variety (Phyla nodifolia). The existing parkway and sidewalk will be altered to accommodate the two proposed driveways which will require the removal of two heritage Grevillea robusta (Silk Oak) trees and the onsite relocation one Washingtonia filifera (California Palm) within the parkway. The Project has been conditioned to replace the two Grevillea robusta trees with trees that are equal in trunk diameter onsite and/or pay appropriate mitigation fees to City of Ontario Historic Preservation Fund. Moreover, the proposed landscaping, hardscape and lighting has been designed to complement the architecture of the proposed building and enhance vehicular entries, pedestrian walkways, and other key locations throughout the Project site.

- f. Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the Project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The onsite drainage will be conveyed to an underground chamber located on the northwest portion of the Project site underneath the parking lot and any overflow drainage will be conveyed to the curb and gutter along Emporia Street.
- (5) Certificate of Appropriateness (File No. PHP21-021) — Section 6.01.035, Overlay Zoning Districts of the Ontario Development Code, requires Certificate of Appropriateness approval for any development project within the Euclid Avenue Overlay zoning district. The Euclid Avenue Overlay zoning district is intended to recognize, protect, and enhance the visual character and quality of Euclid Avenue as a major scenic and historic resource of the City, and to identify and safeguard Euclid Avenue’s position on the National Register of Historic Places. The intent of the Overlay zoning district is not to create a false sense of history with any new development along the Euclid Avenue Corridor, but rather to ensure that new development does not adversely impact the visual character-defining features of Euclid Avenue, such as the 60-foot-wide landscaped median, rock curbs, and King’s Standard lampposts. Additionally, all new construction should be compatible with the surrounding developments in site design, massing and scale.

The Secretary of the Interior Standards for the Treatment of Historic Properties, also referred to as "the Standards," provide a critical part of the framework of the national preservation program and are widely used at the federal, state and local levels to guide work on historic resources and have been incorporated into the ADWPUD. The Standards state that alterations will not destroy historic features and spatial relationships that characterize the historic resource, and that new work will be differentiated from the old and will be compatible with historic materials, features, size, scale, and proportion, and massing to protect the integrity of the resource.

The west side of Euclid Avenue, from Holt Boulevard to the project site, can be characterized as early twentieth century commercial development which includes the First National Bank constructed in the Art Deco style of architecture in 1928, the McCann Building constructed in the Commercial style of architecture in 1917, the Envoy Hotel also constructed in the Commercial style of architecture in 1920, the Frankish Building constructed in a simplified Italianate architectural style in 1916, and the Salvation Army Building constructed in Art Deco style of architecture in 1930. These buildings are constructed of brick and concrete, are 2 and 3 stories in height with first floor commercial and have a zero setback from the Euclid Avenue property line. Prominent character-defining features include classic storefronts with large display windows, bulkheads (base), transom windows, mid-panel banding, a mix of materials and colors, and vertical columns in the Art Deco style buildings.

Across Emporia Street from the project site is the historic Pacific Electric Bus Depot. The building was constructed in a brick Commercial style of architecture in 1928. The single-story brick building is square in floorplan, has a parapet roof, and a storefront. Adjacent to the project site is the Emporia Street Lofts (work/live units). The buildings were originally constructed for an industrial manufacturing purpose in 1968 but were adaptively reused in 2003 to allow commercial and residential mixed-uses within a flexible space. The buildings are designed with two-stories, brick and stucco finishes and have a parapet roof.

The Project is a two-story construction featuring elements from Emporia Street Lofts (work/live units) to the west and the Salvation Army Building to the north. The corner tower element faces Euclid Avenue and Emporia Street providing emphasis to the entrance which is similar to the corner entrances of the Frankish Building and Salvation Army Building. In addition, Euclid Avenue is situated approximately 20-feet below grade of the Project site ultimately minimizing the visual impacts to Euclid Avenue.

On February 10, 2022, the Historic Preservation Subcommittee ("HPSC") reviewed the project and recommended approval to the Planning/Historic Preservation Commission, subject to conditions of approval and are attached to this report.

The Planning Commission, serving as the Historic Preservation Commission, must consider and clearly establish certain findings of facts for all Certificate of Appropriateness applications. The proposed project is appropriate because:

(1) **The proposed project will not detrimentally change, destroy or adversely affect any significant architectural feature of the resource.** While there are no identified historic resources within the Project site, the site has frontage along historic Euclid Avenue and is within the Proposed Downtown Historic District. Through appropriate scale, massing and use of materials, the new construction is compatible with the surrounding buildings and therefore, will not detrimentally change, destroy or adversely affect any significant architectural feature of the resource.

(2) **The proposed project will not detrimentally change, destroy or adversely affect the historic character or value of the resource.** While there are no identified historic resources within the Project site, the Project has frontage along historic Euclid Avenue and is within the Proposed Downtown Historic District. The Project proposes appropriate building massing and scale, site design, building layout, and architecture that is in keeping with the area.

(3) **The proposed project will be compatible with the exterior character-defining features of the historic resource.** Although the Project site is not considered historic, the Project site has frontage along historic Euclid Avenue and is within the proposed Downtown Historic District. Through enhanced architectural elements, including the tower feature, the proposed project does not detract from the visual character of Euclid Avenue and is compatible with the Proposed Downtown Historic District.

(4) **The proposed project will not adversely affect or detract from the character of the historic district.** Through compatible architectural elements the proposed project does not detract from the visual character of Euclid Avenue and is compatible with the Proposed Downtown Historic District.

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
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- 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.

➤ G1-2 Long-term Benefit. 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.

➤ LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

➤ LU1-6 Complete Community: 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.

➤ LU2-6: Infrastructure Compatibility: 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.

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

➤ CE2-2 Development Review. 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.

➤ CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE2-5 Private Maintenance. 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:

▪ 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.

➤ CD1-1 City Identity. 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.

➤ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

➤ CD1-3 Neighborhood Improvement. 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.

➤ CD2-1 Quality Architecture. 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.

➤ CD2-7 Sustainability. 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.

➤ CD2-8 Safe Design. 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.

➤ CD2-9 Landscape Design. 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.

➤ CD2-10 Surface Parking Areas. 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.

➤ CD2-11 Entry Statements. 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.

➤ CD2-12 Site and Building Signage. 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.

➤ CD2-13 Entitlement Process. 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.
 - CD3-1 Design. 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.
 - CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.
 - CD3-5 Paving. 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.
 - CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.
- Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
 - CD5-1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.
 - CD5-2 Maintenance of Infrastructure. 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 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, 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. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

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) of the CEQA Guidelines and meets all of the following conditions: (a) 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; (b) the proposed development occurs within city limits and the area being developed is 0.86-acre, less than the maximum 5-acre threshold, and is substantially surrounded by urban land uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the site is adequately served by all required utilities and public services.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation
Site	Parking Lot	Downtown Mixed-Use District	MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay)
North	Office/Personal Services (Rojas Enterprises)	Downtown Mixed-Use District	MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay)
South	Rail (Southern Pacific Transportation Company)	Rail	RC (Rail Corridor)
East	Ontario Museum of History and Art	Downtown Mixed-Use District	CIV (Civic)
West	Work/Live Lofts (Emporia Street Lofts)	Downtown Mixed-Use District	MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North)

General Site & Building Statistics

Item	Proposed	Min./Max. Standard	Meets Y/N
Project Area:	0.86-acre	N/A	Y
Lot/Parcel Size:	0.86-acre	N/A	Y
Building Area:	33,787 SF	N/A	Y
Floor Area Ratio:	0.79	1.0 (Max.)	Y
Building Height:	30 FT	35 FT (Max.)	Y

Off-Street On-Site Parking:

Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
Motor Vehicle Storage (Car Condos):	27,756 SF	1 space per Car Condo Unit	20	20
Restaurant/ Drinking Place (Tap Room):	2,470 SF	10 spaces per 1,000 SF (0.01/SF) of GFA	25	9
Office (Flex Space):	3,455 SF	General Business Office – 4 spaces per 1,000 SF (0.004/SF) of GFA	14	
TOTAL			59	29
Parking Deficit				(-30)

Downtown Parking Model Block Demand Analysis:

Table 4: Available Public Parking with Proposed Use [Spaces – Demand = Surplus or (Deficit)]												
Block	Off-Street Parking	On-Street Parking	6AM	7AM	8AM	9AM	10AM	11AM	12NN	1PM	2PM	
67	60	32	90	87	82	74	75	74	74	74	74	
68	45	20	12	13	2	15	15	16	15	11	9	
71	27	11	12	13	12	4	(3)	(9)	(12)	(14)	(13)	
72	9	5	14	12	7	5	5	(1)	(11)	(10)	(14)	
Total Surplus/ (Deficit)	141	68	129	125	103	98	92	81	67	61	56	
Block	Off-Street Parking	On-Street Parking	3PM	4PM	5PM	6PM	7PM	8PM	9PM	10PM	11PM	12MN
67	60	32	76	82	86	89	90	90	90	90	92	92
68	45	20	12	2	2	5	13	12	18	22	21	19
71	27	11	(12)	(9)	(8)	(10)	6	6	6	6	6	6
72	9	5	(3)	(7)	(2)	(4)	(11)	(8)	14	14	14	14
Total Surplus/ (Deficit)	141	68	72	67	78	80	99	100	128	132	133	131

Exhibit A—Project Location Map

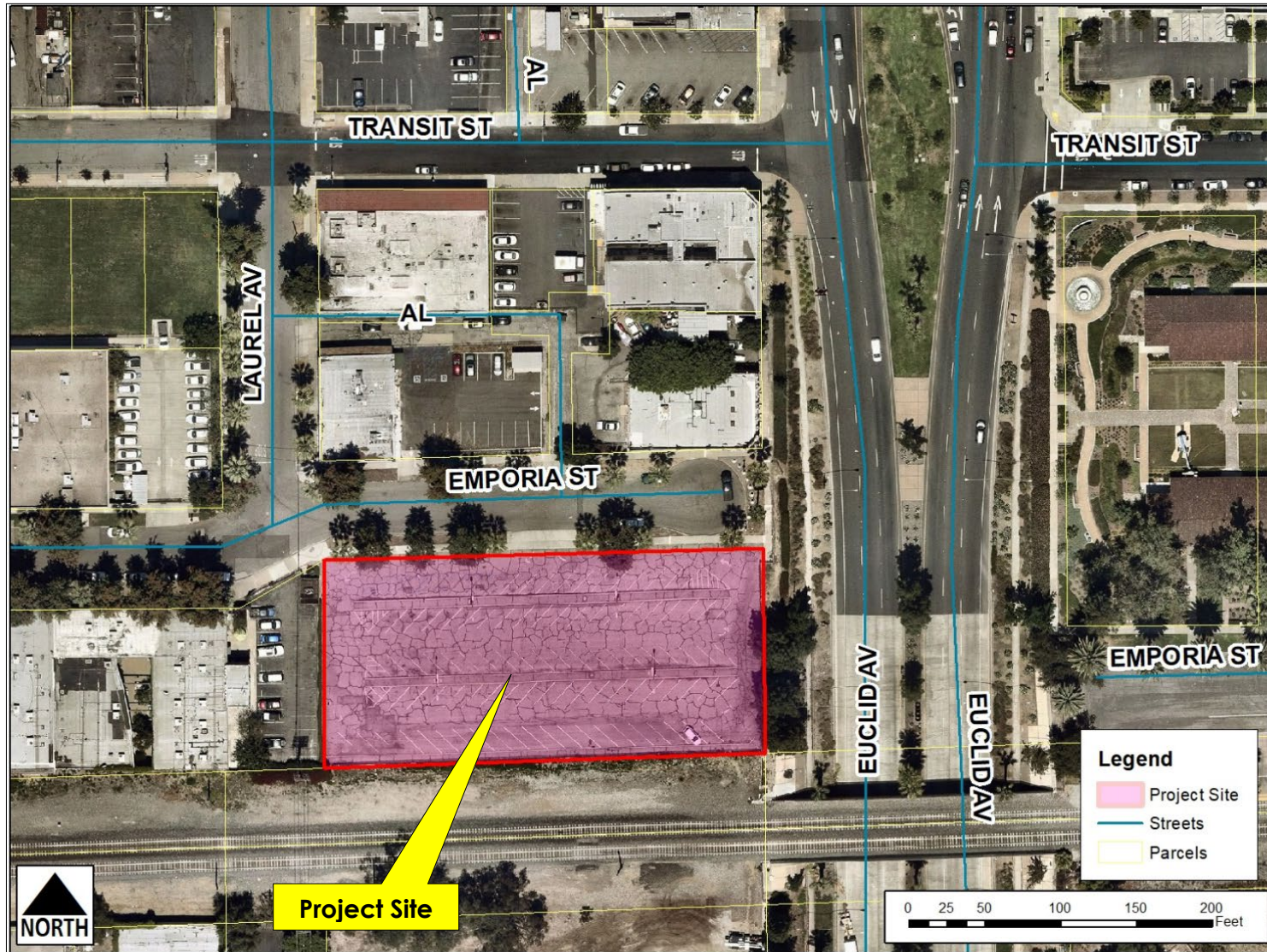


Exhibit B—Tentative Parcel Map

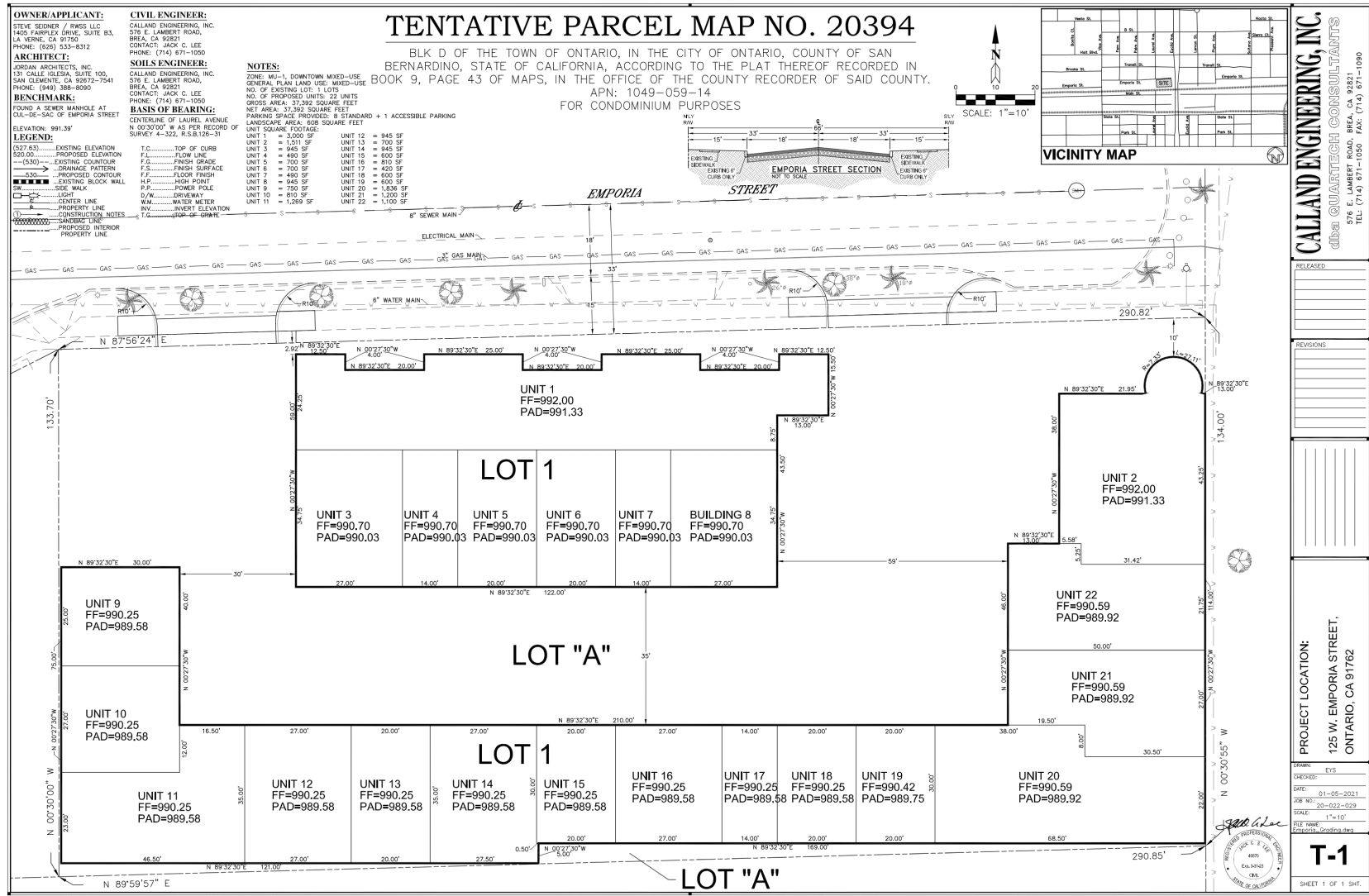


Exhibit C—Site Plan

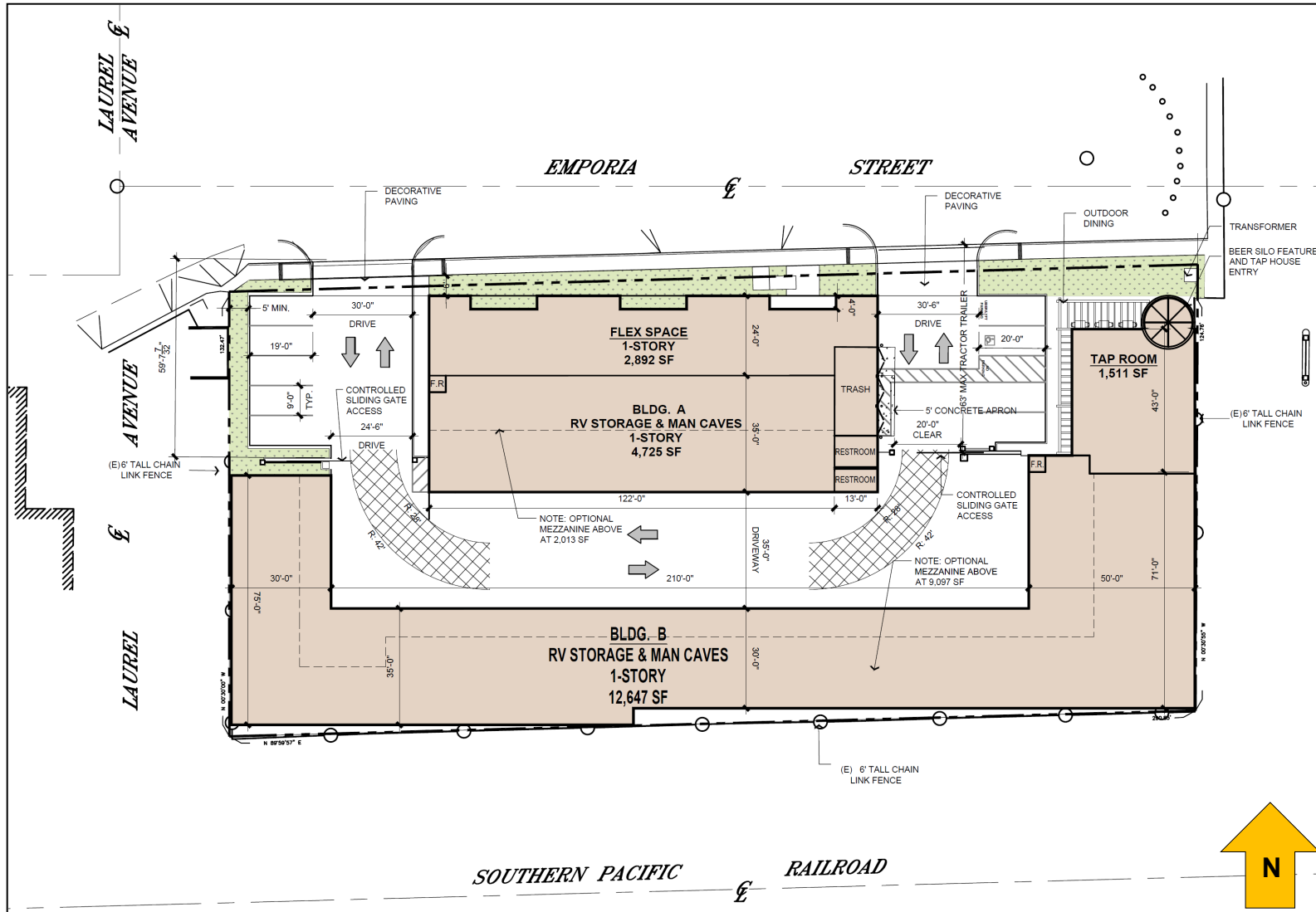


Exhibit D—Conceptual Elevations

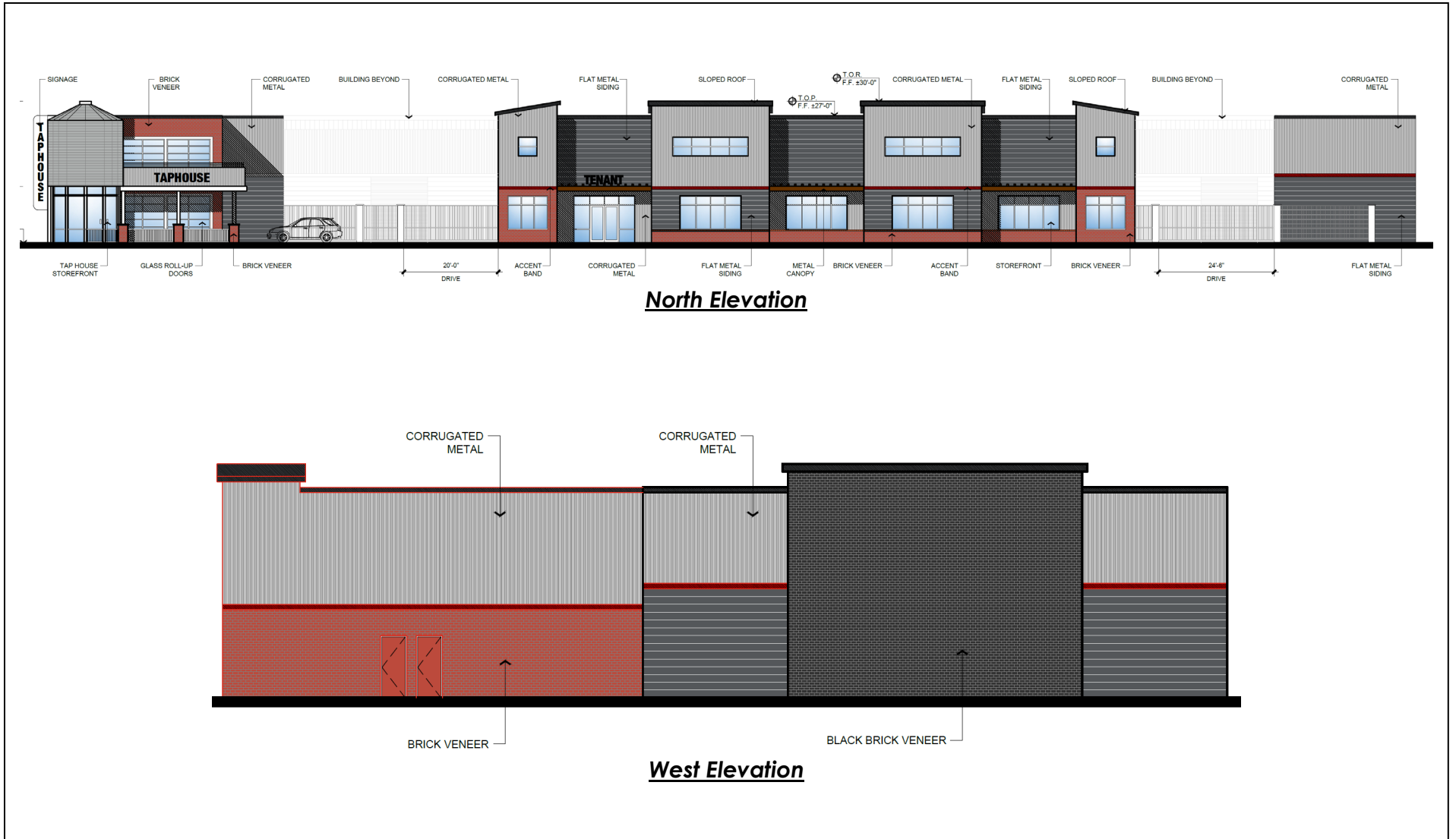


Exhibit D—Conceptual Elevations (continued)

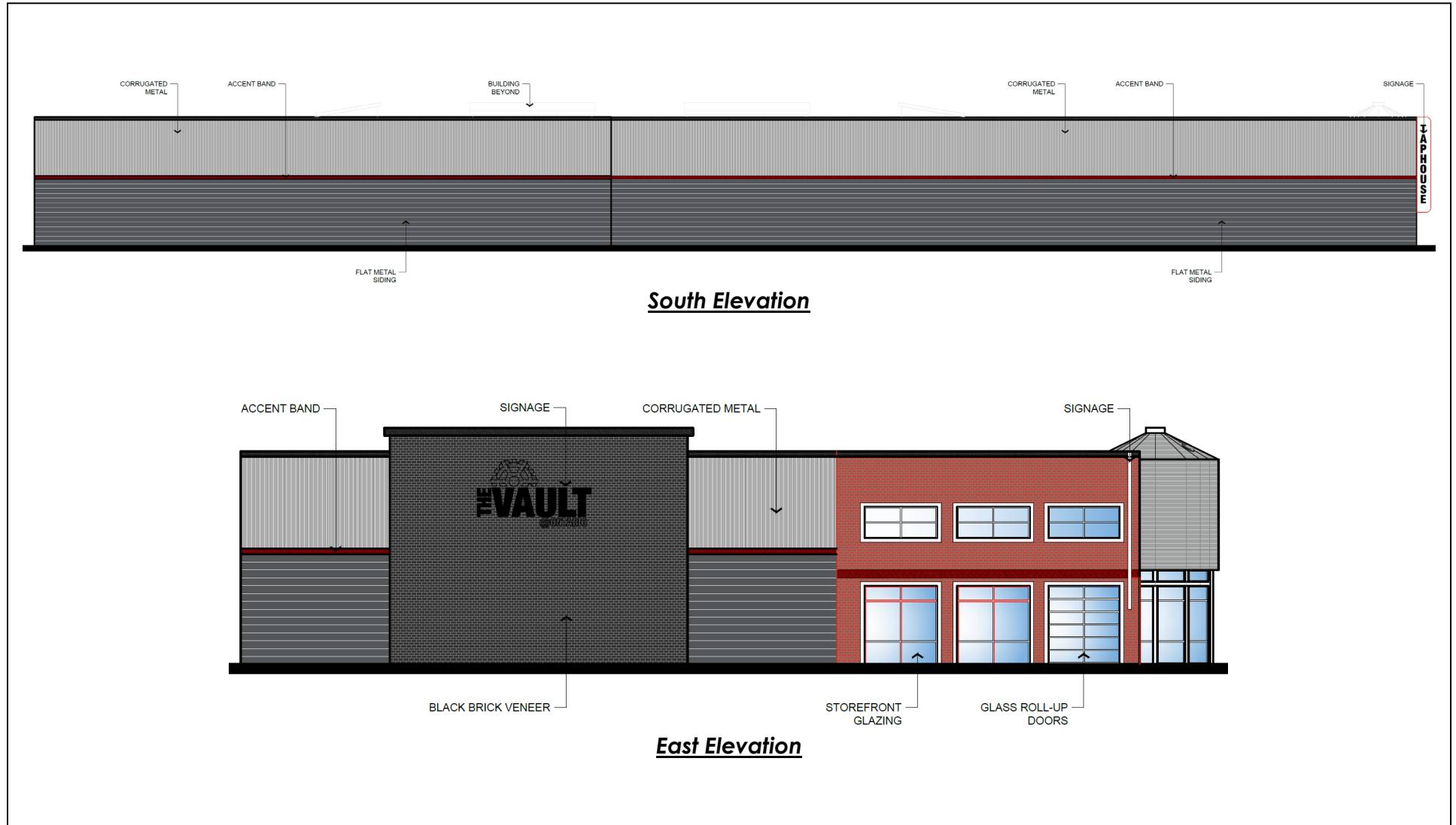


Exhibit E—Project Renderings



Northeast Corner of the Project Site on Emporia Street



Northeast Corner of the Project Site on Emporia Street



East Elevation on Euclid Avenue

Exhibit F—Landscape Plan

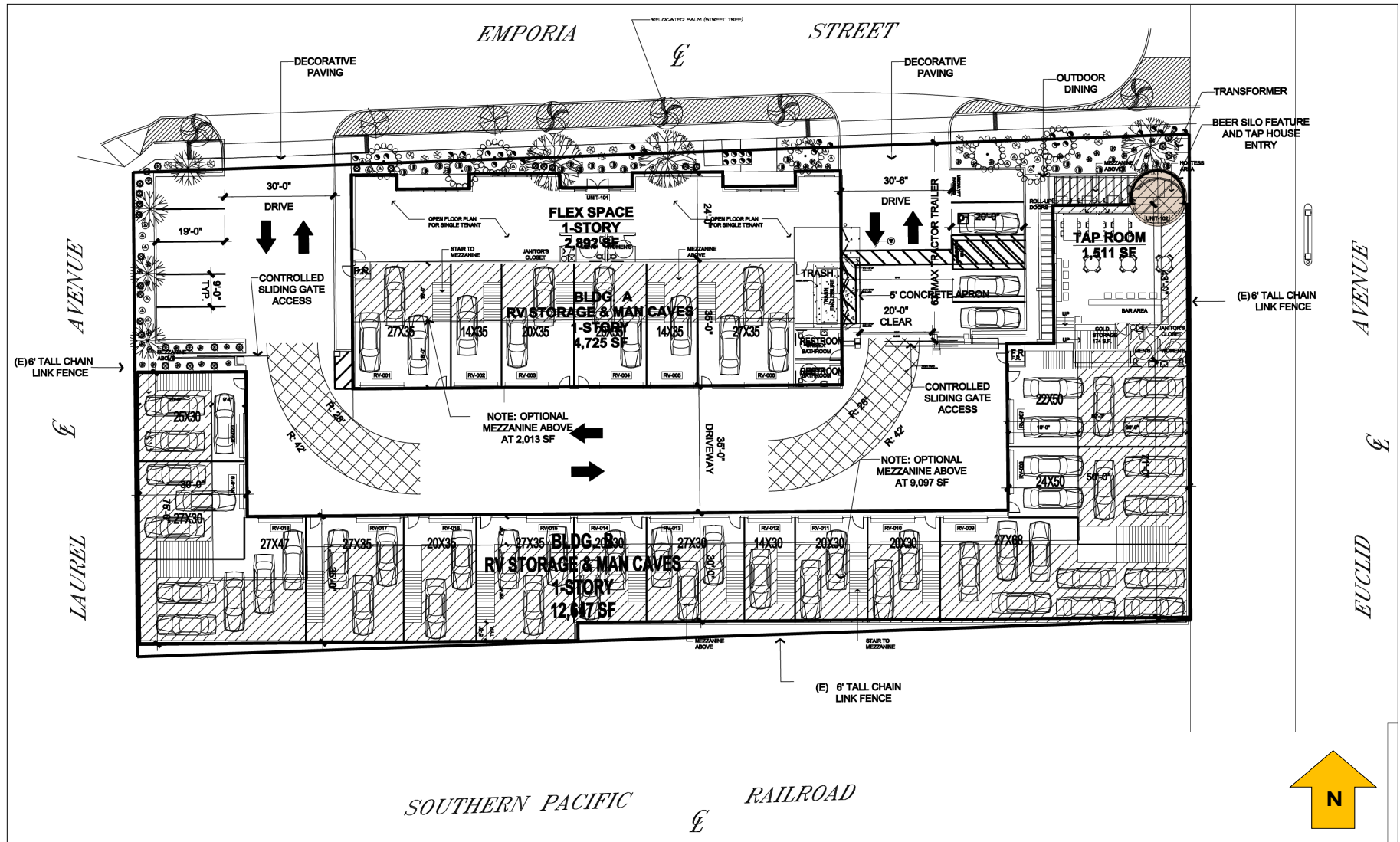


Exhibit G— Downtown Parking Model Blocks Map

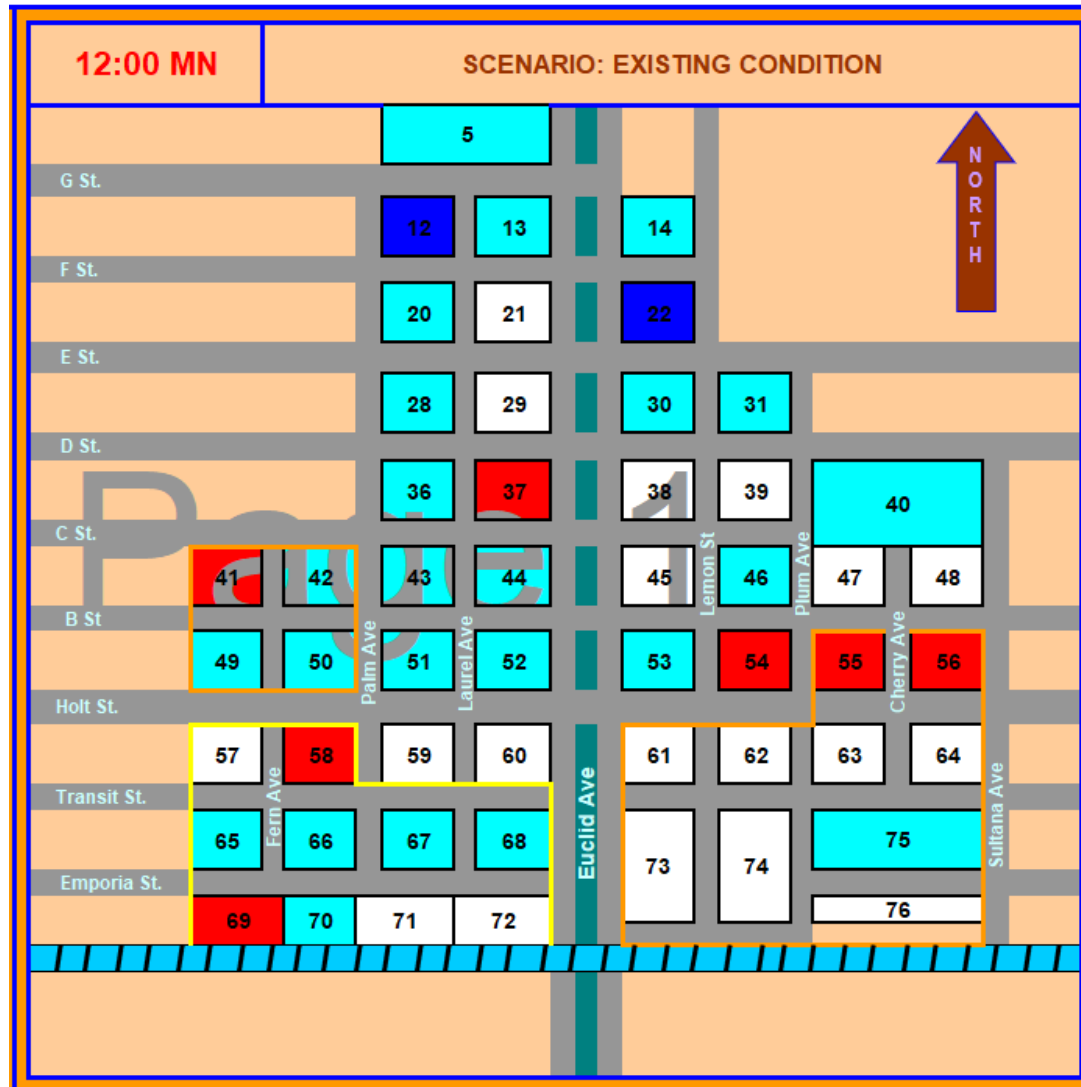
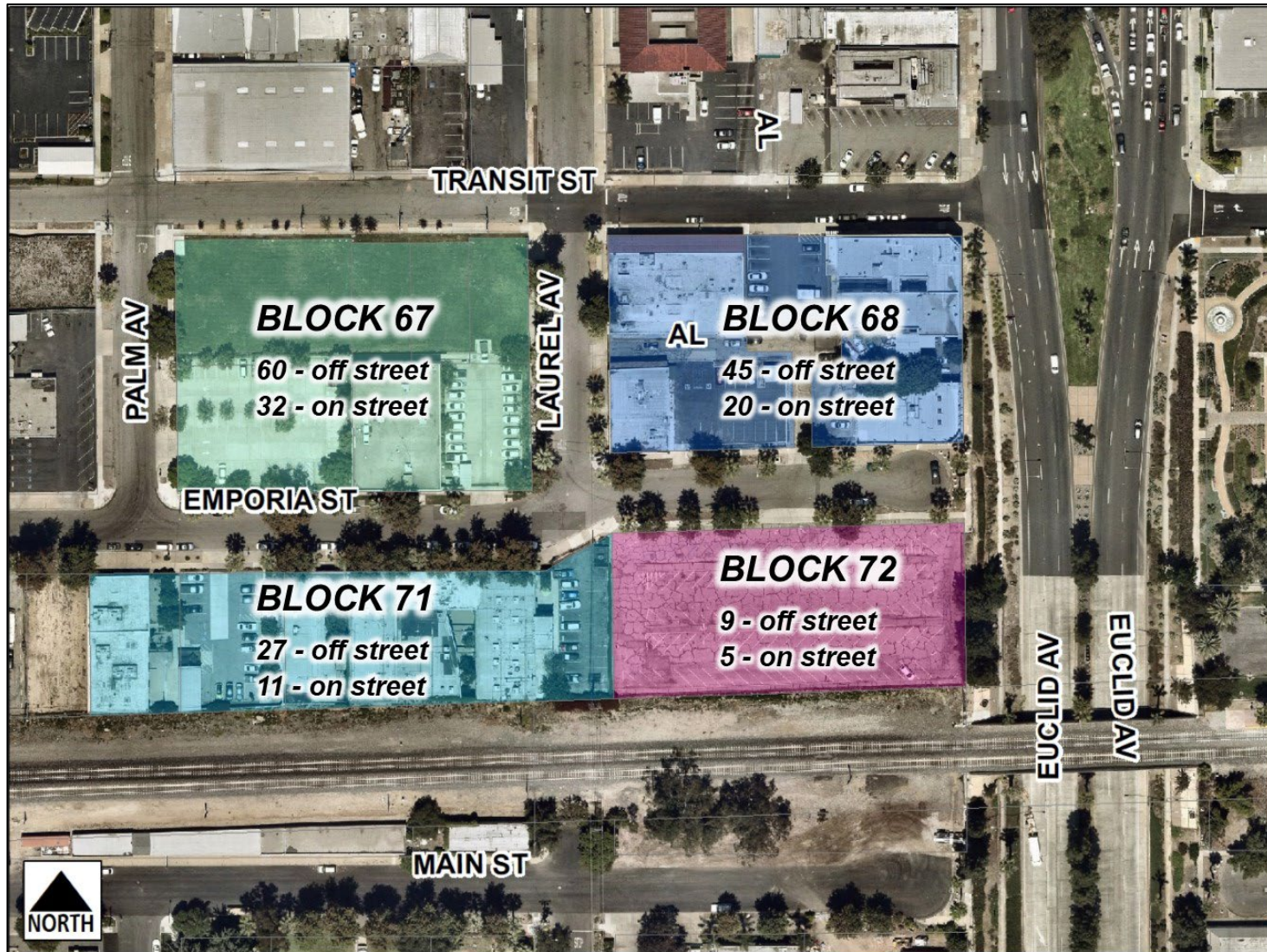


Exhibit H— Downtown Parking Model Blocks Map: Blocks 67, 68, 71, and 72



RESOLUTION NO.

A RESOLUTION OF THE PLANNING/HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PUD22-001, A PLANNED UNIT DEVELOPMENT (ART DISTRICT WEST PLANNED UNIT DEVELOPMENT) TO ESTABLISH DEVELOPMENT STANDARDS, DESIGN GUIDELINES AND INFRASTRUCTURE REQUIREMENTS ON 0.86-ACRE PROPERTY LOCATED AT 125 WEST EMPORIA STREET, WITHIN THE MU-1/LUA-2N (DOWNTOWN MIXED-USE/ARTS DISTRICT – NORTH) AND EA (EUCLID AVENUE OVERLAY) ZONING DISTRICTS, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-059-14.

WHEREAS, RWSS DEVELOPMENT LLC. ("Applicant") has filed an Application for the approval of a Planned Unit Development, File No. PUD22-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.86-acre of land located at the eastern terminus of Emporia Street, north of the Southern Pacific Railroad right-of-way, at 125 West Emporia Street within the within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning districts, and is currently developed with a paved public parking lot; and

WHEREAS, the property to the north of the Project site is within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning district and is developed with Office/Personal Services (Rojas Enterprises). The property to the east is within the CIV (Civic) zoning district and is developed with Ontario Museum of History and Art. The property to the south is within the RC (Rail Corridor) zoning district and is developed with a railroad for the Union Pacific Railroad. The property to the west is within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) zoning district and is developed with Work/Live Lofts (Emporia Street Lofts); and

WHEREAS, Ontario Plan describes the Downtown Mixed-Use Area as an intensive vertical and horizontal mixture of retail, office, and residential uses in a pedestrian friendly atmosphere, where the historic character is prominent. The most intensive uses are envisioned along Euclid Avenue and Holt Boulevard. The Downtown Mixed-Use Area is the historic core of Ontario, which has a unique blend of historic, social, and cultural uses set in a compact street grid. The Downtown Mixed-Use Area includes the Civic Center, City library and surrounding diverse residential neighborhoods that provide increased demand for retail opportunities along Euclid Avenue, Holt Boulevard and B Street; 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 Art District West Planned Unit Development (included as Attachment A), 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, the Art District West Planned Unit Development ("ADWPUD") is intended to function as a set of planning and design principles, development regulations, and performance standards to guide and govern the development of the 0.86-acre site. The ADWPUD will facilitate the development of retail and commercial services that will help achieve the City's goals to economically revitalize and aesthetically enhance the historic downtown area; 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, the Project was submitted in conjunction with a Tentative Parcel Map (File No. PMTT21-009 (TPM 20394)) to subdivide 0.86-acre of land into a single lot to establish 22 commercial airspace condominium units, a Development Plan (File No. PDEV21-017) to construct two commercial buildings totaling 33,787 square feet, and a Certificate of Appropriateness (File No. PHP21-021) to allow for the construction of the proposed Project within the Euclid Avenue Overlay Zoning District; 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/Historic Preservation Commission the responsibility and authority to review and make recommendation to 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 (“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 February 22, 2022, the Planning/Historic Preservation 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/Historic Preservation Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending authority for the Project, the Planning/Historic Preservation 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/Historic Preservation Commission, the Planning/Historic Preservation Commission finds as follows:

(1) The administrative record has 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 and meets all of the following conditions: (a) 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; (b) the proposed development occurs within city limits and the area being developed is 0.86-acre, less than the maximum 5-acre threshold, and is substantially surrounded by urban land uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) 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/Historic Preservation 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/Historic Preservation 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/Historic Preservation 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/Historic Preservation 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.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning/Historic Preservation Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning/Historic Preservation 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 LUA-2N (Arts District - North) of the MU-1 (Downtown Mixed-Use) and EA (Euclid Avenue Overlay) zoning districts. 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, 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, 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.

SECTION 5: Planning/Historic Preservation Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning/Historic Preservation Commission hereby RECOMMENDS THE CITY COUNCIL 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 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.

SECTION 8: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning/Historic Preservation 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/Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of February 2022, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning/Historic Preservation
Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning/Historic
Preservation Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning/Historic Preservation Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning/Historic Preservation Commission of the City of Ontario at their regular meeting held on February 22, 2022, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PUD22-001
Art District West Planned Unit Development
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



Art District West - The Vault Planned Unit Development

**Prepared By:
RWSS Development
1405 Fairplex Drive, Suite B3
La Verne, CA 91750
And
City of Ontario Planning Department**

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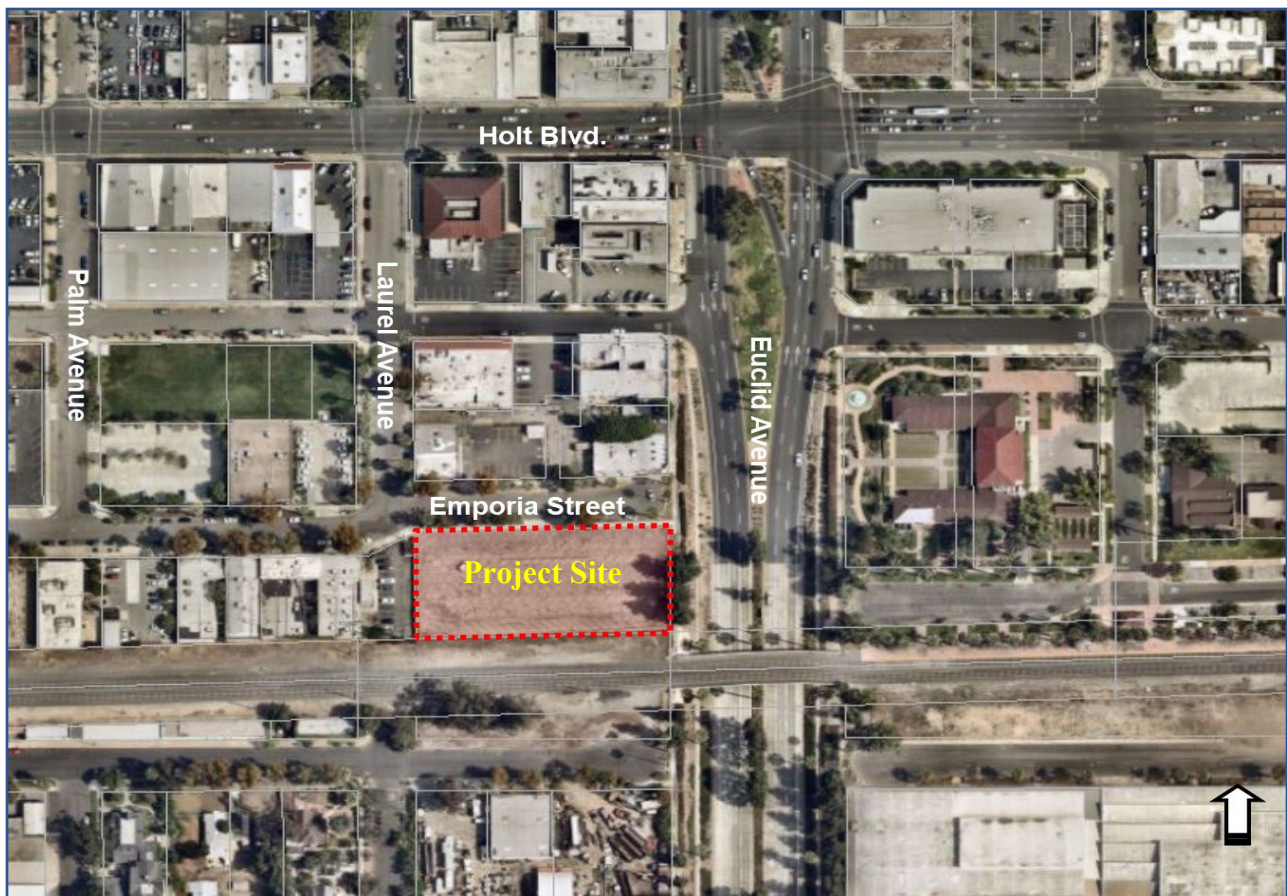
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1. INTRODUCTION

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 0.86-acre parcel of land located on the southeast corner of Laurel Avenue and Emporia Street (see Exhibit 1-1, PUD Location Map).

The project site is located within the Ontario Plan Downtown Mixed-Use District, which requires the establishment of a Planned Unit Development (PUD) prior to development. The PUD fulfills the requirements of MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) zoning district, as set forth in Ontario Development Code Section 4.01.030 (Planned Unit Developments (PUD) and Amendments). The Art District West Planned Unit Development (PUD) will replace the existing zone district designations and zoning standards that apply to the affected property. Unless otherwise defined herein, definitions and interpretations contained in the Development Code shall apply. City staff and private developers will rely on this PUD to determine whether precise plans for development ("Development Plans") will adequately meet the City's land use and design objectives.

Exhibit 1-1: PUD Location Map

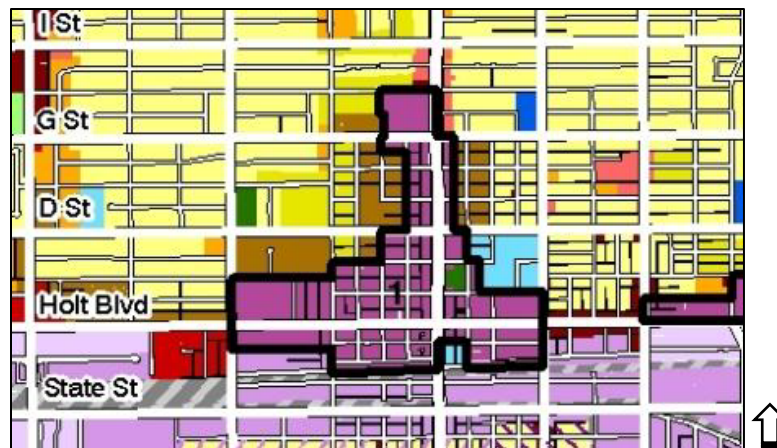


2. PUD OBJECTIVES

2.1 THE ONTARIO PLAN (TOP) CONSISTENCY

The Ontario Plan (TOP) Policy Plan (General Plan) designates the project area and surrounding properties as MU-1 (Downtown Mixed-Use). The Ontario Plan describes the Downtown Mixed-Use Area as an intensive vertical and horizontal mixture of retail, office, and residential uses in a pedestrian friendly atmosphere where the historic character is prominent. The most intensive uses are envisioned along Euclid Avenue and Holt Boulevard. The Downtown Mixed-Use Area is the historic heart of Ontario, which has a unique blend of historic, social and cultural uses set in a compact street grid. The Downtown Mixed-Use Area includes the Civic Center, City library and surrounding diverse residential neighborhoods that provide increased demand for retail opportunities along Euclid Avenue, Holt Boulevard and B Street. The densities and intensities of the mixed-use designation represented within The Ontario Plan (TOP) are the intended level of anticipated development; however, individual projects may vary depending upon an approved master plan, such as an area plan, specific plan, or planned unit development.

Exhibit 1-2: TOP Policy Plan Downtown Mixed-Use Area



The West Art District PUD is consistent with the principles, goals, and policies contained within the components that make up The Ontario Plan (TOP), including: (1) Vision, (2) Policy Plan (General Plan), and (3) City Council Priorities. The policies furthered by this PUD are as follows:

1. Vision

On February 13, 2007, the Ontario City Council adopted The Ontario Vision. The central theme that motivates the Vision is – *“A sustained, community-wide prosperity which continuously adds value and yields benefits.”* Everything the City does and every action the City takes is done with the simple yet comprehensive theme in mind, from the design quality of the built environment, to the intent of designing socio-economic programs, to the way in which its leaders govern as a community. In discussing a Vision that would endure for the lifetime of The Ontario Plan (30 years or more), the City

Council recognized that there are four components that serve as the basic building blocks that set the foundation for a unified and prosperous community. These foundational blocks must be expressed and widely accepted throughout the Plan's lifetime. They are:

1. A **Dynamic Balance** that enables our community to confront the continued dynamic growth of the region and technological change with confidence and a sense of opportunity.
2. A **Prosperous Economy** that sustains the perception and reality of prosperity across our entire community that positively impacts all the people of Ontario and is broadly – though not uniformly – shared.
3. **Distinctive Development** that integrates our varied and diverse focal points, districts, villages, and neighborhoods to provide a feeling of coherence without sacrificing uniqueness.
4. **Recognized Leadership** in local governance that stimulates excellence and serves to unify the people of Ontario in support of best practices in conducting public endeavors.

The Art District West PUD will implement the Ontario Vision in several ways that will further the City's desire to be a sustainable and prosperous community.

DISTINCTIVE DEVELOPMENT

Commercial and Residential Development

- The PUD will support, the City's Civic Center area, new multifamily developments and surrounding existing residential neighborhoods by providing the increased demand for retail uses and artistic uses in a more pedestrian friendly atmosphere.
- The PUD will seek to ensure additional mix of retail uses in the downtown that will provide additional services to the surrounding community and Civic Center area.

Design Quality

- The PUD will require a well-designed project(s) that convey's visual interest and character through:
 - Appropriate scale and massing
 - Architectural style and design that are complementary and appropriate for its setting.
 - The use of high-quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.
 - Appropriate Site Planning to ensure building orientation visibility from the street, adequate number of driveways, sidewalks, building setbacks, parking lot orientation, adequate refuse storage areas and well-designed street frontages.

Public Safety

- The PUD will ensure that proper exterior lighting standards be located and designed to minimize direct glare beyond parking lots and future residential development/ or mixed-use projects in the downtown area. In addition, the Ontario Police Department requires that all lighting standards comply with a one-foot candle illumination to provide a level of security and public safety within the retail center.

2. Policy Plan

LAND USE ELEMENT

LU1 Balance

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.

The PUD, through the development of retail, commercial uses and artistic uses, will help provide jobs to support the existing and new development within the surrounding downtown area.

Policies

- *LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.*

The PUD, along with the future development entitlements for the site, will require the necessary infrastructure to serve the site and provide the necessary right-of-way dedication for street widening.

- *LU1-4 Mobility. We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities.*

TOP Mobility Element System (Figure M-1) identifies Holt Boulevard as a future Bus Rapid Transit (BRT) Corridor. The PUD will seek to capitalize pedestrian traffic, vehicle and future BRT ensuring a mix of retail, commercial and artistic uses that will provide a variety of goods and services to the surrounding community and the future Buss Rapid Transit (BRT) users.

LU2 Compatibility

Goal LU2: Compatibility between a wide range of uses.

The PUD, through land use regulations for permitted uses, have ensured that those permitted uses allowed within the PUD are compatible with the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and surrounding area and not allow those uses that may have potential to create adverse impacts to the surrounding area.

Policies:

- *LU2-1: Land Use Decisions: We minimize adverse impacts on adjacent properties when considering land use and zoning requests.*

The project area is zoned MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and requires that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines. The permitted uses within PUD have been established to provide retail, commercial and artistic uses to serve the downtown, Civic Center and surrounding residential area. Careful consideration has been given to ensure that permitted uses that may have potential to create adverse impacts to the surrounding area are not allowed.

- *LU2-2 Buffers. We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur.*

The PUD, through the site planning, requires the that future building(s) developed on the site shall be placed along the frontage of Emporia Street to keep a buffer between the Southern Pacific Railroad to the south of the project and the future and existing developments to the north.

- *LU2-4 Regulation of Nuisances. We regulate the location, concentration and operations of potential nuisances.*

The project area is zoned MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and requires that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines. The permitted uses within PUD have been established to provide retail, commercial and artistic uses to serve the downtown, Civic Center and surrounding residential area. Careful consideration has been given to ensure that permitted uses that may have potential to create adverse impacts to the surrounding area are not allowed. Those uses with operations that may have potential to create nuisances, will require discretionary approval through the Conditional Use Permit process.

- *LU2-5 Regulation of Uses. We regulate the location, concentration and operations of uses that have impacts on surrounding land uses.* The project area is zoned MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and requires that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines. The permitted uses within PUD have been established to provide retail, commercial and artistic uses to serve the downtown, Civic Center and surrounding residential area. Careful consideration has been given

to ensure that permitted uses that may have potential to create adverse impacts to the surrounding area are not allowed.

LU3 Flexibility

Goal LU3: Staff, regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision.

- *LU3-1 Development Standards. We maintain clear development standards which allow flexibility to achieve our Vision.*

To provide flexibility the densities and intensities of the mixed-use designation represented within TOP are the intended level of anticipated development; however, individual projects may vary depending upon an approved master plan, such as an area plan, specific plan, or planned unit development. The project area is zoned MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and requires that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines. The development standards within the PUD are intended to ensure quality and appropriate development to achieve TOP Vision for well-designed projects that convey visual interest.

COMMUNITY ECONOMICS ELEMENT

CE1 Complete Community

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

The permitted uses within PUD have been established to provide retail, commercial and artistic uses to enhance the economic growth of downtown and serve the surrounding residential areas.

Policies:

- *CE1-7 Retail Goods and Services. We seek to ensure a mix of retail businesses that provide the full continuum of goods and services for the community.*

The permitted uses within PUD have been established to provide retail, commercial and artistic uses to serve the downtown and surrounding residential areas. These retail, commercial and artistic uses that will help to revitalize the downtown area and enhance its economic growth by much needed commercial and retail opportunities.

CE2 Place-Making

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

The PUD will seek to ensure a mix a retail, commercial and artistic uses that will provide a variety of goods and services for the downtown and surrounding area. The PUD will seek to help revitalize the downtown area and enhance its economic growth by creating retail, commercial and artistic uses that provide opportunities within a historic downtown setting. The PUD area will be distinctive through the requirement of well-designed project(s) that respect and complement the historic context of downtown consist with the Downtown Ontario Design Guidelines (Adopted in 1998) through:

- Appropriate scale and massing
- Architectural style and design that are complementary and appropriate to for its setting.
- The use of high-quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.
- Appropriate site planning to ensure building orientation visibility from the street, adequate number of driveways and sidewalks. Building setbacks, parking lot orientation, adequate refuse storage areas and well-designed street frontages.

MOBILITY ELEMENT

M3 Public Transit

Goal M3: A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.

TOP Mobility Element System (Figure M-1) identifies Euclid Avenue as a future Bus Rapid Transit (BRT) Corridor. The PUD will seek to capitalize pedestrian traffic, vehicle and future BRT ensuring a mix of retail and commercial uses and business that will provide a variety of goods and service to the surrounding community and the future Buss Rapid Transit (BRT) users. The PUD, along with the future development entitlements for the site, will require the necessary infrastructure to serve the site and provide the necessary rights-of-way dedication for street widening.

Policies:

- *M3-4 Bus Rapid Transit (BRT) Corridors. We work with regional transit agencies to implement BRT service to target destinations and along corridors, as shown in the Transit Plan.*

TOP Mobility Element System (Figure M-1) identifies Euclid Avenue as future Bus Rapid Transit (BRT) Corridor. The PUD will seek to capitalize pedestrian traffic,

vehicle and future BRT ensuring a mix of retail, commercial and artistic uses and business that will provide a variety of goods and service to the surrounding community and the future Buss Rapid Transit (BRT) users. The PUD, along with the future development entitlements for the site, will require the necessary infrastructure to serve the site and provide the necessary rights-of-way dedication for street widening.

COMMUNITY DESIGN

CD1 Image & Identity

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.

- To provide flexibility the densities and intensities of the mixed-use designation represented within TOP are the intended level of anticipated development; however, individual projects may vary depending upon an approved master plan, such as an area plan, specific plan, or planned unit development. The project area is zoned MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and requires that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines. The development standards within the PUD are intended to ensure quality and appropriate development to achieve TOP Vision for well-designed projects that covey visual that respect and complement the historic context of downtown.

Policies:

- *CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.*

The PUD will seek to ensure a mix a retail, commercial and artistic uses that will provide a variety of goods and services for the downtown and surrounding area. The PUD will seek to help revitalize the downtown area and enhance its economic growth by creating retail, commercial and artistic uses that will provide opportunities within a historic downtown setting. The PUD area will be distinctive through the requirement of well-designed project(s) that respect and complement the historic context of downtown consist with the Downtown Ontario Design Guidelines (Adopted in 1998) through:

- Appropriate scale and massing
- Architectural style and design that are complementary and appropriate to for its setting.
- The use of high-quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.

- Appropriate site planning to ensure building orientation visibility from the street, adequate number of driveways and sidewalks. Building setbacks, parking lot orientation, adequate refuse storage areas and well-designed street frontages.
- *CD1-4 Transportation Corridors. We will enhance our major transportation corridors within the City through landscape, hardscape, signage and lighting.*

TOP Mobility Element System (Figure M-1) identifies Holt Boulevard as future Bus Rapid Transit (BRT) Corridor. The PUD will seek to capitalize pedestrian traffic, vehicle and future BRT ensuring a mix of retail, commercial and artistic business that will provide a variety of goods and service to the surrounding community and the future Buss Rapid Transit (BRT) users.

CD2 Design Quality

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

Policies:

- *CD2-1 Quality Architecture.* 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.

The PUD will seek to help revitalize the downtown area and enhance its economic growth by creating retail, commercial and artistic opportunities within a historic downtown setting. The PUD area will be distinctive through the requirement of well-designed project(s) that respect and complement the historic context of downtown consist with the Downtown Ontario Design Guidelines (Adopted in 1998) through:

- Appropriate scale and massing
- Architectural style and design that are complementary and appropriate to for its setting.
- The use of high-quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.
- Appropriate site planning to ensure building orientation visibility from the street, adequate number of driveways and sidewalks. Building setbacks,

parking lot orientation, adequate refuse storage areas and well-designed street frontages.

- *CD2-3 Commercial Centers. We desire commercial centers to be distinctive, pedestrian friendly, functional and vibrant with a range of businesses, places to gather, and connectivity to the neighborhoods they serve.*

The permitted uses within PUD have been established to provide retail, commercial and artistic uses to serve the downtown, Civic Center, Arts District and surrounding residential area. The PUD will seek to capitalize on the downtown location by ensuring a mix a retail, commercial and artistic uses that will easily accessed by pedestrians through downtowns unique grid street pattern design.

- *CD2-5 Streetscapes. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.*

The PUD, along with the future development entitlements for the site, will require the necessary infrastructure to serve the site and provide the necessary right-of-way dedication and/or improvements.

- *CD2-9 Landscape Design. 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.*

The PUD development standards will ensure landscape design and materials will be used to enhance the aesthetics of structure(s), create and define public and private spaces, and provide shade and environmental benefits.

- *CD2-10 Surface Parking Areas. 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.*

The PUD development standards will ensure water conservation be provided through low water using plant materials, hydro zones, water efficient irrigation and weather-based controllers. Landscaped areas may be used for storm water infiltration through vegetated swales, retention basins, or dry wells as needed with the use of appropriate planting materials. Broad canopy shade trees will be used to reduce heat gain on buildings, paving and parking areas

City Council Priorities

- Invest in the Growth and Evolution of the City’s Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Pursue City's Goals and Objectives by Working with Other Governmental Agencies
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch

2.2 CENTER CITY REDEVELOPMENT PLAN OBJECTIVES

The Center City Project Area encompasses the historic Euclid Avenue District, as well as East Holt Boulevard. Ontario’s City Hall and surrounding Civic Center, Senior Center, Ovitt Family Community Library, the Museum of History and Art, Ontario Town Square, and the Law School of the University of La Verne are all within the Center City Project Area. Development is designed to create an immediate and positive identity transforming the area into a comfortable place to stroll and be seen.

The current goals of the Center City Project include:

- Encourage development of a high intensity, multi-use central business district and surrounding neighborhoods that maximize the economic productivity of the commercial areas and maximize the housing opportunities of the residential areas.
- Apply innovative mixed-use urban design that maintains a flexible approach to allow for changing opportunities over a long-term, phased revitalization effort.
- Create a healthy and exciting urban environment, with the ability to work, live, shop and play within a small area, combine daytime and nighttime use and conserve energy and resources through mixed use development.
- Cluster activity centers within walking distance of each other, supported by a pedestrian network that provides an enjoyable pedestrian flow.

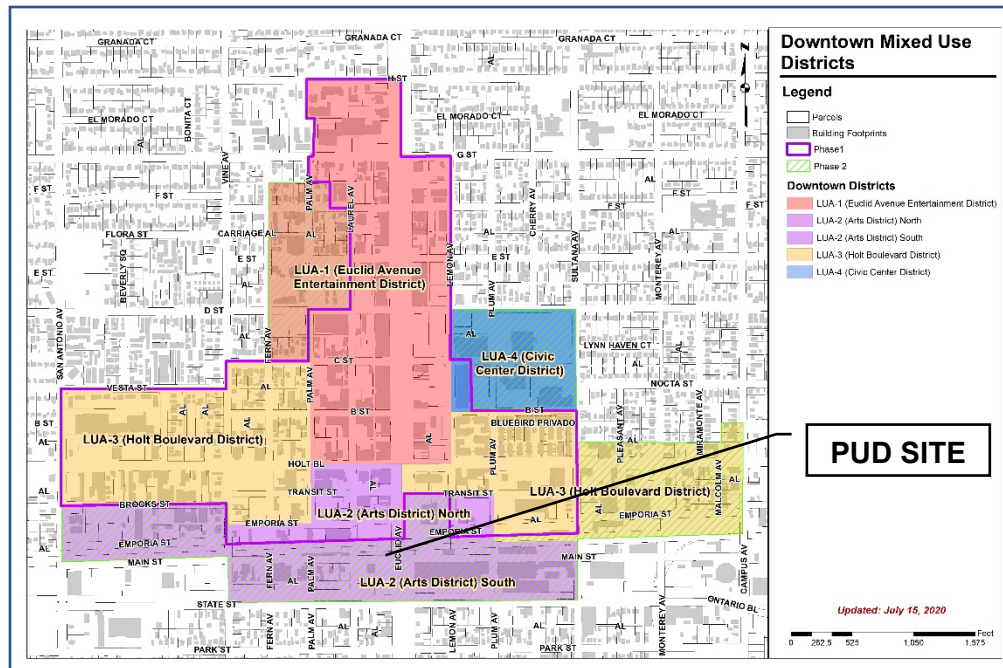
2.3 MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North)

The project is located within MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) zoning district (see Exhibit 1-3, MU-1 (Downtown Mixed Use) Districts Map). The Arts District is intended as a dynamic destination for locals and tourists, while creating a fulfilling urban experience energized by artistic, educational, and commercial participants. The focus of the Area

is to increase the number of collaborated events and programs within the Area, with the intent to attract visitors, promote economic vitality, and boost revenue. Street fairs, artist festivals, restaurants, galleries, work/live lofts, breweries, and artisan co-ops will contribute to the physical and cultural diversity of the Arts District.

The Arts District North is intended to accommodate a mix of work/live lofts, artisan co-ops, restaurants, galleries, breweries, and other commercial uses intended to strengthen the economic base of the area.

Exhibit 1-3: MU-1 (Downtown Mixed Use) Districts Map



2.3 PUD DISTRICT PURPOSE AND OBJECTIVES

The Art District West Planned Unit Development (PUD) is intended to function as a set of planning and design principles, development regulations, and performance standards to guide and govern the development of the 0.86-acre site. This PUD will facilitate the development of retail, commercial and artistic services that will help achieve the City’s goals to economically revitalize and aesthetically enhance the historic downtown area.

The objectives of the PUD District are to:

- Promote development projects that are consistent with the land use/downtown revitalization objectives of the Center City Redevelopment Project area.
- Promote the revitalization the downtown area and enhance its economic growth by creating retail uses within a historic downtown setting.

- Promote community retail, commercial and artistic uses to meet the needs of the downtown residents, Civic Center visitors and surrounding residential neighborhoods.
- Promote the development of outdoor patio as part of the commercial development providing for social and pedestrian interaction.
- Orient commercial buildings along the frontage of Emporia Street and Euclid Avenue to create an accessible urban edge and sense of arrival and appropriate relationships among new and existing adjacent land uses.
- Provide for a circulation network which promotes pedestrian walkways and bicycle activity as alternative modes of travel while also providing for safe and efficient movement of automobile travel through the project site.
- Incorporate a landscape to enhance and compliment the urban environment along Emporia Street and the Euclid Avenue slope along the eastern boundary of the site.

3. LAND USE PLAN

3.1 LAND USE DESIGNATION

This PUD establishes the MU-1 Commercial district and the land use designations, as shown on Exhibit 1-4, Permitted Use Table, for the project limits. Retail, commercial and artistic uses are strongly encouraged to accommodate a mix of artisan co-ops, restaurants, galleries, breweries, and other commercial uses intended to strengthen the economic base of the downtown area.

Exhibit 1-4: PUD Land Use Plan



3.2 PERMITTED USES

Table 3-1 (Permitted Uses) shows the allowable land use, activity or facility permitted within the Mixed Use 1 (MU-1) Commercial District of the Art District West PUD. A land use not listed in Table 3-1 shall be considered a prohibited land use. For a land uses like those listed in Table 3-1, but not expressly stated in the PUD, the Planning Director or her/his designee has the authority to make a determination of applicability of the similar land uses.

Table 3-2: Permitted Uses

“P” (Permitted) shall mean the land use, activity, or facility within the specified zoning district is permitted by right of being in the proper zoning district.

“C” (Conditionally Permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of the Ontario Development Code.

“A” (Administratively Permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of an Administrative Use Permit pursuant to Section 4.03.015 (Administrative Use Permits) of the Ontario Development Code.

“NP” (Not Permitted) shall mean the land use, activity, or facility within the specified zoning district is not permitted by right of being in the proper zoning district.

All other uses not listed as Permitted or Conditional are prohibited unless a finding can be made by the Planning Director that the use is similar to, and no more objectionable than, a permitted or conditional use.

Land Use	MU-1 Commercial	Notes
MEDICAL		
Animal Hospital/Veterinarian	NP	
Medical Office	NP	
MEDICAL OFFICE/FAMILY CLINIC		
Pharmacies and Drug Stores	NP	
Pharmacies and Drug Stores with Drive-thru Facilities	NP	
Industrial Clinic	NP	
PUBLIC FACILITIES		
Police / Fire Station	P	
Police Storefront / Substation	P	
RELIGIOUS		
Religious Assembly	C	
NON-PROFIT/SERVICE ORGANIZATIONS 501 (C) (3) (PER DEVELOPMENT CODE SECTION 9-101305 N)		
Campaign Offices	P	
Charitable, Philanthropic, Service and Other Non-Profit Organization Offices	P	
Charitable Distribution Services (i.e. Food Banks, etc.)	NP	
ALCOHOL		
Alcoholic Beverage Sales for Off-Premise Consumption	C	
Alcoholic Beverage Sales for On-Premise Consumption GFA than 10,000 SF	A/C	1
Alcoholic Beverage Sales for On-Premise Consumption GFA more than 10,000 SF	C	1
Liquor Store	NP	
AUTOMOBILE RELATED SERVICES		
Automotive Parts and Accessories Stores (Retail Sales Only)	P	
Indoor Vehicle (Car Condos) storage and display	P	3
Automotive Services (i.e. Tune-Up, Emission Tests, Batteries, etc. No use of impact wrenches or other equipment that could create noise impacts.)	NP	
Minor Repair (i.e. Brakes, tires, radiators, electrical, etc.)	NP	
Gas Stations	NP	
Tire Stores	NP	
Car Wash – Full	NP	
TELECOMMUNICATIONS FACILITIES		
Wireless Telecommunications Facility (Refer to the Development Code)		

Table 3-2: Permitted Uses

“P” (Permitted) shall mean the land use, activity, or facility within the specified zoning district is permitted by right of being in the proper zoning district.

“C” (Conditionally Permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of the Ontario Development Code.

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“NP” (Not Permitted) shall mean the land use, activity, or facility within the specified zoning district is not permitted by right of being in the proper zoning district.

All other uses not listed as Permitted or Conditional are prohibited unless a finding can be made by the Planning Director that the use is similar to, and no more objectionable than, a permitted or conditional use.

Land Use	MU-1 Commercial	Notes
DAY CARE FACILITIES		
Commercial Daycare	NP	
EATING DRINKING PLACES AND FOOD SERVICES		
Restaurants (Sit Down / Full Service)	P	
Banquet Facilities in conjunction with a restaurant	P	
Bar/Cocktail Lounge	C	
Tap Room, Pub, Wine Bar (Including Tastings)	A	
Fast Food	P	
Fast Food with Drive-thru Facilities	NP	
Caterers	P	
ENTERTAINMENT AND RECREATION		
Live Entertainment (in conjunction with restaurant use only) – GFA than 10,000 SF	A/P	
Live Entertainment (in conjunction with restaurant use only) – GFA 10,000 or more SF	C	
OFFICES		
Administrative, Professional, and Other Offices	P	
RETAIL		
Antique Stores	P	
Art Galleries and Art Supply Store	P	
Art Dealers	P	
Beauty Supply Store	P	
Book Stores	P	
Hardware Store	P	
Camera and Photographic Supply Store	P	
Cigar and other Tobacco Products Store	NP	
Clothing and Accessory Stores	P	
Computer and Home Electronic Stores	P	
Convenience Store	P	
Florist	P	
Furniture Stores	P	
General Merchandise Stores	P	
Department Store	P	
Discount Variety Store	NP	
Guns and Ammunition Stores	NP	
Hobby, Toy and Game Store	P	

Table 3-2: Permitted Uses

“P” (Permitted) shall mean the land use, activity, or facility within the specified zoning district is permitted by right of being in the proper zoning district.

“C” (Conditionally Permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of the Ontario Development Code.

“A” (Administratively Permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of an Administrative Use Permit pursuant to Section 4.03.015 (Administrative Use Permits) of the Ontario Development Code.

“NP” (Not Permitted) shall mean the land use, activity, or facility within the specified zoning district is not permitted by right of being in the proper zoning district.

All other uses not listed as Permitted or Conditional are prohibited unless a finding can be made by the Planning Director that the use is similar to, and no more objectionable than, a permitted or conditional use.

Land Use	MU-1 Commercial	Notes
Home Appliance Store	P	
Jewelry Store	P	
Luggage and Leather Goods	P	
Music and Video Stores	P	
Office Supply, Stationery & Gift Stores	P	
Pawnshop / Pawnbroker	NP	
Pet and Pet Supply Store	P	
Shoe Store	P	
FOOD AND BEVERAGE STORES		
Bakery	P	
Delicatessen	P	
Convenience Market	P	
Grocery Store	P	
Specialty Food Stores	P	
SERVICES		
Advertising Agency	P	
Data Processing Services	P	
Photography Studio	P	
Photocopying and Duplicating Services	P	
FINANCIAL SERVICES		
Banks, Credit Unions and other Depository Institutions	P	
Banks, Credit Unions and other Depository Institutions with Drive-thru Facilities	NP	
Check Cashing	NP	
Check / Payday Advance	NP	
Money Transmitting	NP	
Other Financial Services	NP	
PERSONAL SERVICES		
Barber Shop and Beauty / Nail Salon	P	
Dry Cleaners	P	
Laundry - Commercial	NP	
Pet Grooming	P	
Tailor	P	
Travel Agency	P	
REPAIR SERVICES		

Table 3-2: Permitted Uses

“**P**” (Permitted) shall mean the land use, activity, or facility within the specified zoning district is permitted by right of being in the proper zoning district.

“**C**” (Conditionally Permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of the Ontario Development Code.

“**A**” (Administratively Permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of an Administrative Use Permit pursuant to Section 4.03.015 (Administrative Use Permits) of the Ontario Development Code.

“**NP**” (Not Permitted) shall mean the land use, activity, or facility within the specified zoning district is not permitted by right of being in the proper zoning district.

All other uses not listed as Permitted or Conditional are prohibited unless a finding can be made by the Planning Director that the use is similar to, and no more objectionable than, a permitted or conditional use.

Land Use	MU-1 Commercial	Notes
Computer, Home Electronics, and Small Home Appliances (when ancillary to another use)	NP	
Electrical Equipment	NP	
Jewelry and Watches / Clocks	P	
Locksmith / Key Shop	P	
MANUFACTURING		
Boutique/Artisan Small-Scale and Micro Manufacturing Facilities	P	2
INFORMATION		
Sound (Audio) Recording Studio	P	
RESIDENTIAL		
Multiple Family Dwellings	NP	
Second Dwelling Units	NP	
Senior Housing Developments	NP	
Single-Family Dwellings	NP	
Single Room Occupancy Facilities	NP	
Supportive Housing	NP	
Work/Live Units	C	
EDUCATIONAL SERVICES, SCHOOLS AND INSTRUCTION		
Public/Private Fine Arts Schools (nonacademic instruction, including music, dance, performing arts, drama, photography, ceramics, painting and sculpture)	P	
Arts, Entertainment and Recreation		
Promoters of Performing Arts, Sports and Similar (offices only)	P	
Independent Artist, Writers, and Performers (office only)	P	

Notes

1. In the MU-1 zoning district, live entertainment is administratively permitted only in conjunction with a bona fide restaurant or alcoholic beverage manufacturer’s tasting room, tap room, pub or wine room.
2. See Ontario Development Code Section 5.03.037 (Artisan Small-Scale and Micro Manufacturing Facilities)
3. See Section 4.4 Car Condo (Vehicle) Store Regulations

4. DEVELOPMENT REGULATIONS

This section sets forth the standards to govern the placement, height, and bulk of permitted buildings and structures; to establish locational criteria for vehicular access to site, parking and loading requirements, landscape, sign standards; and identify historic preservation features to be incorporated and/or considered for development plans. Unless otherwise stated herein, all development within the project area shall meet the applicable standards and requirements of the Ontario Development Code.

4.1 INTENSITY

Commercial retail uses within the mixed-use district are allowed a Floor Area Ratio (FAR) of up to 1.0. Floor Area Ratio is calculated by dividing the building square footage by the net lot area (after right-of-way dedications).

4.2 BUILDING HEIGHT

The buildings within the MU-1 PUD Commercial district area shall be a maximum of 35 feet or consistent with scale and height of the adjacent buildings along Emporia Street. Architectural projections, such as parapet articulations, cornices, towers, etc. may be constructed at a height of 25% above the prescribed height of the zoning district.

4.3 BUILDING\ PARKING SETBACKS

All setbacks shall be measured from the ultimate property lines after all dedications to develop streets to the ultimate right-of-way width (Table 4-1, Building Setback(s)). Placement of buildings, structures, fences, walls, utility facilities, yards, etc. will be based on the street right-of-way and property line dimensions.

Table 4-1: Building(s) Setbacks		
MU-1 Commercial District Development Standards		
Requirements	MU-1 Commercial District	Additional Requirements
Building Development Standards		
1. Emporia Street Setback	0 Feet Minimum 3.5 Feet Maximum	Building Architectural features/awnings may encroach into the right-of-way, subject to the California Building Code requirements.
2. Euclid Avenue Street Setback	0 Feet Minimum 5 Feet Maximum	Building Architectural features/awnings may encroach into the right-of-way, subject to the California Building Code requirements. Edge of slope (right-of -way), along the Euclid Avenue Street side frontage, shall be landscaped.
3. Interior Side Property Setbacks 4. Rear Property Setbacks	0 Feet Minimum 0 Feet Minimum	Setback areas shall be landscaped
Site Development Standards		
1. Minimum Landscape Coverage	N/A	All setback areas, building entry areas shall be landscaped.
2. Minimum Parking Space or Drive Aisle Setbacks to face of curb	5 feet	Setback areas shall be landscaped.
3. Minimum Parking Space or Drive Aisle Setbacks to Interior Side Property Lines	5 Feet	Setback areas shall be landscaped.
4. Minimum Parking Space or Drive Aisle to buildings, walls or fences	5 Feet	Setback areas shall be landscaped.

4.4 LANDSCAPING

Landscaping elements provide significant contributions to the aesthetic quality and character of the Art District West PUD, with respect to public and private spaces. Detailed landscape/irrigation plans shall be included in the Development Plan submittals for the PUD. The plan shall specify all landscape and hardscape elements for the development plan site and indicate how the improvements will coordinate with the other sites within the PUD. The landscape plans shall show the location of all ground mounted utility structures such as transformers, back flow prevention devices, trash enclosures, and HVAC equipment and indicate the methods for screening these items. All utility structures and equipment shall be screened from view of the public streets and adjacent development.

Water conservation shall be provided through low water using plant materials, hydro zones, water efficient irrigation and weather-based controllers. Landscaped areas may be used for storm water infiltration through vegetated swales, retention basins, or dry wells as needed with the use of appropriate planting materials. Broad canopy shade trees shall be used to reduce heat gain on buildings, paving and parking areas. The plan shall identify all existing trees on site and preserve them where possible. The landscape design shall meet the requirements of the Landscape Development Standards outlined in the Ontario Development Code and shall create well-functioning spaces within a sustainable design.

Landscaping shall be used on the site to show transition from adjacent uses, define a circulation pattern on the lot, screen the parking lot from the street, highlight entries, provide shade for parking as well as outdoor seating areas, and to soften the appearance of the building.

Developments shall comply with the following:

- All setback areas, building entry areas shall be landscaped.
- At a minimum, landscaping shall include 15-gallon trees planted no more than 20 FT on center, within minimum 5-FT wide planters.
- A suitable plant material (grasses, ivy, etc.) should be used as ground cover in planters.

Street trees shall comply with the variety, size, and spacing as directed by the City of Ontario Master Street Tree Plan.

4.5 EQUIPMENT AND MECHANICAL SCREENING

All roof mounted and ground mounted equipment shall be fully screened from view of the public street and adjacent developments. The location of items shall be designed to allow screening with landscape materials, walls, architectural features, parapet walls, etc. Screening shall be designed to be integrated into the design of the project.

Ladders for roof access shall be mounted on the inside of the building or shall be completely concealed from public view.

4.6 FENCES AND WALLS

Fences and walls within the project area shall be made of decorative materials which are compatible with the overall architectural character of the development within the PUD area. All fences and walls shall be in scale with the development to fulfill such needs as screening and security.

Fences, walls and hedges within the project area shall comply with Engineering Corner Sight Distance Standards and other applicable standards. All decorative walls, monuments and/or other similar features shall not encroach into the public street right-of-way.

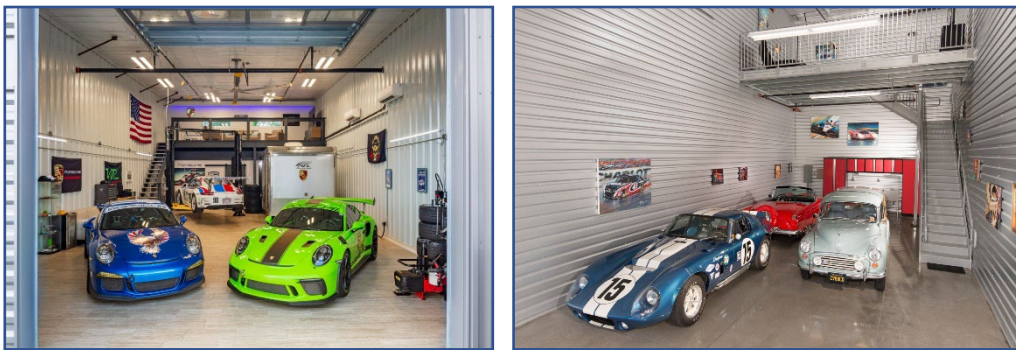
Walls shall be limited to a maximum of four (4) feet in height within any street frontage areas. Interior or rear walls shall be a maximum of six (6) feet in height.

Walls shall be an integral design of the building architecture and feature similar finished material, reveal lines, trim, etc.

4.5 CAR CONDO (VEHICLE) STORAGE REGULATIONS

Car Condominiums are space you own and customize – much more than just a place to house your car; they’re a lifestyle (Artform) that is being embraced by car aficionados of all sports, classic, racing, exotics, hot rods and collectible cars. Car Condos works similar to a regular condominium. The developer handles the permits and construction, and then the buyer builds out the inside of the unit the way they want.

Car Condos offer car enthusiasts a safe, secure and private space to store and display their vehicles, other motorized toys and treasures. The condo units can be customized to include a loft area for an office, TV viewing area and refreshment kitchenette area.



The following standards shall govern the establishment and operation of Car Condos (Vehicle Storage) are intended to result in facilities that are well designed, maintained and enhance the Arts Districts area in which they are located in.

Car Condo (Vehicle Storage) facilities shall comply with the following:

1. Covenants, Conditions, and Restrictions (CC&Rs) will be required to be recorded for the condominium car units and subject to City review and approval. CC&Rs shall include the following:

(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 owner’s association and the CC&Rs shall be reviewed and approved by the City.

CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

- (i) Landscaping and irrigation systems within common areas;
- (ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line

or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

- (iii) Shared parking facilities and access drives; and
- (iv) Utility and drainage easements.

(c) 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.

(d) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(e) 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. All motor vehicle storage shall include the keeping of automobiles, trucks, vans, recreational vehicles and watercraft, motorcycles, trailers, forklifts, and any inoperative vehicle, regardless of vehicle type.
3. The indoor storage of motor vehicles shall comply with all applicable requirements of the fire and building codes.
4. Any use that creates excessive noise, dust, hazardous materials or pollutants, or result in obvious fire hazards or negatively impact the reasonable use and enjoyment of other units are not permitted.
5. Minor vehicle maintenance (oil change, detailing, tune-ups, etc.) is allowed provided that the work does not reasonable interfere or negatively impact other units. Painting, bodywork or welding is not permitted.
6. Car washing is allowed, subject to National Pollutant Discharge Elimination System (NPDES) and City regulations.
7. The units may not be used for residential living. Loft office areas, kitchenette (sink, refrigerator, microwave) TV lounge areas, bathrooms and showers are permitted.
8. All vehicles, trailers and/or accessories must be stored within the enclosed unit. No outside storage is allowed.
9. Retail sales or commercial office uses from units is prohibited.
10. Retail or wholesale sales of vehicles from units is prohibited.
11. No exterior sign, placard, picture, advertisement, name or notice may be installed or displayed on any part of the outside exterior of a unit.

5. CIRCULATION, PARKING, & INFRASTRUCTURE

Access to the site will be limited to Emporia Street only.

5.1 PEDESTRIAN CONNECTIONS

Pedestrian connections shall be provided to each building from the public street within the PUD site. The Mixed-Use Commercial land use district shall also provide pedestrian pathways/sidewalks, along Emporia Street, to connect to the residential, work/live lofts and commercial developments surrounding the PUD area.

5.2 PUBLIC RIGHT-OF-WAY IMPROVEMENTS

The public right-of-way shall be improved with each proposed development. The public right-of-way improvements required are to include but are not limited to the following: street pavement, curb and gutter, parkway landscaping, parkway irrigation, public sidewalk, traffic signing and striping, streetlights, bus stop, bus shelter and amenities. The extent of the required improvements shall be determined for each development plan. At a minimum, the improvements shall incorporate all items along the street frontages of the properties to be developed with proper transitioning if the entire block frontage is not being installed with a development.

5.3 INFRASTRUCTURE

There is an existing 6-inch water line within Emporia Street that shall serve the PUD site, which connects to a 4-inch STL in Laurel Avenue (undersized). The water main will be required to be upsized, possibly to a 12-inch - required size and limits to be determined by the fire flow test. However, it is likely that the upsize will take place from the intersection of Holt Boulevard and Laurel Avenue, south to the intersection of Emporia Street and Laurel Avenue, due east to the end of the cul-de-sac to provide adequate fire service.

Wastewater flows for the PUD site will be designed to use an existing 8-inch sewer line located within Emporia Street.

On-site stormwater drainage facilities shall be provided to capture and infiltrate a 2-yr, 24-hour storm event, consistent with the San Bernardino County Stormwater Program's Water Quality Management Plan (WQMP) requirements for new development projects. Stormwater capture and infiltration facilities may include the utilization of vegetated swales, depressed landscaped basins, pervious concrete pavement or underground stormwater retention/infiltration vaults. All building roof and paved area runoff shall be directed into depressed landscaped swales, trenches or basins, within the development, in order to comply with the requirement to capture and infiltrate the 2-yr, 24-hour storm event runoff.

The Applicant/Developer will be responsible to design and construct street improvements, along property frontage of Emporia Street, in accordance with conditions issued by City's Engineering Land Development Division. These, and all other street improvements required herein, shall include, but not limited to, concrete curb and gutter, sidewalk, LED streetlights, signing and striping, and parkway landscaping.

Existing Street light fixtures, along Emporia Street will be required to be replaced with City-approved LED equivalent fixtures. Refer to the Traffic and Transportation Design Guidelines for LED fixture requirements. The type of street lighting will be determined at the time of development.

5.4 PARKING

Parking shall be provided on-site at the rates required by the City of Ontario Development Code. One parking space within each Car Condo Unit may be counted towards required parking for vehicle storage use. In addition, the Downtown Parking Model may be used to obtain required parking for uses within the PUD.

The Downtown Ontario Parking Model was created in 2002 to provide a means of assessing parking demand and capacity in the downtown area. As in most downtowns, on-site parking is not typically attainable due to as-built conditions, including small lots, historic buildings with no setbacks, alley loaded streets, and excessive lot coverage. The Excel-based parking model specifically evaluates demand based on land use and capacity at maximum build out on an hour-by-hour and block-by-block basis. The model provides an estimate of parking availability (on-site and street parking combined) with shared parking within the downtown district as the premise.

6. DESIGN GUIDELINES

The following design guidelines are intended as a reference to assist the designer in understanding the City's goals and objectives for high quality commercial development. The guidelines compliment the mandatory development standards contained in Subsection 4 (Development Regulation) above.

Design principles and examples of desired styling elements to guide the development within the downtown are set forth in the Downtown Ontario Design Guidelines ("Guidelines"), adopted by the Ontario City Council on August 18, 1998. The design guidelines in this PUD are general in nature and may be interpreted with some flexibility in their application to specific projects. The guidelines will be utilized during the City's development review process to encourage the highest level of design quality, while at the same time providing the flexibility necessary to encourage creativity on the part of the project designer(s). As such, some variations from the Guidelines are permitted, provided that the integrity of the urban design and historic preservation principles is not compromised. To safeguard the integrity of the historic district, a Certificate of Appropriateness is required for development.

6.1 SITE DESIGN

The site design shall minimize pedestrian/vehicle conflicts by creating opportunities for building entry plazas, outdoor dining, and landscaped pathways that promote safe and convenient pedestrian movement.

6.2 BUILDING ORIENTATION

Buildings should be oriented towards Emporia Street. Frontages should be enhanced with entry elements, interesting architecture, enhanced materials, and pedestrian scale to provide connection between the development and the street. Windows and entries should face the street avoiding blank walls dominating public views. Stores with entries not visible from the street may be oriented towards pedestrian open space. The building entries may be located on the side of the building so long as strong pedestrian connection is maintained through wide walkways, enhanced pavers, plazas, appropriately scaled lighting and/or other similar features. Rear entrances, if needed, should be secondary in nature.

6.3 BUILDING STREET SIDE SETBACKS

The sides of buildings along street edges shall be landscaped within the setback to soften the building's appearance as well as designed with windows or design elements.

6.4 STREET FRONTAGE AND PARKING LOTS

Parking lots should generally be placed away from streets. Street frontages shall be broken up with buildings, landscaping, plazas, and other pedestrian features. Continuous parking lots along the street frontage should be avoided. Any parking along street edges shall be setback with a landscaped buffer to minimize the dominant feeling of the automobile along the street. Continuous

parking stalls may be interrupted by landscaped islands no more than 10 stalls apart. Parking lots are encouraged to be interconnected rather than separated for each building. Separated parking lots encourage customers to drive from store to store. Parking lots shall not be visible from the Euclid Avenue corridor.

6.5 SERVICE AND STORAGE AREAS

Loading areas and storage areas are to be located behind or to the side of buildings (West side) siting onto Emporia Street. These features must be screened with walls and landscaping as much as possible from public view of streets, residences, and pedestrian walkways. Loading areas and storage areas should not conflict with pedestrian walkways.

6.6 REFUSE CONTAINERS

Refuse containers and equipment shall be easily accessed by service vehicles. Service facilities such as trash enclosures, loading zones and yard areas shall be designed, located and oriented to have a minimal visual impact on the development within the PUD area. Trash enclosures shall be designed to coordinate with the architecture, colors and materials of the style of the development and shall be located to provide adequate access for trash pickup without encroaching on access drives or landscaped areas. Trash enclosures shall be designed and constructed with a solid roof cover which shall also be designed to match the architecture of the development. The enclosure may be designed to be incorporated into the building, subject to City review/approval, in order to screen the enclosure appropriately.

6.7 SIDEWALKS

Sidewalks shall be located along natural pedestrian travel paths. Sidewalks should be a minimum of 5' wide along pedestrian pathways.

6.8 ARCHITECTURAL CHARACTER\DETAILS

The project area is located within Ontario's historic downtown area and shall comply with the Downtown Ontario Design Guidelines. The Downtown Ontario Design Guidelines were adopted in 1998 to guide the physical revitalization of Ontario's historic downtown. The Guidelines provide architectural and design principals, as well as design concepts for downtown districts. The project area is located within the Education Center, a mixed-use area with a focus on commercial, retail, public, and educational uses.

The design principles and desired architectural features for the mixed-use blocks are derived from the architectural style and elements set forth in Section 3.5.3 of the Downtown Design Guidelines, with respect to storefront modulation, entrances, roof design, mechanical equipment, building elements (cornices, storefront frame, mid-floor panel, transom windows, bulkheads), awnings, materials and colors. Those guidelines, together with the following, shall be incorporated into the Development Plans and Certificates of Appropriateness for each block, subject to final interpretation by the Planning/Historic Preservation Commission and City Council.

Architectural Character

- Create an architectural character that compliments the various styles within the historic downtown by using similar proportions, building details and building material.
- New buildings should appear to fit in contextually with existing historic buildings by using similar proportions, articulation, building details and building material.
- The overall character should feel like a modern interpretation of a traditional American small town.
- Create compatibility between the mixed-use architecture and the residential architecture within the downtown area; the introduction of unifying elements such as similar materials and colors should be considered; however, “sameness” is discouraged.

Massing & Scale

- Employ simple, yet varied massing, with wall openings that create shadow line and provide visual relief. Monolithic buildings and extensive blank wall surfaces are not allowed.
- Emphasize massing and height of corner elements
- Building increments should be a maximum of 50 feet in width. Buildings that exceed fifty (50) feet of frontage should use various architectural devices to replicate the building increments and pattern of the existing downtown including horizontal breaks and offsets every 25 to 50 feet
- The upper portion of the buildings should reflect the same increment of articulation as the ground level (storefront level)
- The cornices and moldings at the top of facades should also reflect the vertical massing (increments) of the building
- Use strong and identifiable building forms to demarcate street intersections for instance, a taller building mass, tower element/clock tower, or cupola may be considered.
- Where adjacent buildings will be of varying heights, they should be sensitively designed to promote a compatible transition in massing and avoid abrupt changes in scale along the streetscape.

Articulation & Fenestration

- Design buildings with 3-dimensional quality; building facades should be based upon a pleasing set of proportions and a clear pattern of building openings.
- Differentiate between the base, middle and top levels of a building; for instance, street-oriented shops may feature a 1) a bulkhead; 2) display windows; and 3) transom and detailed cornice.
- Avoid monotonous or blank facades on a building; buildings shall be articulated on all sides. Use fenestration (windows and doors), as well as changes in wall plane, material, texture, color, etc. to create shadow lines and articulate building walls.
- Provide highly visible public entrances, preferably oriented to streets and outdoor spaces; shop entrances may be clearly expressed with recesses, overhangs, special materials, and/or detailing.

- Require a high degree of street level transparency, especially along sidewalks, important outdoor spaces and heavily trafficked areas; the use of reflective, opaque, and darkly tinted glass should be restricted.

Architectural Details

- Use architectural details to enhance a building's appearance. Careful detailing is especially appropriate at the base of buildings, along cornices, eaves, parapets or ridge tops, and around entries and windows.
- Incorporate human-scaled details such as canopies and awnings, transparent windows and windows displays. These are required at public entrances and along heavily trafficked outdoor areas.
- Design architectural features and details as an integral part of the building; architectural features, including canopies and awnings, should not appear "tacked-on."

Storefront Guidelines

- Storefronts should provide an individual look for each store or establishment while still blending in with the overall design.
- Storefronts shall incorporate high quality building materials. A durable base material (18 inches high min.) such as brick, tile, exterior cement plaster, or pre-cast architectural concrete shall be used. Storefront glazing and exterior plaster shall not terminate at the ground plane.
- Storefront glazing shall be clear glass to permit clear views into the interior space. The amount of such glass shall provide a balance between high visibility into the store interior and architectural character/quality.
- Entrance doors shall be of a traditional style and transparent as possible; however, an all glass door is prohibited.
- No part of any open doors shall extend into the public right-of-way.
- Storefront openings should not exceed 30 feet in width without the interruption of a vertical building element (column or wall).
- Storefront openings may extend up to 16 feet in height; the height should range from 8 to 16 feet.

Materials & Colors

- Use materials that exhibit permanence and quality, and that unify a building's appearance on all sides; materials and colors should accentuate the architectural details of the building and promote visual harmony. Brick, tile, pre-cast architectural concrete, wood, stone veneers or stucco are preferred.
- To create visual interest, use at least 3 different building materials on building facades. Materials may be used to highlight a building entrance or distinguish the building base.
- Any awnings shall be comprised of durable, heat, dust and mildew-resistant canvas materials that are designed to withstand the rigors of the Ontario climate. Vinyl or other shiny materials are prohibited. However, canopies are preferred over awnings.

Roofs/Rooftop Equipment

- Express roofs in a visually interesting manner that complements the composition of the building and surrounding area, (i.e., use sculpted roof forms or a strong and attractively detailed cornice).
- Locate and/or screen rooftop equipment, including ladders and antenna devices, so that it is not visible from streets and adjacent buildings; methods of rooftop screening should be integral to the building's form.
- All mechanical units shall be screened from public view and from adjacent existing buildings (preferably with roof forms).
- When roof decks and mechanical units are visible from adjacent developments, they should be as unobtrusive as possible and painted to match finish roof material.

6.9 OUTDOOR DINING AREAS

Outdoor dining areas adjacent to a street level eating or drinking establishment are encouraged along Emporia Street and Euclid Avenue. Any such areas shall be designed in accordance with the provisions set forth in Section 2A.7 of the Downtown Ontario Design Guidelines, plus any additional features that may be required as part of on-sale alcoholic beverages. Outdoor dining along Euclid Avenue, if proposed within the rights-of way, will require an agreement with the California Department of Transportation, since this is street is within a State right-of-6.10 SIGNS

All commercial signs shall be designed in accordance with the criteria set forth in Section 2C of the Downtown Ontario Design Guidelines.

6.11 LIGHTING

All lighting of facades, decorative fixtures, store window interiors, awnings, and signs shall be designed in accordance with the criteria set forth in Section 2D of the Downtown Ontario Design Guidelines.

On-site lighting must be directed away or shielded from adjacent streets, and adjacent properties. All exterior lighting shall be of an indirect nature, coming from under eaves and canopies, or at ground level, with in landscaped areas.

Exterior lighting fixtures should be a decorative and reinforce the architectural style of the building.

Light standards less than 15 FT in height (including lighting bollards) should illuminate all street sidewalks and connecting walkways and are encouraged throughout the project.

7. HISTORIC PRESERVATION

7.1 HISTORIC CONTEXT AND BACKGROUND

The project area that comprises the PUD established by this document is located within the City's Historic Downtown District. Founded by the Chaffey Brothers in the 1880's, Ontario was a coined a "model irrigation colony" by an Act of Congress in 1904. The Chaffey Brothers bought 6,218 acres of the Cucamonga Ranch in 1882 after the Southern Pacific Railway extended its service to the west. Approximately 640 acres were set aside for the community of Ontario, with half of that endowed to the Chaffey Agricultural College. The rest of the acreage was utilized as agricultural land. The primary feature of the Chaffey city plan was the two-hundred-foot-wide Euclid Avenue. Several innovations included the provision for water rights for each landowner, electric lights, and an electric railway. The gravity Mule Car that ran along the length of Euclid from 1888 to 1895 provided interest to its visitors as did the historic fountain that displayed Ontario's water supply system. The median still exists today and has been a center of public activity since its inception. The present downtown took shape from the original irrigation system and land subdivision pattern established by the Chaffey Brothers in the 1880's as it grew evenly northwards away from the railroad lines. The area within the current Downtown almost exactly matches the original boundaries of the Model Colony.

As a part of the recognition of Ontario's rich heritage, the City Council in July 1991 adopted a Historic Preservation Ordinance. The purpose of the Ordinance was:

1. To safeguard the City's unique historical heritage as embodied and reflected in the City's architectural history and patterns of cultural development;
2. To foster civic and neighborhood pride and a sense of identity based on the recognition and use of Historical Resources; and
3. To preserve diverse architectural styles, patterns of development, and design preferences reflecting phases of the City's history and to encourage complementary contemporary design and construction and inspire a more livable urban environment.

The PUD area has side street frontage along Euclid Avenue. The public right-of-way of Euclid Avenue from Philadelphia Street to the I-10 was designated as Local Landmark No. 67 on January 16, 2001 by the Ontario City Council. On August 10, 2005, the public right-of-way of Euclid Avenue from Philadelphia Street in Ontario to 24th Street in Upland was listed on the National Register of Historic Places as a significant cultural landscape. The public right-of way includes north and south bound streets, sidewalks, light fixtures, parkways, median, trees, and stone and concrete curbs and gutters. Contributing character-defining features include the 60-foot wide median, historic rock curb, scored sidewalks, King standard light posts, double planting of California pepper trees (*Schinus molle*), silk oaks trees (*Grevillea robusta*), and other mature vegetation such as deodar trees (*Cedrus deodara*) and Canary Island palms (*Phoenix canariensis*). All proposed developments within the PUD area will require a Certificate of Appropriateness to

ensure alterations and building forms (design, scale/massing and site layout) are appropriate to the character of the historic Euclid Avenue frontage (Right-of-way).

7.2 EXISTING HISTORIC RESOURCES

The PUD area does not contain any potential or proposed historic resources. However, the area is located within the Proposed Downtown Historic District. As such, a Certificate of Appropriateness will be required with all proposed developments within the PUD area to ensure no adverse impacts to the proposed and designated historic resources occur as a result of development. Infill and new construction, including building forms (design, scale/massing and site layout) and architectural elements, shall be developed in a manner that adheres to the Secretary of Interior Standards for the Treatment of Historic Resources, the City of Ontario Development Code, and the Ontario Design Guidelines.

8. ADMINISTRATION

8.1 ITEMS NOT ADDRESSED IN 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 Mixed-Use zones and City Standards.

8.2 DEVELOPMENT APPLICATIONS

Development Plans for the development of each individual parcel within the PUD area, along with fees and other required items, shall be submitted for review and approval per the requirements contained in Chapter 2, *Administration and Procedures*, of the City of Ontario Development Code and the General Application.

8.3 ADMINISTRATIVE EXCEPTIONS

Deviation from the development standards set forth in this document may be granted up to a maximum of ten (10%) percent by the Zoning Administrator. Any deviation that is greater than (10%) percent shall require Variance approval.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING/HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A CERTIFICATE OF APPROPRIATENESS (FILE NO. PHP21-021) TO ALLOW FOR THE CONSTRUCTION OF THE PROPOSED PROJECT WITHIN THE EUCLID AVENUE OVERLAY ZONING DISTRICT, ON A 0.86-ACRE PROPERTY LOCATED AT 125 WEST EMPORIA STREET, WITHIN THE MU-1/LUA-2N (DOWNTOWN MIXED-USE/ARTS DISTRICT – NORTH) AND EA (EUCLID AVENUE OVERLAY) ZONING DISTRICTS, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-059-14.

WHEREAS, RWSS DEVELOPMENT LLC. ("Applicant") has filed an Application for the approval of a Certificate of Appropriateness, File No. PHP21-021, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's historical foundation should be preserved and promoted in order to foster an understanding of the City's past, and provide future generations the opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Application applies to 0.86-acre of land located at the eastern terminus of Emporia Street, north of the Southern Pacific Railroad right-of-way, at 125 West Emporia Street within the within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning districts, and is currently developed with a paved public parking lot; and

WHEREAS, the property to the north of the Project site is within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning district and is developed with Office/Personal Services (Rojas Enterprises). The property to the east is within the CIV (Civic) zoning district and is developed with Ontario Museum of History and Art. The property to the south is within the RC (Rail Corridor) zoning district and is developed with a railroad for the Southern Pacific Transportation Company. The property to the west is within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) zoning district and is developed with Work/Live Lofts (Emporia Street Lofts); and

WHEREAS, the Project was submitted in conjunction with a Planned Unit Development (File No. PUD22-001: Art District West Planned Unit Development ("ADWPUD")) to establish development standards, design guidelines, and infrastructure requirements for the Project site, a Tentative Parcel Map (File No. PMTT21-009 (TPM 20394)) to subdivide a 0.86-acre property into a single lot to establish 22 commercial airspace condominium units, and a Development Plan (File No. PDEV21-017) to construct two commercial buildings totaling 33,787 square feet; and

WHEREAS, Section 6.01.035, Overlay Zoning Districts of the Ontario Development Code, requires Certificate of Appropriateness approval for any development project within the Euclid Avenue Overlay zoning district. The Euclid Avenue Overlay zoning district is intended to recognize, protect, and enhance the visual character and quality of Euclid Avenue as a major scenic and historic resource of the City, and to identify and safeguard Euclid Avenue's position on the National Register of Historic Places. The intent of the Overlay zoning district is not to create a false sense of history with any new development along the Euclid Avenue Corridor, but rather to ensure that new development does not adversely impact the visual character-defining features of Euclid Avenue, such as the 60-foot-wide landscaped median, rock curbs, and King's Standard lampposts. Additionally, all new construction should be compatible with the surrounding developments in site design, massing, and scale; and

WHEREAS, the Secretary of the Interior Standards for the Treatment of Historic Properties, also referred to as "the Standards," provide a critical part of the framework of the national preservation program and are widely used at the federal, state and local levels to guide work on historic resources and have been incorporated into the ADWPUD. The Standards state that alterations will not destroy historic features and spatial relationships that characterize the historic resource, and that new work will be differentiated from the old and will be compatible with historic materials, features, size, scale, and proportion, and massing to protect the integrity of the resource; and

WHEREAS, The Project is a two-story construction featuring elements from Emporia Street Lofts (work/live units) to the west and the Salvation Army Building to the north. The corner tower element faces Euclid Avenue and Emporia Street providing emphasis to the entrance which is similar to the corner entrances of the Frankish Building and Salvation Army Building. In addition, Euclid Avenue is situated approximately 20-feet below grade of the Project site ultimately minimizing the visual impacts to Euclid Avenue; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport ("ONT"), 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 ONT 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, 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, on February 10, 2022, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. HPSC22-002 recommending that the Planning/Historic Preservation Commission approve the Application; and

WHEREAS, on February 22, 2022, the Planning/Historic Preservation 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/Historic Preservation Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning/Historic Preservation 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/Historic Preservation Commission, the Planning/Historic Preservation Commission finds as follows:

(1) The administrative record has 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 and meets all of the following conditions: (a) 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; (b) the proposed development occurs within city limits and the area being developed is 0.86-acre, less than the maximum 5-acre threshold, and is substantially surrounded by urban land uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) 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/Historic Preservation 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/Historic Preservation 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/Historic Preservation 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/HISTORIC PRESERVATION 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.

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

(1) ***The proposed Project will not detrimentally change, destroy or adversely affect any significant architectural feature of the resource.*** While there are no identified historic resources within the Project site, the site has frontage along historic Euclid Avenue and is within the Proposed Downtown Historic District. Through appropriate scale, massing and use of materials, the new construction is compatible with the surrounding buildings and therefore, will not detrimentally change, destroy or adversely affect any significant architectural feature of the resource.

(2) ***The proposed Project will not detrimentally change, destroy or adversely affect the historic character or value of the resource.*** While there are no identified historic resources within the Project site, the Project has frontage along historic Euclid Avenue and is within the Proposed Downtown Historic District. The Project proposes appropriate building massing and scale, site design, building layout, and architecture that is in keeping with the area.

(3) ***The proposed Project will be compatible with the exterior character-defining features of the historic resource.*** Although the Project site is not considered historic, the Project site has frontage along historic Euclid Avenue and is within the proposed Downtown Historic District. Through enhanced architectural elements, including the tower feature, the proposed Project does not detract from the visual character of Euclid Avenue and is compatible with the Proposed Downtown Historic District.

(4) ***The proposed Project will not adversely affect or detract from the character of the historic district.*** Through compatible architectural elements the proposed Project does not detract from the visual character of Euclid Avenue and is compatible with the Proposed Downtown Historic District.

SECTION 5. *Planning/Historic Preservation Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning/Historic Preservation Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports, attached hereto 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.

SECTION 8. *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning/Historic Preservation 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/Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of February 2022, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning/Historic Preservation
Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning/Historic
Preservation Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning/Historic Preservation Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning/Historic Preservation Commission of the City of Ontario at their regular meeting held on February 22, 2022, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

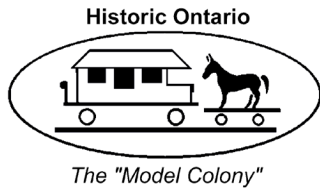
ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PHP21-021
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



CERTIFICATE OF APPROPRIATENESS

CONDITIONS OF APPROVAL

Date: February 10, 2022
File No.: PHP21-021
(Related File Nos. PUD22-001, PMTT21-009 (TPM 20394), PDEV21-017)
Location: 0.86-acre of land located at 125 West Emporia Street
(APN: 1049-059-14)
Prepared By: Jeanie Irene Aguilo, Associate Planner

Description:

A Certificate of Appropriateness (File No. PHP21-021) allow for the construction of the proposed Project within the Euclid Avenue Overlay Zoning District and ensure that the development does not cause an adverse effect on the character-defining features of Euclid Avenue, on 0.86-acre of land located at 125 West Emporia Street, within the LUA-2N (Arts District - North) of the MU-1 (Downtown Mixed-Use) and EA (Euclid Avenue Overlay) zoning districts (APN: 1049-059-14); **submitted by RWSS Development LLC.**

Conditions:

CONDITIONS OF APPROVAL

The above-described Project shall comply with the following Conditions of Approval.

1. Time Limits.

1.1. The Certificate of Appropriateness shall become void twenty-four (24) months from the date of approval unless a building permit has been issued and work authorized by this approval has commenced prior to the expiration date and is diligently pursued to completion.

2. Architectural Treatment.

2.1. An interpretative plan shall be submitted with the construction drawings. Interpretative elements should be coordinated with the design of the landscape and hardscape to achieve maximum compatibility and functionality. The purpose of the interpretative plan is to convey the historic background and historic significance (Developer's Row, Pacific Electric Bus Depot, Frankish Building, Salvation Army Building, and Chaffey's Ontario Land Improvement Co.) of the site and surrounding area through narrative plaques and photo displays. The salvaged rock curb should be part of the interpretative plan.

- 2.2. Construct storefronts in an extruded aluminum frame to provide a definitive cross section profile between frame or face of sash and the glass.



Example - Marvin Coastline Storefront

- 2.3. Storefronts shall have a bulkhead (base) 18 inches in height and shall be finished with a brick veneer to match building. The bulkhead shall be topped with a decorative cap to delineate the change of material to storefront. *Reference example above.*
- 2.4. Storefront display windows may be composed of single pane of glass or be divided into smaller lights by glazing bars or muntins. *Reference example above.*
- 2.5. Transom windows above the display windows shall be provided. The window heights should range from 2 to 3 Feet depending on overall floor height. *Reference examples above.*
- 2.6. Brick veneer, in a variety of color and texture, shall wrap the exterior building wall corners and terminate at the next wall that runs perpendicular. Veneer shall have a bull nose edge where the finished wall material changes (flat metal siding).
- 2.7. Exterior light fixtures shall be compatible with the overall architectural style. Submit a cut sheet to Planning for review and approval prior to issuance of building permit.

3. Signs.

- 3.1. Sign plans shall be submitted and approved for the site prior to the installation of any signs. Signs shall conform to Division 8.01 (Sign Regulations) of the Ontario Development Code.

4. Permits, Approvals, and Final Inspection.

- 4.1. Approval of this Application is contingent upon Planning Commission approval of related Tentative Parcel Map (File No. PMTT21-009 / TPM 20394), Development Plan (File No. PDEV21-017), and City Council approval of related Planned Unit Development (File No. PUD22-001).
- 4.2. The applicant shall obtain a building permit prior to any demolition, relocation, or construction.
- 4.3. Any deviation from the approved plans shall require approval of the Planning Department and, if necessary, the Historic Preservation Commission.
- 4.4. Conditions of Approval table shall be reproduced onto all plans submitted for permits.
- 4.5. Prior to Occupancy, the Planning Department shall inspect the premises to ensure the Conditions of Approval have been met and that the addition has been constructed per the approved plans. Upon the completion of the addition and compliance with the requirements stated above, the Planning Department shall issue a Certificate of Completion.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING/HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT21-009 (TPM 20394), A TENTATIVE PARCEL MAP TO SUBDIVIDE A 0.86-ACRE PROPERTY INTO A SINGLE LOT TO ESTABLISH 22 COMMERCIAL AIRSPACE CONDOMINIUM UNITS LOCATED AT 125 WEST EMPORIA STREET, WITHIN THE MU-1/LUA-2N (DOWNTOWN MIXED-USE/ARTS DISTRICT – NORTH) AND EA (EUCLID AVENUE OVERLAY) ZONING DISTRICTS, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-059-14.

WHEREAS, RWSS DEVELOPMENT LLC. ("Applicant") has filed an Application for the approval of a Tentative Parcel Map, File No. PMTT21-009 (TPM 20394), as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.86-acre of land located at the eastern terminus of Emporia Street, north of the Southern Pacific Railroad right-of-way, at 125 West Emporia Street within the within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning districts, and is currently developed with a paved public parking lot; and

WHEREAS, the property to the north of the Project site is within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning district, and is developed with Office/Personal Services (Rojas Enterprises). The property to the east is within the CIV (Civic) zoning district and is developed with Ontario Museum of History and Art. The property to the south is within the RC (Rail Corridor) zoning district and is developed with a railroad for the Southern Pacific Transportation Company. The property to the west is within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) zoning district and is developed with Work/Live Lofts (Emporia Street Lofts); and

WHEREAS, the proposed Tentative Parcel Map (TPM 20394) will subdivide the 0.86-acre Project site into a single numbered lot for condominium purposes and one lettered lot consisting of private drive aisles, parking areas, and common open space. The condominium plan will establish 22 commercial condominium units that will be recorded with the Department of Real Estate, delineating the airspace for each unit, off-street parking, and common areas; and

WHEREAS, the Project was submitted in conjunction with a Planned Unit Development (File No. PUD22-001: Art District West Planned Unit Development ("ADWPUD")) to establish development standards, design guidelines, and infrastructure requirements for the Project site, a Development Plan (File No. PDEV21-017) to construct two commercial buildings totaling 33,787 square feet, and a Certificate of

Appropriateness (File No. PHP21-021) to allow for the construction of the proposed Project within the Euclid Avenue Overlay Zoning District; 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/Historic Preservation Commission Resolution 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 February 7, 2022, 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. DAB22-005 recommending that the Planning/Historic Preservation Commission approve the Application; and

WHEREAS, on February 22, 2022, the Planning/Historic Preservation 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/Historic Preservation Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning/Historic Preservation 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/Historic Preservation Commission, the Planning/Historic Preservation Commission finds as follows:

(1) The administrative record has 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 and meets all of the following conditions: (a) 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; (b) the proposed development occurs within city limits and the area being developed is 0.86-acre, less than the maximum 5-acre threshold, and is substantially surrounded by urban land uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) 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/Historic Preservation 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/Historic Preservation 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/Historic Preservation 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/HISTORIC PRESERVATION 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.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning/Historic Preservation Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning/Historic Preservation 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 Downtown Mixed-Use land use district of the Policy Plan Land Use Map, and the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning districts. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to the establishment of “[a] dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses” (Goal CD1). Furthermore, the Project will promote the City’s policy to “take actions that are consistent with the City being a leading urban center

in Southern California while recognizing the diverse character of our existing viable neighborhoods” (Policy CD1-1 *City Identity*).

(2) ***The design or improvement of the proposed Tentative 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 Downtown Mixed-Use land use district of the Policy Plan Land Use Map, and the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning districts. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will provide “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct (Goal CD2). Furthermore, the Project will promote the City’s policy to “collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques” (Policy CD2-7 Sustainability).

(3) ***The site is physically suitable for the type of development proposed.*** The Project site meets the minimum lot area and dimensions of the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning districts, and is physically suitable for the type of commercial 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 commercial development at a floor area ratio of 0.79. The Project site meets the minimum lot area and dimensions of MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning districts, and the proposed ADWPUD, 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 improvements existing or proposed on the Project site, are not likely to cause serious public health problems, as the Project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or Project implementation, 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) planned unit development; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 5: Planning/Historic Preservation Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning/Historic Preservation 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 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.

SECTION 8: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning/Historic Preservation 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/Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of February 2022, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning/Historic Preservation
Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning/Historic
Preservation Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning/Historic Preservation Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning/Historic Preservation Commission of the City of Ontario at their regular meeting held on February 22, 2022, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT21-009 (TPM 20394)
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Date Prepared: 1/27/2022

File Nos: PMTT21-009 (TPM 20394)

Related Files: PUD22-001, PDEV21-017, and PHP21-021

Project Description: A Tentative Parcel Map (File No. PMTT21-009 (TPM 20394)) a Tentative Parcel Map (File No. PMTT21-009 (TPM 20394)) to subdivide a 0.86-acre property into a single lot to establish 22 commercial airspace condominium units, located at 125 West Emporia Street, within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning districts. (APN: 1049-059-14); **submitted by RWSS Development LLC.**

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

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

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

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

2.1 Time Limits.

(a) Tentative Parcel/Tract Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

(a) The Final Parcel Map shall be in conformance with the approved Tentative Tract/Parcel Map on file with the City. Variations from the approved Tentative Tract/Parcel Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Tract/Parcel Map may require review and approval by the Planning Commission, as determined by the Planning Director.

(b) Tentative Parcel Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

(c) The subject Tentative Parcel Map for condominium purposes shall require the recordation of a condominium plan concurrent with the recordation of the Final Tract/Parcel Map and CC&Rs.

(d) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

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

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

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

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

2.4 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.

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

2.6 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).

2.7 Site Lighting.

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

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

2.8 Mechanical and Rooftop Equipment.

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

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

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

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

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

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

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owner's association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

(e) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(f) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(g) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.13 Environmental Review.

(a) The 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:

(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.

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

2.15 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination ("NOD") filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act ("CEQA"). Failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

(b) Within 5 days following final application approval, the Notice of Exemption ("NOE") 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”). The filing of an NOE is voluntary; however, failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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

2.16 Additional Requirements.

(a) The taproom shall be subject to the approval of an Administrative Use Permit for Alcohol Beverage Sales for On-Premises Consumption.

(b) The parking and landscape planter on the northeast corner of the project site shall be adjusted accordingly to allow adequate room for the sliding gate and mechanical equipment, as necessary. The final design shall require Planning Director review and approval.

(c) Tentative Parcel Map (File No. PMTT21-009 / TPM 20394) and Development Plan (File No. PDEV21-017) approval shall not be final and conclusive until such time that File No. PUD22-001 (Art District West Planned Unit Development) has been approved and enacted by action of the City Council of the City of Ontario.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input checked="" type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-20394 RELATED FILE NO(S). PMTT21-009, PDEV21-017	
<input type="checkbox"/> ORIGINAL <input checked="" type="checkbox"/> REVISED: <u>2/7/2022</u>	

CITY PROJECT ENGINEER & PHONE NO: Miguel Sotomayor, P.E., 909-395-2108

CITY PROJECT PLANNER & PHONE NO: Jeanie Aguilo, 909-395-2418

DAB MEETING DATE: February 7, 2022

PROJECT NAME / DESCRIPTION: A Tentative Parcel Map to subdivide 0.86-acre of land into 22 commercial airspace condominium units located within LAU-2N (Arts District - North) of the MU-1 (Downtown Mixed Use) zoning district (APN: 1049-059-14).

LOCATION: 125 West Emporia Street

APPLICANT: RWSS Development LLC

REVIEWED BY: Raymond Lee 2/7/22
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: [Signature] 2-7-22
 Khoi Do, P.E. Date
 City Engineer

Last Revised: 2/7/2022



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s):
 A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
- 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 Financial 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 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 Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 Ontario Ranch Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map No. 20394 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF 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 March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);



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.

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) – for water main connection at Euclid

- 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: Non-interference letter from any easement holders listed on title report

2.10 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____

Property line corner 'cut-back' required at the intersection of _____
 and _____.

2.11 Dedicate to the City of Ontario the following easement(s): _____

2.12 Vacate the following street(s) and/or easement(s):
 A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

2.13 Ontario Ranch 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).

2.14 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.

2.15 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.

2.16 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$23,239.75, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**

2.17 **Other conditions:**
a. **As part of the precise grading plans submittal, provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.**



B. PUBLIC IMPROVEMENTS

(See attached Exhibit 'A' for plan check submittal requirements.)

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

Improvement	Emporia Street	Palm Avenue	Laurel Avenue	Transit Street
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement (see 2.18)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> 2" grind and overlay	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> 2" grind and overlay	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> 2" grind and overlay	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> 2" grind and overlay
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach (see Sec. 2.17a and 2.37b)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk (see Sec. 2.17b)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> One New & One Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

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

- a. The applicant/developer shall design and construct sidewalk, curb, gutter and landscape parkway including irrigation where existing drive approaches are being removed.
- b. The applicant/developer shall remove and replace the existing sidewalk along the project frontage. Sidewalk shall be reconstructed right of way adjacent.



- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):**

 - a. **Palm Avenue from Emporia Street to Holt Boulevard (curb to curb)**
 - b. **Laurel Avenue from Emporia Street to Holt Boulevard (curb to curb)**
 - c. **Transit Street from Fern Avenue to Laurel Avenue (curb to curb)**
 - d. **Emporia Avenue from Fern Avenue to end of cul-de-sac east of Laurel Avenue (curb to curb)**

- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.302.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 A 8 inch sewer main is available for connection by this project in Emporia Street (Ref: Sewer plan bar code: S10890)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:**

 - a. **The applicant/developer shall apply for a Wastewater Discharge Permit for their establishment and shall comply will all the requirements of the Wastewater Discharge Permit. The application can be downloaded from the City's Utilities website in the drop-down of the "Pretreatment" section (www.ontarioca.gov/OMUC/Utilities). Please select the appropriate application that applies to your type of business. Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as grease interceptors or clarifiers. For wastewater permit application questions, please contact:**

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

D. WATER

- 2.27 A _____ inch water main is available for connection by this project in _____ (Ref: Water plan bar code: _____)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.



2.29 Other conditions:

~~a. Existing Water Mains Upsizing: Upgrade all existing water mains in the area to 12" water mains and connect and construct all services, fire hydrants (with 300' maximum spacing between fire hydrants), backflow, DCDA and all other appurtenances to city's current standards and guidelines in additions to what have been mentioned above. The construction of all water mains may be eligible for reimbursement by the City of Ontario under separate agreement.~~

Existing Water Mains Upsizing: Upgrade all existing water mains in the area to 12" water mains and connect and construct all services, fire hydrants (with 300' maximum spacing between fire hydrants), backflow, DCDA and all other appurtenances to city's current standards and guidelines in addition to what have been mentioned above. The construction of all water mains and pavement work associated with the water main improvements are eligible for reimbursement by the City of Ontario subject to the terms of a separate reimbursement agreement

The limits of water mains upgrade as follow:

- i. **Transit Street: From Fern Avenue to Laurel Avenue.**
- ii. **Emporia Street: From Fern Avenue to Euclid Avenue.**
- iii. **Palm Avenue: From Holt Boulevard to Emporia Street.**
- iv. **Laurel Avenue: From Holt Boulevard to Emporia Street**

b. All offsite fire hydrant locations and appropriate main sizes shall be established and approved by Engineering and Fire Department.

E. RECYCLED WATER

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

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

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

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

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

2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:

- 1. On-site and off-site circulation
- 2. Traffic level of service (LOS) at 'build-out' and future years
- 3. Impact at specific intersections as selected by the City Engineer

2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.



- 2.37 Other conditions:**
- a. **The applicant/developer shall provide a truck turning exhibits for ingress/egress and site circulation using the site specific design vehicle. Show RVs capable of making inbound right turns in from the curbside lane. The site plan will need to be redesigned if proper site circulation cannot be met which may require a new submittal and re-entitlement. Truck turning template shall be submitted for review prior to grading approval.**
 - b. **The applicant/developer shall design and construct proposed driveways on Emporia Street in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway. Depict curb return radii and driveway widths on the plans.**
 - c. **The applicant/developer shall be responsible to replace any existing street light fixtures along its project frontage of Emporia Street with the current City approved LED equivalent fixture per the Traffic and Transportation Design Guidelines.**
 - d. **Emporia Street shall be signed "No Parking Anytime" along the property frontage.**
 - e. **The applicant/developer shall restore the striping due to the required 2" grind and overlay per 2.18 above.**
 - f. **The applicant/developer's engineer-of-record shall meet with City Engineering staff prior to starting signing/striping and street lighting design plans.**

G. DRAINAGE / HYDROLOGY

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

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404



Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.

If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.

Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

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

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial 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 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 Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 A _____ fiber optic line is available for connection by this project in _____. (Ref: Fiber Optic plan bar code: _____)
- 2.51 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located on Laurel Avenue approximately 50 feet north of Emporia Avenue.**
- 2.52 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the**



Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City’s Refuse & Recycling Planning Manual located at:
<https://www.ontarioca.gov/OMUC/IntegratedWaste>
- 2.53 Other conditions: _____

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

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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.



- 4.03** The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.

- 4.04** Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV21-017, and/or Parcel Map No. 20394

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



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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-017 & PMTT21-009

Address: 125 West Emporia Street

APN: 1049-059-14

Existing Land Use: Parking Lot

Proposed Land Use: Development Plan to construct 2 commercial buildings totaling 30,971 SF and Tentative Parcel Map for condominium purposes to create 22 units

Site Acreage: 0.86 Proposed Structure Height: 30 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: July 6, 2021

CD No.: 2021-029

PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="checkbox"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input checked="" type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>85 FT</u>	
<input type="radio"/> Zone 5			

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature:



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Matt Montieth, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Gabriel Gutierrez, Police Department
Mike Gerken, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: October 20, 2021

SUBJECT: FILE #: PMTT21-009

Finance Acct#:

REVISION NO. 1

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

PROJECT DESCRIPTION: A Tentative Parcel Map to subdivide 0.86-acre of land into 22 commercial airspace condominium units located at 125 West Emporia Street, within LAU-2N (Arts District - North) of the MU-1 (Downtown Mixed Use) zoning district (APN: 1049-059-14). Related File: PDEV21-017.

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

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

The plan does not adequately address the departmental concerns.

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

Landscape Planning Division *J. Aguilo* Landscape Planner 11/16/21
Department Signature Title Date



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Associate Planner
Planning Department

FROM: Mike Gerken, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: May 12, 2021

SUBJECT: PMTT21-009 - A Tentative Parcel Map to subdivide 0.86-acre of land into 22 commercial airspace condominium units located at 125 West Emporia Street, within LAU-2N (Arts District - North) of the MU-1 (Downtown Mixed Use) zoning district (APN: 1049-059-14). Related File: PDEV21-017.

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: IIIB
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies
- D. Number of Stories: Two Stories
- E. Total Square Footage: Varies 1,511 Sq. Ft. – 12,647 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): B-2 & S1

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 website at www.ontarioca.gov/Fire/Prevention.
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2019 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

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. Homes that do not front street shall be provided with an address entry sign at the street. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Matt Montieth, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Gabriel Gutierrez, Police Department
Mike Gerken, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: April 29, 2021

SUBJECT: FILE #: PMTT21-009 Finance Acct#:

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

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

PROJECT DESCRIPTION: A Tentative Parcel/Tract Map for condominium purposes to create 22 condominium units on 0.86 acres of land located at 125 West Emporia Street within LAU-2N (Arts District - North) of the Downtown Mixed Use Zoning District (APN(s): 1049-059-14). Related File(s): PMTT21-009.

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

POLICE
Department

Signature

POLICE OFFICER
Title

6/20/21
Date

RESOLUTION NO.

A RESOLUTION OF THE PLANNING/HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV21-017, A DEVELOPMENT PLAN TO CONSTRUCT TWO COMMERCIAL BUILDINGS TOTALING 33,787 SQUARE FEET, ON A 0.86-ACRE PROPERTY LOCATED AT 125 WEST EMPORIA STREET, WITHIN THE MU-1/LUA-2N (DOWNTOWN MIXED-USE/ARTS DISTRICT – NORTH) AND EA (EUCLID AVENUE OVERLAY) ZONING DISTRICTS, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-059-14.

WHEREAS, RWSS DEVELOPMENT LLC. ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV21-017, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.86-acre of land located at the eastern terminus of Emporia Street, north of the Southern Pacific Railroad right-of-way, at 125 West Emporia Street within the within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning districts, and is currently developed with a paved public parking lot; and

WHEREAS, the property to the north of the Project site is within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning district and is developed with Office/Personal Services (Rojas Enterprises). The property to the east is within the CIV (Civic) zoning district and is developed with Ontario Museum of History and Art. The property to the south is within the RC (Rail Corridor) zoning district and is developed with a railroad for the Southern Pacific Transportation Company. The property to the west is within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) zoning district and is developed with Work/Live Lofts (Emporia Street Lofts); and

WHEREAS, the Project was submitted in conjunction with a Planned Unit Development (File No. PUD22-001: Art District West Planned Unit Development ("ADWPUD")) to establish development standards, design guidelines, and infrastructure requirements for the Project site, a Tentative Parcel Map (File No. PMTT21-009 (TPM 20394)) to subdivide a 0.86-acre property into a single lot to establish 22 commercial airspace condominium units, and a Certificate of Appropriateness (File No. PHP21-021) to allow for the construction of the proposed Project within the Euclid Avenue Overlay Zoning District; and

WHEREAS, proposed is the construction of two commercial buildings totaling 33,787 square feet. Building A (front building) is 9,669 square feet in size and is centrally located along the northern portion of the site, oriented in an east-west configuration, with the primary entrance facing north, towards Emporia Street. The building contains a 3,455-square-foot flex-space, six "Car Condo" suites and mezzanine totaling 6,214 square feet

designed for the storage of personal vehicles (such as cars and recreational vehicles), and a trash enclosure and restrooms totaling 576 square feet. Two off-street parking lots are located to the east and west of Building A; and

WHEREAS, Building B (rear building), located along the east, south and west property lines, is 24,012 square feet in size and is configured in a U-shape. The building contains a 2,470-square-foot retail space with mezzanine designed to accommodate a tap room with both ground and second floor outdoor patio areas located at the northeast corner of the site. The remainder of the building is 21,542 square feet in size and is divided into fourteen Car Condo suites; and

WHEREAS, there are a total of 20 car condo suites proposed within portions of Buildings A and B. The ADWPUD defines car condos as space you own and customize to house your vehicles. The car condos offer car aficionados a safe, secure, and private space to store and display their vehicles (sports, classic, racing, exotics, hot rods, and/or other collectible cars), motorized toys, and/or personal treasures. Each unit includes a mezzanine area that can be customized to include a loft area, office, TV viewing area and/or refreshment kitchenette area. The unit's footprint range in size from 420 to 1,836 square feet, which range from 30 to 68 feet in depth and the 14 to 68 feet in width; and

WHEREAS, the Project site will be accessed from two points along Emporia Street. The driveways are located at the northwest and northeast corners of the Project site, immediately to the east and west of Building A. The U-shaped drive-aisle is proposed between Buildings A and B, connecting the two points of access and providing on-site circulation and access to each Car Condo unit; and

WHEREAS, the ADWPUD requires the Project to provide off-street parking at the rates required by the Development Code and allows one parking space within each Car Condo Unit to be counted towards the required parking for the vehicle storage (Car Condo) use. The Project has provided off-street parking pursuant to the "Drinking Places" and "General Business Offices" parking standards specified in the Development Code. The Project requires a total of 59 passenger vehicle parking spaces and 29 parking spaces have been provided, resulting in a deficit of 30 parking spaces; and

WHEREAS, although the Project does not provide sufficient off-street parking, the Project site is located within the Downtown Mixed-Use District, which pursuant to the Ontario Development Code, allows parking to be analyzed using the City's Downtown Ontario Parking Model. The Downtown Parking Model specifically evaluates each block within the Downtown Area and calculates the parking demand on an hourly basis, from 6:00 A.M. to 12:00 A.M. Additionally, it allows a project's parking demands to be met by utilizing the available parking on the project site block, in combination with the surrounding blocks; and

WHEREAS, the Parking Model found a deficit of 1 to 14 parking spaces on Blocks 71 and 72, between the hours of 10:00 A.M. to 8:00 P.M.; however, there is a surplus of 56 to 100 parking spaces within the combined four Blocks, addressing any single block deficiencies. Therefore, staff has determined that based upon the Downtown Ontario Parking Model, sufficient parking exists on the Project site and its' surrounding blocks, to support the proposed Project; and

WHEREAS, a contemporary industrial inspired architectural design is proposed to complement the surrounding historic buildings and context of the historic downtown area. Building's A and B are single-story buildings, with a two-story massing consistent with the existing surrounding buildings located to the north and west of the Project site. Both buildings will incorporate a combination of vertical corrugated metal panels, horizontal flat metal siding, brick veneer, metal canopies, storefront glazing, and a contrasting color palette that includes black, grey, brown, and red tones; and

WHEREAS, the proposed landscape design highlights building and driveway entries and softens the appearance of the building along Emporia Street. Due to the configuration of the proposed buildings, landscaping is primarily featured along the Emporia Street frontage and the northwestern parking lot. The existing parkway and sidewalk will be altered to accommodate the two proposed driveways which will require the removal of two heritage *Grevillea robusta* (Silk Oak) trees and the onsite relocation one *Washingtonia filifera* (California Palm) within the parkway; and

WHEREAS, The Project has been conditioned to replace the two *Grevillea robusta* trees with trees that are equal in trunk diameter onsite and/or pay appropriate mitigation fees to City of Ontario Historic Preservation Fund. Moreover, the proposed landscaping, hardscape and lighting has been designed to complement the architecture of the proposed building and enhance vehicular entries, pedestrian walkways, and other key locations throughout the Project site; 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 onsite drainage will be conveyed to an underground chamber located on the northwest portion of the Project site underneath the parking lot and any overflow drainage will be conveyed to the curb and gutter along Emporia Street; 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/Historic Preservation 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 February 7, 2022, 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. DAB22-006 recommending that the Planning/Historic Preservation Commission approve the Application; and

WHEREAS, on February 22, 2022, the Planning/Historic Preservation 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/Historic Preservation Commission of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the decision-making authority for the Project, the Planning/Historic Preservation 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/Historic Preservation Commission, the Planning/Historic Preservation Commission finds as follows:

(1) The administrative record has 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 and meets all of the following conditions: (a) 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; (b) the proposed development occurs within city limits and the area being developed is 0.86-acre, less than the maximum 5-acre threshold, and is substantially surrounded by urban land uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) 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/Historic Preservation 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/Historic Preservation 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/Historic Preservation 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/HISTORIC PRESERVATION 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.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning/Historic Preservation Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning/Historic Preservation 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/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning districts. 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/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning districts, including standards relative to the particular land use proposed (car condo units, taproom, and flex space), 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, and the proposed ADWPUD.

(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 proposed Art District West PUD 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 (car condo units, taproom, and flex space). 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 proposed ADWPUD and Development Code.

SECTION 5: Planning/Historic Preservation Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning/Historic Preservation 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 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.

SECTION 8: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning/Historic Preservation 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/Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of February 2022, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning/Historic Preservation
Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning/Historic
Preservation Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning/Historic Preservation Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning/Historic Preservation Commission of the City of Ontario at their regular meeting held on February 22, 2022, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV21-017
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)

Date Prepared: 1/27/2022

File Nos: PDEV21-017

Related Files: PUD22-001, PMTT21-009 (TPM 20394), and PHP21-021

Project Description: A Development Plan (File No. PDEV21-017) to construct two commercial buildings totaling 33,787 square feet, on a 0.86-acre property located at 125 West Emporia Street, within the MU-1/LUA-2N (Downtown Mixed-Use/Arts District – North) and EA (Euclid Avenue Overlay) zoning districts. (APN: 1049-059-14); **submitted by RWSS Development LLC.**

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

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

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

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

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

2.6 Site Lighting.

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

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

2.7 Mechanical and Rooftop Equipment.

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

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

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

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

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owner's association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

(e) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(f) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(g) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.12 Environmental Review.

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

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

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination ("NOD") filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act ("CEQA"). Failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

(b) Within 5 days following final application approval, the Notice of Exemption ("NOE") 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"). The filing of an NOE is voluntary; however, failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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

2.15 Additional Requirements.

(a) The taproom shall be subject to the approval of an Administrative Use Permit for Alcohol Beverage Sales for On-Premises Consumption.

(b) The parking and landscape planter on the northeast corner of the project site shall be adjusted accordingly to allow adequate room for the sliding gate and mechanical equipment, as necessary. The final design shall require Planning Director review and approval.

(c) Tentative Parcel Map (File No. PMTT21-009 / TPM 20394) and Development Plan (File No. PDEV21-017) approval shall not be final and conclusive until such time that File No. PUD22-001 (Art District West Planned Unit Development) has been approved and enacted by action of the City Council of the City of Ontario.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input checked="" type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-20394 RELATED FILE NO(S). PMTT21-009, PDEV21-017	
<input type="checkbox"/> ORIGINAL <input checked="" type="checkbox"/> REVISED: <u>2/7/2022</u>	

CITY PROJECT ENGINEER & PHONE NO: Miguel Sotomayor, P.E., 909-395-2108

CITY PROJECT PLANNER & PHONE NO: Jeanie Aguilo, 909-395-2418

DAB MEETING DATE: February 7, 2022

PROJECT NAME / DESCRIPTION: A Tentative Parcel Map to subdivide 0.86-acre of land into 22 commercial airspace condominium units located within LAU-2N (Arts District - North) of the MU-1 (Downtown Mixed Use) zoning district (APN: 1049-059-14).

LOCATION: 125 West Emporia Street

APPLICANT: RWSS Development LLC

REVIEWED BY: Raymond Lee 2/7/22
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: [Signature] 2-7-22
 Khoi Do, P.E. Date
 City Engineer

Last Revised: 2/7/2022



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s):
 A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
- 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 Financial 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 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 Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 Ontario Ranch Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map No. 20394 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF 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 March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);



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.

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) – for water main connection at Euclid

- 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: Non-interference letter from any easement holders listed on title report

2.10 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____

Property line corner 'cut-back' required at the intersection of _____
 and _____.

2.11 Dedicate to the City of Ontario the following easement(s): _____

2.12 Vacate the following street(s) and/or easement(s):
 A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

2.13 Ontario Ranch 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).

2.14 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.

2.15 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.

2.16 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$23,239.75, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**

2.17 **Other conditions:**

a. **As part of the precise grading plans submittal, provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.**



B. PUBLIC IMPROVEMENTS

(See attached Exhibit 'A' for plan check submittal requirements.)

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

Improvement	Emporia Street	Palm Avenue	Laurel Avenue	Transit Street
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement (see 2.18)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> 2" grind and overlay	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> 2" grind and overlay	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> 2" grind and overlay	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> 2" grind and overlay
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach (see Sec. 2.17a and 2.37b)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk (see Sec. 2.17b)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> One New & One Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

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

- a. The applicant/developer shall design and construct sidewalk, curb, gutter and landscape parkway including irrigation where existing drive approaches are being removed.
- b. The applicant/developer shall remove and replace the existing sidewalk along the project frontage. Sidewalk shall be reconstructed right of way adjacent.



- 2.18 **Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):**
 - a. **Palm Avenue from Emporia Street to Holt Boulevard (curb to curb)**
 - b. **Laurel Avenue from Emporia Street to Holt Boulevard (curb to curb)**
 - c. **Transit Street from Fern Avenue to Laurel Avenue (curb to curb)**
 - d. **Emporia Avenue from Fern Avenue to end of cul-de-sac east of Laurel Avenue (curb to curb)**
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service
 sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.302.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **A 8 inch sewer main is available for connection by this project in Emporia Street (Ref: Sewer plan bar code: S10890)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - a. **The applicant/developer shall apply for a Wastewater Discharge Permit for their establishment and shall comply will all the requirements of the Wastewater Discharge Permit. The application can be downloaded from the City's Utilities website in the drop-down of the "Pretreatment" section (www.ontarioca.gov/OMUC/Utilities). Please select the appropriate application that applies to your type of business. Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as grease interceptors or clarifiers. For wastewater permit application questions, please contact:**

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

D. WATER

- 2.27 A _____ inch water main is available for connection by this project in _____ (Ref: Water plan bar code: _____)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.



2.29 Other conditions:

~~a. Existing Water Mains Upsizing: Upgrade all existing water mains in the area to 12" water mains and connect and construct all services, fire hydrants (with 300' maximum spacing between fire hydrants), backflow, DCDA and all other appurtenances to city's current standards and guidelines in additions to what have been mentioned above. The construction of all water mains may be eligible for reimbursement by the City of Ontario under separate agreement.~~

Existing Water Mains Upsizing: Upgrade all existing water mains in the area to 12" water mains and connect and construct all services, fire hydrants (with 300' maximum spacing between fire hydrants), backflow, DCDA and all other appurtenances to city's current standards and guidelines in addition to what have been mentioned above. The construction of all water mains and pavement work associated with the water main improvements are eligible for reimbursement by the City of Ontario subject to the terms of a separate reimbursement agreement

The limits of water mains upgrade as follow:

- i. **Transit Street: From Fern Avenue to Laurel Avenue.**
- ii. **Emporia Street: From Fern Avenue to Euclid Avenue.**
- iii. **Palm Avenue: From Holt Boulevard to Emporia Street.**
- iv. **Laurel Avenue: From Holt Boulevard to Emporia Street**

b. All offsite fire hydrant locations and appropriate main sizes shall be established and approved by Engineering and Fire Department.

E. RECYCLED WATER

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

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

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

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

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

2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:

- 1. On-site and off-site circulation
- 2. Traffic level of service (LOS) at 'build-out' and future years
- 3. Impact at specific intersections as selected by the City Engineer

2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.



- 2.37 Other conditions:**
- a. **The applicant/developer shall provide a truck turning exhibits for ingress/egress and site circulation using the site specific design vehicle. Show RVs capable of making inbound right turns in from the curbside lane. The site plan will need to be redesigned if proper site circulation cannot be met which may require a new submittal and re-entitlement. Truck turning template shall be submitted for review prior to grading approval.**
 - b. **The applicant/developer shall design and construct proposed driveways on Emporia Street in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway. Depict curb return radii and driveway widths on the plans.**
 - c. **The applicant/developer shall be responsible to replace any existing street light fixtures along its project frontage of Emporia Street with the current City approved LED equivalent fixture per the Traffic and Transportation Design Guidelines.**
 - d. **Emporia Street shall be signed “No Parking Anytime” along the property frontage.**
 - e. **The applicant/developer shall restore the striping due to the required 2” grind and overlay per 2.18 above.**
 - f. **The applicant/developer’s engineer-of-record shall meet with City Engineering staff prior to starting signing/stripping and street lighting design plans.**

G. DRAINAGE / HYDROLOGY

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

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404



Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.

If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.

Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

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

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial 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 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 Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 A _____ fiber optic line is available for connection by this project in _____. (Ref: Fiber Optic plan bar code: _____)
- 2.51 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located on Laurel Avenue approximately 50 feet north of Emporia Avenue.**
- 2.52 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the**



Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:
<https://www.ontarioca.gov/OMUC/IntegratedWaste>
- 2.53 Other conditions: _____

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

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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.



- 4.03** The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.

- 4.04** Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV21-017, and/or Parcel Map No. 20394

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



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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-017 & PMTT21-009

Address: 125 West Emporia Street

APN: 1049-059-14

Existing Land Use: Parking Lot

Proposed Land Use: Development Plan to construct 2 commercial buildings totaling 30,971 SF and Tentative Parcel Map for condominium purposes to create 22 units

Site Acreage: 0.86 Proposed Structure Height: 30 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: July 6, 2021

CD No.: 2021-029

PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="checkbox"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input checked="" type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 85 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
LANDSCAPE PLANNING DIVISION
303 East "B" Street, Ontario, CA 91764**

CONDITIONS OF APPROVAL

Sign Off

	1/31/2022
Jamie Richardson, Sr. Landscape Planner	Date

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

D.A.B. File No.: PDEV21-017	Case Planner: Jeanie Aguilo
--------------------------------	--------------------------------

Project Name and Location:

2 Commercial Bldgs.
125 W Emporia

Applicant/Representative:

RWSS Development LLC
1405 Fairplex Dr. B3
La Verne, CA 91750

Preliminary Plans (dated 1/31/2022) 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.

Preliminary Plans (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

PREVIOUS CORRECTIONS – 6/2/2021 & 11/16/2021 Not Complete

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 value of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items.
3. Parkway tree locations shall be shown on all tract maps and plans where utilities are proposed. Parkway trees are to be 30' apart.
4. Storm water infiltration devices located in landscape areas shall be reviewed and plans

approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.

5. Note decorative paving at entry.
6. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
7. Show backflow devices set back 4' from paving all sides. Locate on level grade.
8. Identify the 3' space behind the sidewalk. Show right of way improvements; trees protected, landscape and irrigation repaired or replaced.
9. 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.
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. 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

14. Provide an arborist report and tree inventory as noted in #1.
15. 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.
16. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
17. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
18. Show all easements and identify.
19. Note on landscape plans: for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
20. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs where parking spaces are adjacent to planters.
21. Show landscaping in the perimeter planters and trees spaced 30' apart.
22. Show parkway landscape max 18" high: such as Baccharis, Lonicera, etc. and street trees spaced 30' apart.
23. Street trees for this project are: Washingtonia filifera and Grevillea robusta alternating. Use background trees and triangularly space between them.
24. Locate trees for shade on buildings, parking lots, seating areas and paving, screen blank walls and adjacent properties where missing, accent trees to entries and driveways, provide visibility to signs, windows and doors. Locate trees 50% of canopy width from walls, buildings, and existing trees.

25. 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.
26. Show landscape hydrozones on plan or legend with plants per WUCOLS. Moderate water plants may be used for part shade north and east facing locations, low water plants everywhere else.
27. Overhead spray systems shall be designed for plant material less than the height of the spray head.
28. Show 25% of trees as California native (*Platanus racemosa*, *Quercus agrifolia*, *Quercus wislizenii*, *Quercus douglasii*, *Cercis occidentalis* etc.) in appropriate locations.
29. Show 6' diameter of mulch only at new trees; 8' around Oaks and existing. Detail irrigation dripline outside of mulched root zone.
30. Designer or developer to provide agronomical soil testing and include report on landscape construction plans.
31. Hardscape materials such as DG, gravel, cobble shall be limited to accent areas and 5% of the total landscape area. Plant material shall be designed to fill into 100% of landscape areas with no bare soil.
32. Call out all fences and walls, materials proposed and heights.
33. Show concrete mowstrips to identify property lines along open areas or to separate ownership or between maintenance areas.
34. 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.
35. Show 25% of trees as California native (*Platanus racemosa*, *Quercus agrifolia*, *Quercus wislizenii*, *Quercus douglasii*, *Cercis occidentalis* etc.) in appropriate locations.
36. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
37. 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.



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Associate Planner
Planning Department

FROM: Mike Gerken, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: May 12, 2021

SUBJECT: PDEV21-017 - A Development Plan to construct two commercial buildings totaling 30,971 square feet on 0.86-acre of land located at 125 West Emporia Street, within LAU-2N (Arts District - North) of the MU-1 (Downtown Mixed Use) zoning district (APN: 1049-059-14). Related File: PMTT21-009.

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: IIIB
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies
- D. Number of Stories: 2 Stories
- E. Total Square Footage: Varies 1,511 Sq. Ft. – 12,647 Sq. Ft. (4 Buildings)
- F. 2019 CBC Occupancy Classification(s): B-2 & S1

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

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2019 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Associate Planner

FROM: Tony Galban, Police Department

DATE: October 20, 2021

SUBJECT: PDEV21-017- A DEVELOPMENT PLAN TO CONSRUCT TWO (2) COMMERCIAL BUILDINGS TOTALING 30,971 SQUARE FEET LOCATED AT 125 WEST EMPORIA 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 all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 6 feet tall and 2 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street. Associated letters shall also be included.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Officer Tony Galban at (909) 408-1006 with any questions or concerns regarding these conditions.

FILE NOS: PCUP21-009 and PDEV21-021

SUBJECT: A Conditional Use Permit (File No. PCUP21-009) to establish and operate a limited-service hotel and a Development Plan (File No. PDEV21-021) to construct a 4-story, 128-room Extended Stay hotel on 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan (APN: 0238-012-30); **submitted by Roger Barbosa. City Council action is required for File No. PCUP21-009.**

PROPERTY OWNER: Jara Hospitality

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PDEV21-021, and recommend approval to City Council for File No. PCUP21-009, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in Attachment A to each resolution.

PROJECT SETTING: The Project site is comprised of 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan and is depicted in Figure 1: Project Location. The site is bounded by Interstate 15 to the west, Fourth Street to the north, Southern California Edison ("SCE") transmission lines to the east and Ontario Mills Parkway to the south. The surrounding area is currently developed with Arizona Tile, Baker's Drive-Thru Restaurant, AM/PM Service Station, a multi-tenant retail building that includes WaBa Grill, and a four-building industrial business park located within the southern portion of the specific plan. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning &

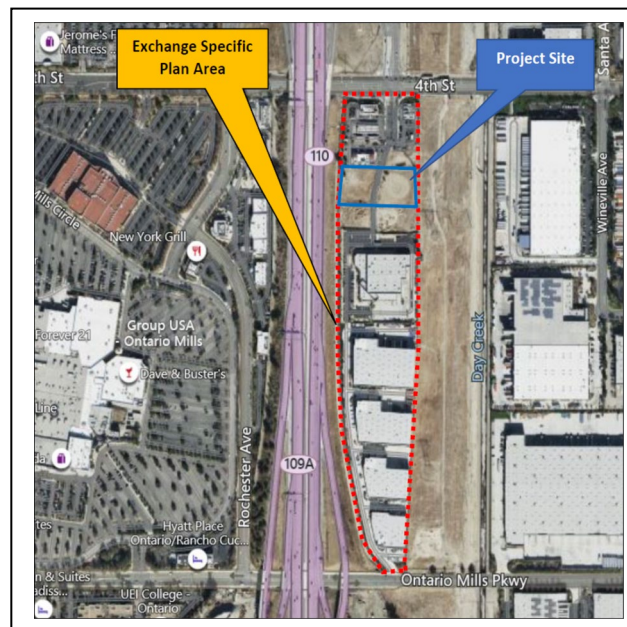



Figure 1: Project Location

Case Planner:	Luis E. Batres
Planning Director Approval:	
Submittal Date:	6/4/21

Hearing Body	Date	Decision	Action
DAB	2/7/22	Approved	Recommend
PC	2/22/22		Final /Recommend
CC			CUP- Final

Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — In 2003, the City approved The Exchange Specific Plan, a 23.60-acre master plan for the Project area. The Exchange Specific Plan is composed of two land use districts, including the Freeway Commercial land use district, which comprises the northerly 12.03 acres of the Specific Plan, and the Industrial Park land use district, which comprises the southerly 11.57 acres of the Specific Plan (see Exhibit B—The Exchange Specific Plan Land Use Plan, attached).

In 2007, two development plans were approved within The Exchange Specific Plan master plan area, including a 15,705 square foot sit-down restaurant (Blue Sandias) and a 74-room, 3-story hotel (Candlewood Suites). Blue Sandias and Candlewood Suites were never constructed due to a downturn in the economy.

On June 4, 2021, the Applicant submitted a Conditional Use Permit application (File No. PCUP21-009) requesting approval to establish and operate a limited-service hotel land use, together with a Development Plan application (File No. PDEV21-021) requesting approval to construct a 4-story, 128-room Extended Stay hotel on the Project site.

Guest amenities proposed for the Project include:

- Swimming pool with an accompanying pool side cabana;
- Outdoor seating area;
- Porte-cochere for arriving guests;
- Meeting rooms (two rooms totaling 1,850 square feet) and adjacent outdoor gathering area (400 square feet);
- Fitness room (331 square feet);
- Café/Snack room (331 square feet);
- Guest laundry facilities (437 square feet); and
- On-site business center, including office equipment (copying, printer, and scanner) and supplies

Guestrooms range from 277 square feet (Queen Suites) to 432 square feet (Double Queen Suites) in area. Four room configurations are proposed:

- Queen Suites (61 rooms)
- Double Queen Suites (61 rooms)
- ADA Queen Suites (3 rooms)
- ADA Double Queen Suites (3 rooms)

(2) Conditional Use Permit — The City's Development Code requires that all new hotels must be reviewed under concurrently filed Conditional Use Permit and Development Plan applications. The purpose of the Conditional Use Permit application

and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. More specifically, in the case of hotels, the Conditional Use Permit is required to establish the Project's market feasibility and ensure on-going compliance with the minimum amenity package required by the Development Code.

(a) Market Demand — As a requirement of Conditional Use Permit submittal, the developer of a hotel must submit a Market Feasibility Study, which demonstrates that the local market can support the development of a new hotel. For this Application, Veritas Development Advisors has prepared a Market Feasibility Study (dated October 21, 2021), which includes analysis and market research related to the proposed Project. The study found that the local market can support a limited-service hotel on the Project site. The study's conclusions are based primarily upon the growth in the Inland Empire, the area's proximity to the Los Angeles area, the Ontario Convention Center, the Ontario International Airport, California Speedway in Fontana, and the Project's proximity to the Ontario Mills Mall (see Exhibit K—Hotel Market Study, attached). The Market Study includes an analysis of other similar hotels in the area, long-term viability, and overall demand due to new businesses and activities in and around the City.

(b) Minimum Amenity Package —The Development Code provides that no Conditional Use Permit shall be approved for a hotel, motel, residence inn, or other similar traveler accommodation, unless certain specific amenities are provided, as follows

- Each guestroom must include voicemail, wired or wireless internet access, desk with chair, hairdryer, retractable magnifying (10X) and lighted makeup mirror, iron and ironing board, high definition television, and alarm clock or wake-up service. Compliance with these requirements will be verified by the Planning Department during Building Department plan check and at time of final building inspection.
- For limited-service hotels, meeting space equal to 15 square feet per guestroom must be provided, requiring that a minimum of 1,920 square feet of meeting/gathering area must be provided for the Project. The Project exceeds the minimum requirement, incorporating a total of 2,250 square feet of available meeting/gathering area.
- Both active and passive leisure amenities are required, at a minimum, a swimming pool, whirlpool/spa or furnished cabana, and fitness room. The Project exceeds the minimum requirement, providing a pool/spa, poolside cabana, outdoor seating areas, and a fitness room.
- A guest courtesy lounge for the serving of light meals and snacks is required to be provided in conjunction with limited-service hotels. A 331-square-foot café/snack room is provided for hotel guests, meeting the minimum requirement.

It is the determination of Planning Department staff that the proposed Project has met or exceeded the minimum amenity package requirements, as stipulated by Section 5.03.250.D (Minimum Amenity Package) of the City's Development Code.

(3) Development Plan —

(a) **Site Design/Building Layout.** The proposed hotel is located approximately 1,000 feet south of Fourth street, with the building's primary entrance facing north. The building is in a L-shaped configuration, which wraps around an outdoor amenity area containing the pool/spa and outdoor gathering/seating areas (see Exhibit A—Project Location Map, attached).

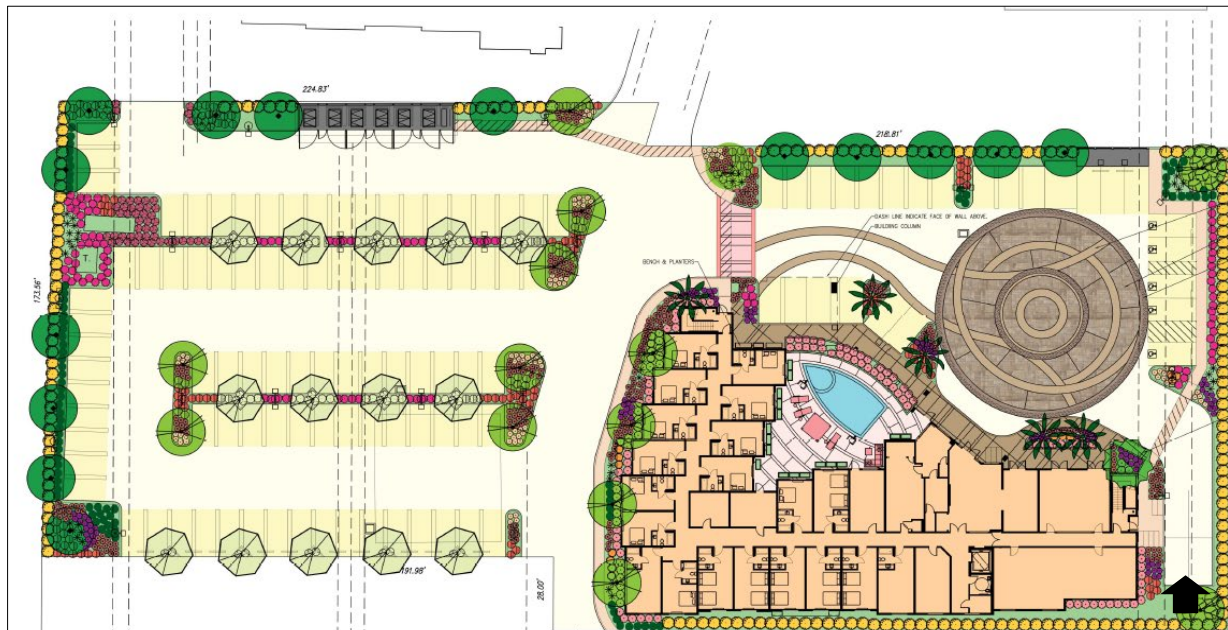


Figure 2: Site Plan

(b) **Site Access/Circulation.** Off-street parking is distributed along the north and west sides of the building and a guest drop-off area under a porte-cochere has been provided at the front of the building. Ample landscaped areas have been provided immediately adjacent to the hotel and throughout the off-street parking areas. Additionally, decorative hardscape treatments have been provided at the main building entrance, throughout the pool/spa and outdoor gathering/seating areas and at the vehicle turn-around area in front of the hotel (see Figure 2: Site Plan, above).

(c) **Site Access/Circulation.** Primary vehicular access to the proposed hotel is provided from an existing common drive aisle that intersects Fourth Street at a fully signalized intersection that is common with the Interstate 15 southbound exit to Fourth Street. Secondary access is provided from Ontario Mills Parkway via a common drive aisle through the industrial park to the south. Additionally, ample maneuvering space has been provided for service. Service vehicles will be able to access the hotel along the east side of the building via a 24-foot-wide service drive.

(d) **Parking.** The Project is required to provide a total of 128 off-street parking spaces, at the rate of one space per guestroom, and the Project is proposing a total of 118 spaces. The Exchange Specific Plan and the Ontario Development Code allow the Planning Commission to approve a reduction in parking, if the reduction is validated by a parking study. To support the requested reduction in parking, a parking study was prepared by Trames Solutions Inc. (see Exhibit L—Parking Study, attached). The parking study concluded that the number of parking spaces provided is adequate. The study found that the hotel will have a peak demand of 94 spaces at 8 AM on weekdays and 105 spaces at 8 AM on weekends (see Table 1: Parking Study Peak Demand, below). In addition, the City's Traffic Manager has reviewed the parking study and is in support of the study's findings. However, to mitigate any potential parking shortages in the future, staff has conditioned the Project so that, if additional parking is found to be necessary, the Applicant must enter into a reciprocal parking agreement with adjacent developments to provide additional parking.

Table 1: Parking Study Peak Demand

<i>Demand</i>	<i>Peak Time</i>	<i>Required Parking</i>	<i>Parking Provided</i>
<i>Weekdays:</i>	8 AM	94	118
<i>Weekends:</i>	8 AM	105	118

(e) **Architecture.** The Extended Stay hotel will be a signature building. The hotel will feature a contemporary architecture style that exemplifies the high-quality architecture promoted by The Exchange Specific Plan and the Ontario Plan. Since the Project will be visible from all four sides, staff has worked closely with the architect to provide 360-degree architecture. Special attention has been given to the use of colors, massing, building form, materials, and architectural details (see Figure 3: Front Elevation, below, and Exhibit F—Building Elevations, attached).

This is exemplified by the use of:

- Decorative architectural towers on all four building sides;
- Articulated roof line;
- Articulated footprint;
- Decorative cornice treatment along the edge of the architectural towers;
- Vertical and horizontal reveal lines;
- Variation in building massing;
- Cantilevered building elements;
- Incorporation of insets and pop-outs;
- Extensive use of glass;
- Smooth-painted walls;
- Decorative lighting fixtures;
- Fiber cement vertical siding panels;
- Decorative metal wall panels;

- Decorative painted steel canopies along the north elevation;
- Incorporation of a stone veneer along the full height of the first floor (French Limestone);
- Incorporation of decorative eyebrows over key windows; and
- Color blocking implementing exterior colors of varying tone, shade, and brightness.



Figure 3: Front (North) Elevation

(f) **Landscaping.** The Exchange Specific Plan requires 15 percent of the site to be landscaped and the Applicant proposes to landscape 15.5 percent of the Project site. Palm trees, accent trees, and ground cover have been selected to enhance the Project site, along with Australian Willow, Brisbane Box, Coast Live Oak, Date Palms, Agave Blue Clone, Dwarf Myrtle, Amazing Red Flax, Indian Hawthorn, Texas Privet, and Orange Drop Lily. To enhance the Project at night, staff has worked with the Applicant to also provide enhanced lighting at key landscape areas.

(g) **Utilities (drainage, sewer).** Public utilities (water and sewer) are available to serve the Project site. 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 an underground infiltration basin located beneath the parking lot, along the west of the hotel structure. The basin is designed to accept runoff from the building's roof and parking lot.

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:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. 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.
 - LU2-6: Infrastructure Compatibility: 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.
 - CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.
 - CE2-2 Development Review. 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.

➤ CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

▪ Goal CE3: Decision-making deliberations that incorporate the full short-term and long-term economic and fiscal implications of proposed City Council actions.

➤ CE3-1 Fiscal Impact Disclosures. We require requests for City Council action to disclose the full fiscal impacts, including direct and indirect costs.

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:

▪ 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.

➤ CD1-1 City Identity. 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.

➤ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

➤ CD1-3 Neighborhood Improvement. 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.

➤ CD2-1 Quality Architecture. 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.

➤ CD2-8 Safe Design. 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.

➤ CD2-9 Landscape Design. 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.

➤ CD2-10 Surface Parking Areas. 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.

➤ CD2-11 Entry Statements. 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.

➤ CD2-12 Site and Building Signage. 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.

➤ CD2-13 Entitlement Process. 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.

- CD3-1 Design. 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.
- CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks, or public open spaces.
- CD3-5 Paving. 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.
- CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces, and buildings.
 - Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- CD5-1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.
- CD5-2 Maintenance of Infrastructure. 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 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, 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. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

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) of the CEQA Guidelines, which consists of projects characterized as infill development projects. Furthermore, the Project meets all of the following conditions: (a) 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; (b) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the Project site is adequately served by all required utilities and public services.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Planned Commercial	SP (Specific Plan)	The Exchange SP / Freeway Commercial
<i>North</i>	Multi-tenant retail & Vacant Land	Planned Commercial	SP (Specific Plan)	The Exchange SP / Freeway Commercial
<i>South</i>	Vacant Land	Planned Commercial	SP (Specific Plan)	The Exchange SP / Freeway Commercial
<i>East</i>	SCE Transmission Lines	Non-Recreational Open Space	Open Space (OS)	N/A
<i>West</i>	I-15 Freeway	Right-of-way	Right-of-way	N/A

General Site & Building Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	1.83 Acres	N/A	Y
<i>Lot/Parcel Size:</i>	1.83 Acres	N/A	Y
<i>Building Area:</i>	56,406 Sq. Ft.	N/A	Y
<i>Building Height:</i>	53'	55'	Y

Off-Street Parking:

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Hotel (128 Rooms)</i>	56,406 Sq. Ft.	1 Space per Guest Room	128	118
		Note: Per Parking Study Prepared	105	118
TOTAL			105	118

Exhibit A—PROJECT LOCATION MAP

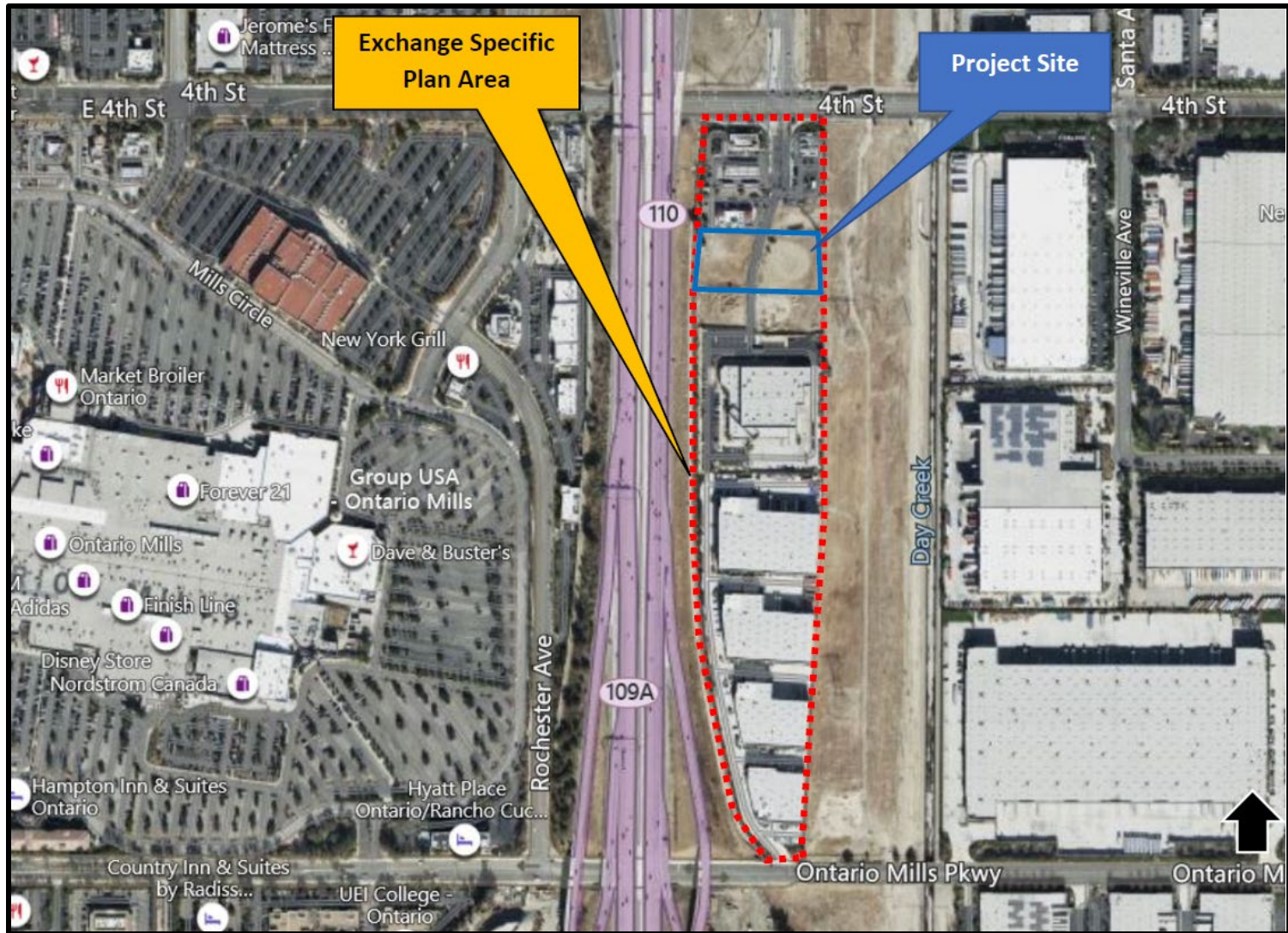


Exhibit B—THE EXCHANGE SPECIFIC PLAN LAND USE PLAN

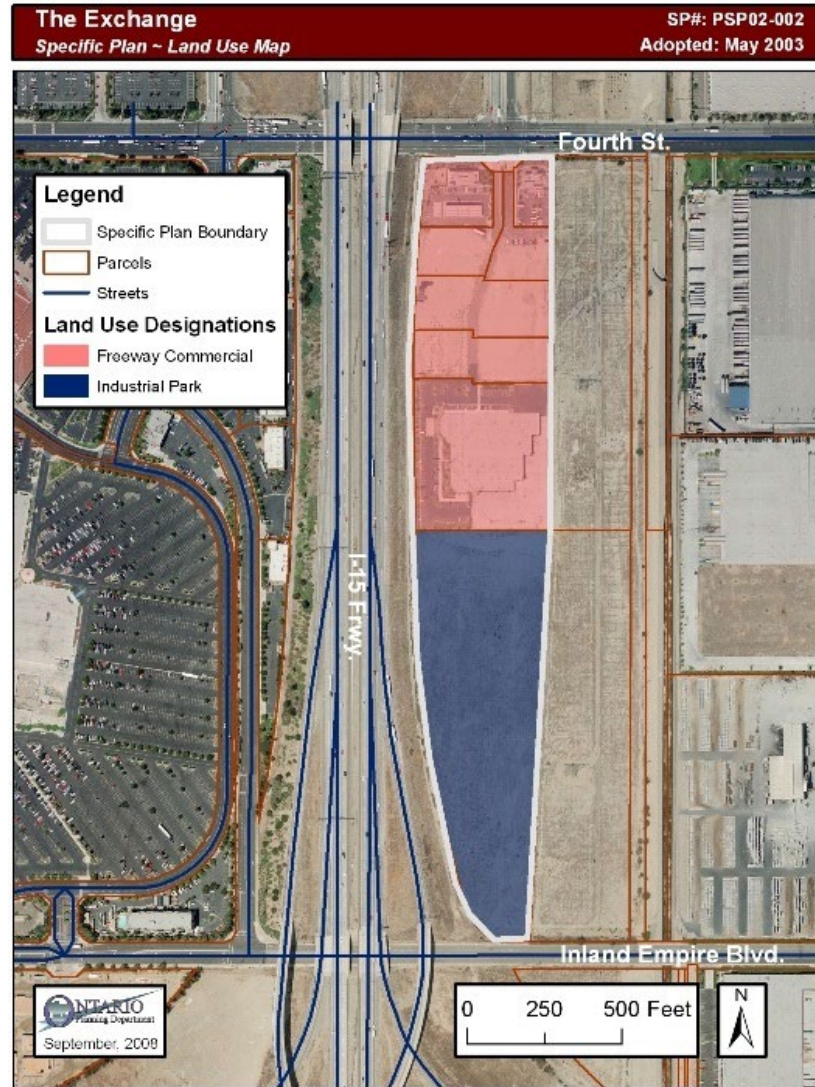


Exhibit C—SITE PLAN

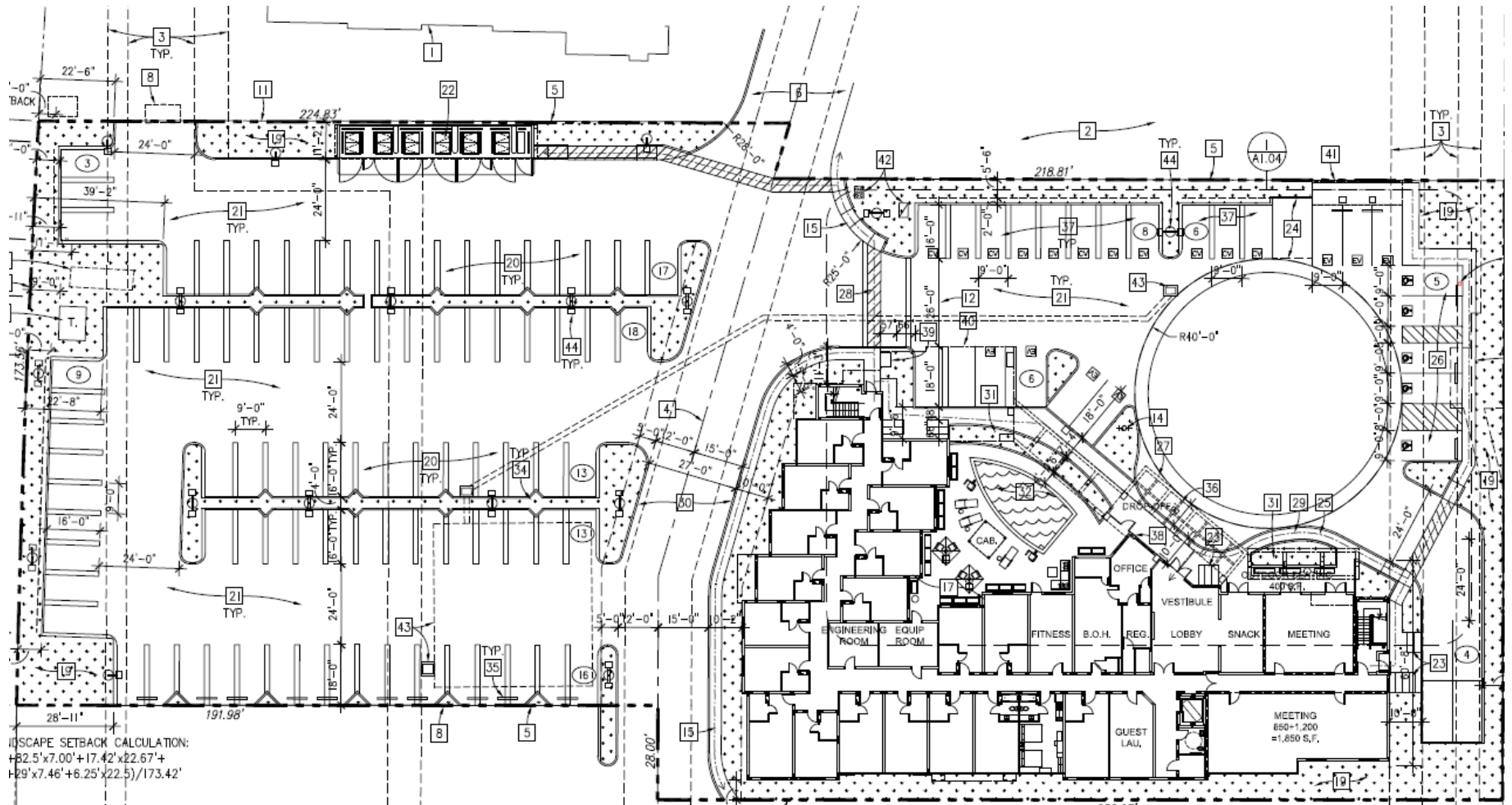


Exhibit D—LANDSCAPE PLAN

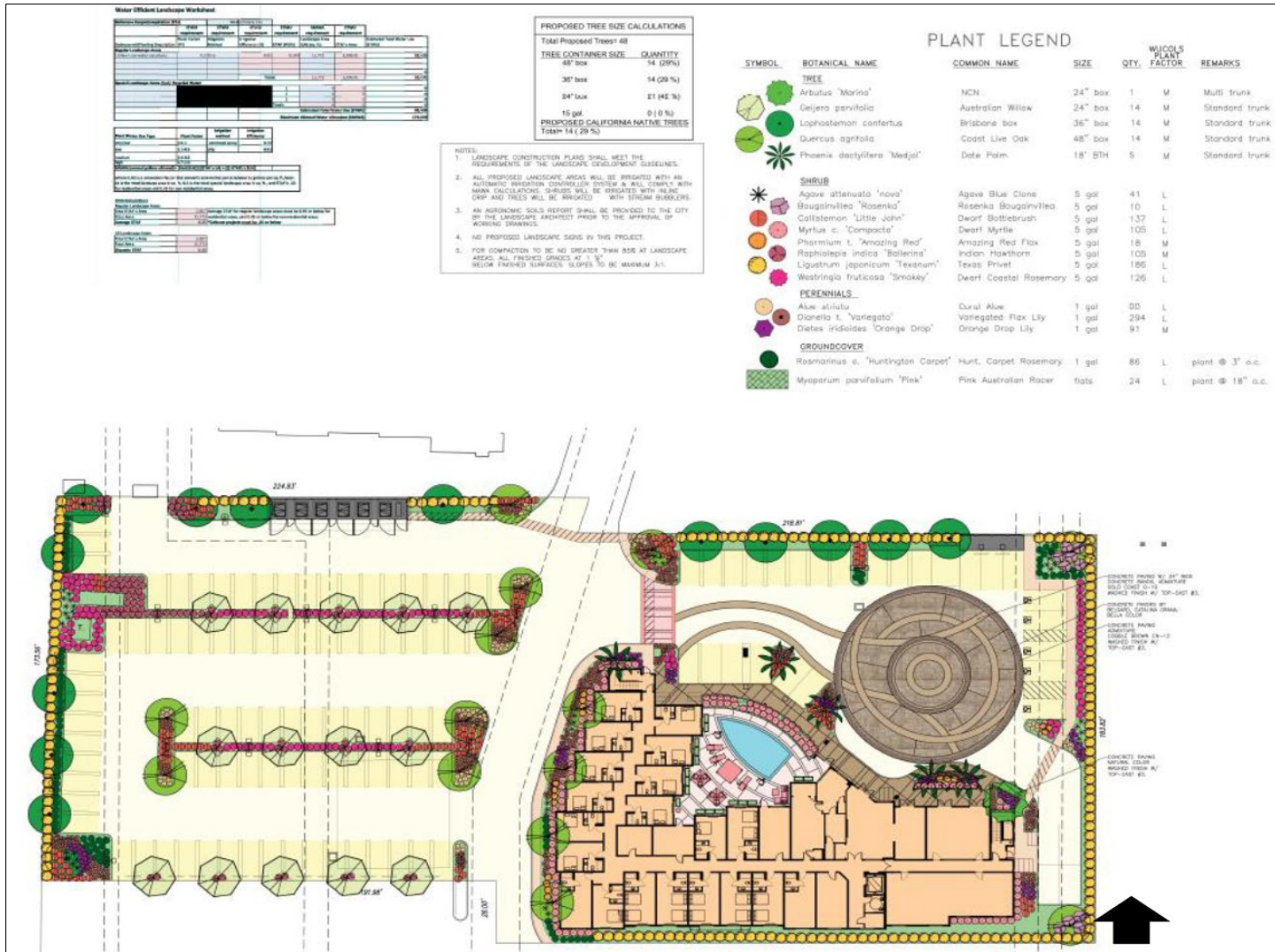


Exhibit E—POOL AREA

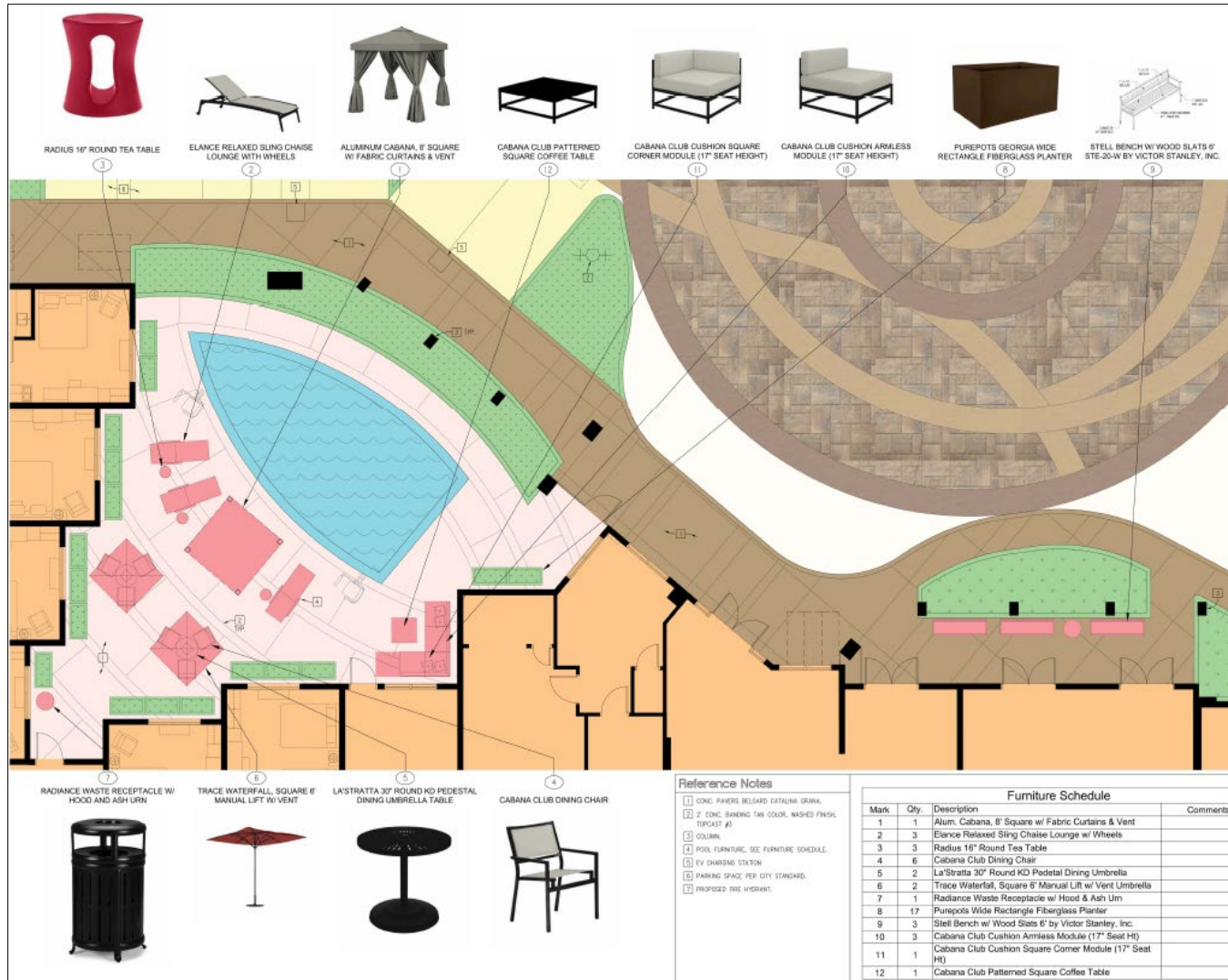


Exhibit F—EXTERIOR ELEVATIONS



North Elevation



South Elevation

Exhibit F—EXTERIOR ELEVATIONS (CONTINUED)



West Elevation



East Elevation

Exhibit G—FIRST FLOOR

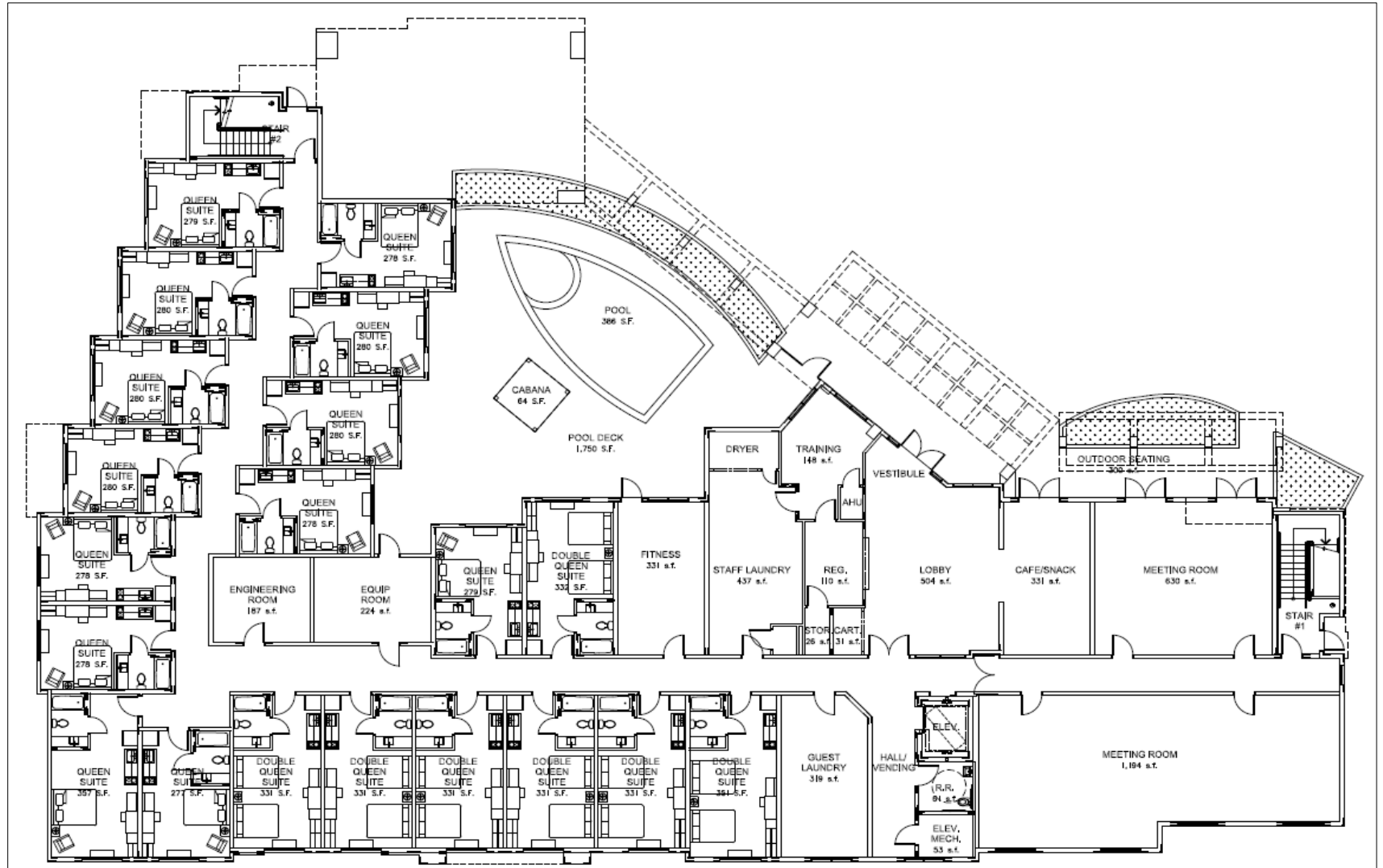


Exhibit H—SECOND FLOOR

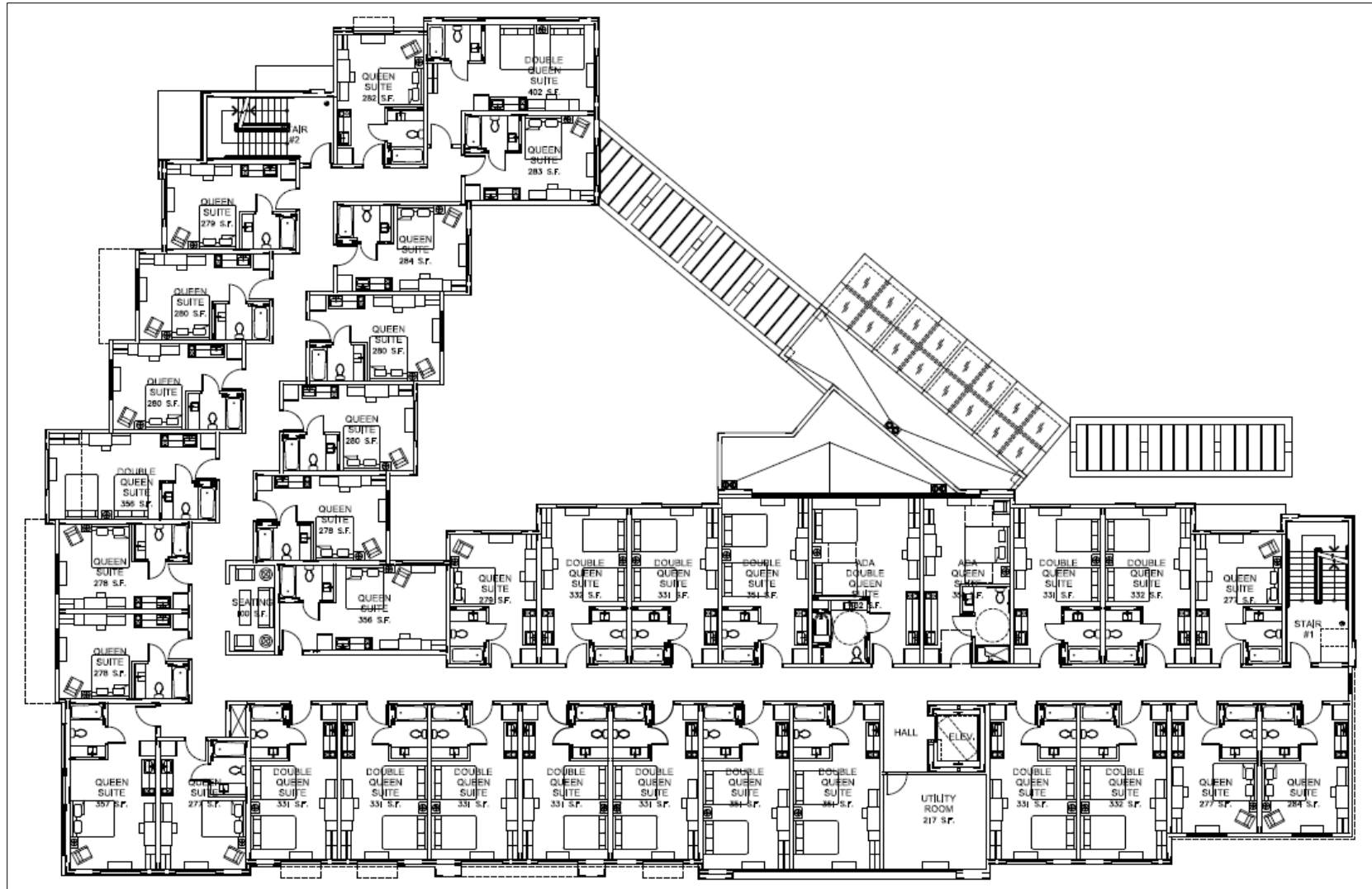


Exhibit I—THIRD FLOOR

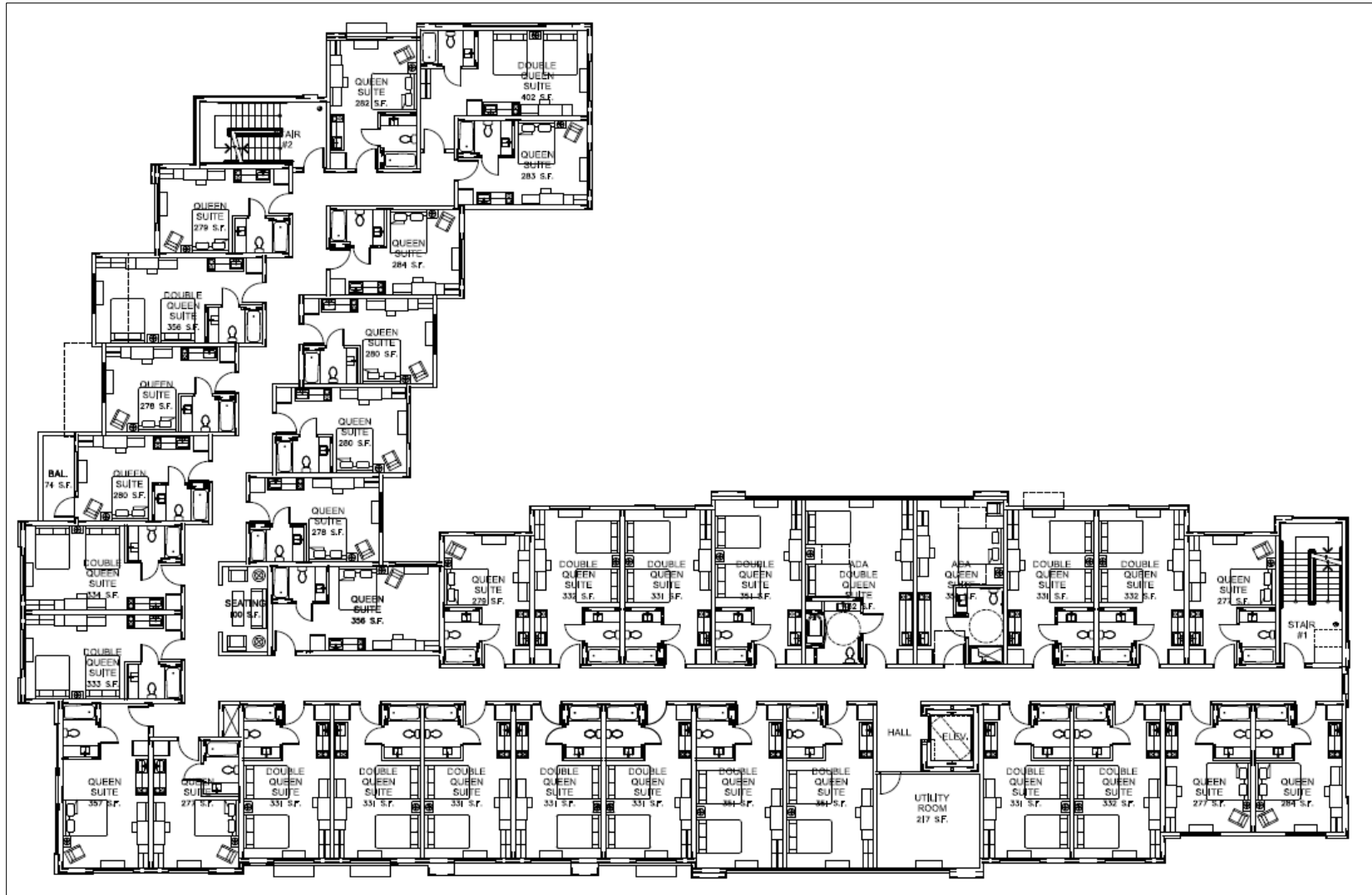


Exhibit J—FOURTH FLOOR

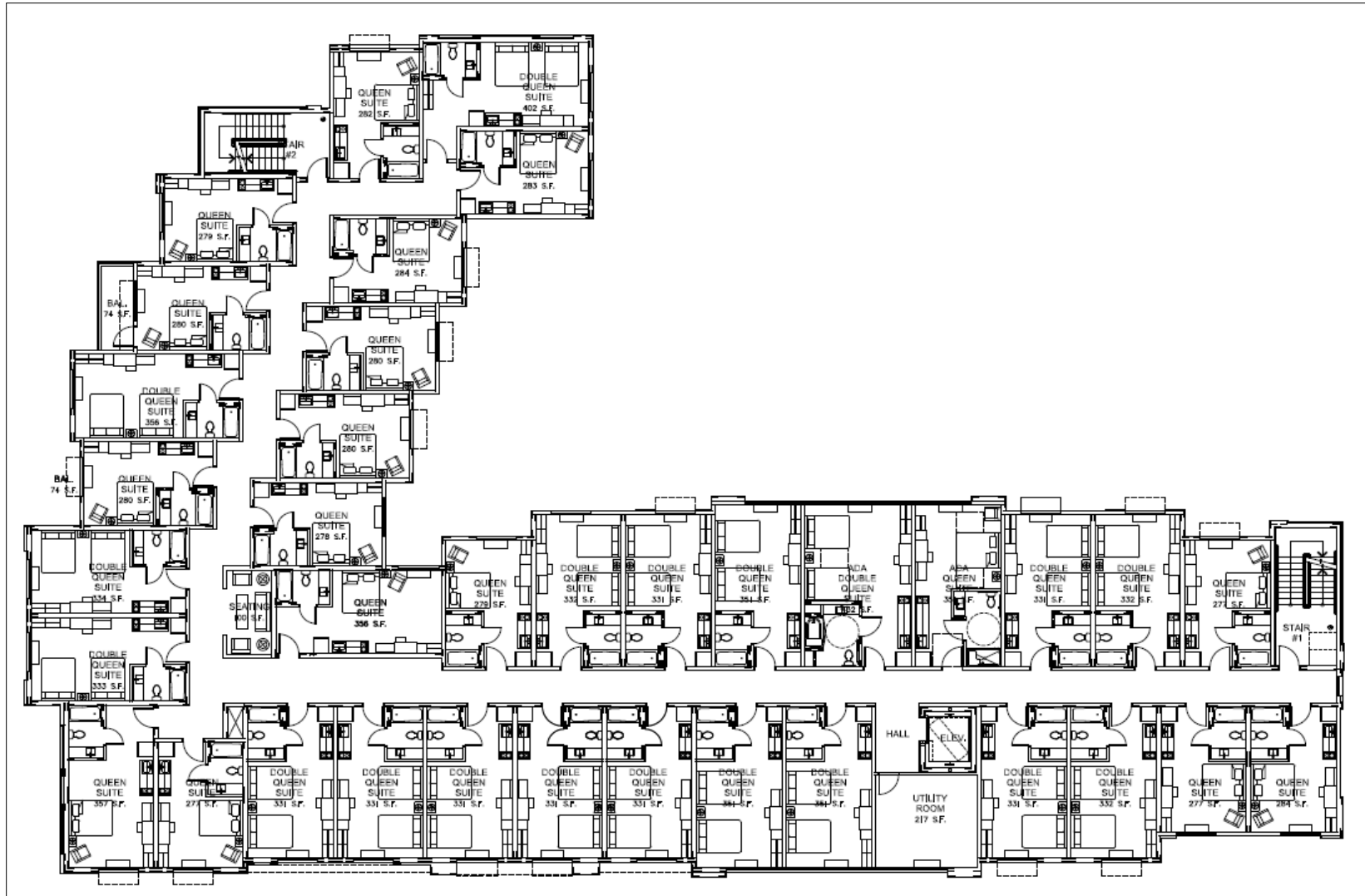


Exhibit K—HOTEL MARKET STUDY

(Document follows this page)

October 21, 2021

VERITAS | DEVELOPMENT
ADVISORS

Market Feasibility Study

for the planned construction and operation of a 128-room
extended stay hotel to be located in Ontario, CA

Disclaimer

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The report and analysis does not purport to represent a formal valuation of any land or property interest and must not be construed as such. Such analysis including forward looking statements are opinions and estimates only and are based on a wide range of variables which may not be capable of being determined with accuracy. Variation in any one of these variables can have a material impact on the analysis and we draw your attention to this.

It should be noted that the estimation of future sales prices, rental levels, development and investment returns and development viability is a very problematic exercise which at best should be regarded as an indicative assessment of possibilities rather than absolute values. The process of making forward projections for such key elements involves assumptions which are acutely sensitive to changing conditions, variations in any one of which factors may significant effect the viability of a project and we draw your attention to this factor. Veritas Development Advisors, LLC does not accept any liability for negligence or otherwise for any loss or damage suffered by any party resulting from reliance on this report other than as specified in the contract of engagement.

Effect of global and local economic conditions

The continued turmoil and instability in the financial markets is continuing to cause volatility and uncertainty in the world's capital markets and real estate markets. In these circumstances the assessment or feasibility may be affected by rapidly changing global and local economic market conditions, socio-economic changes, political conditions and other risks.

Availability and Cost of Finance

Due to the current situation of the global and local capital markets, interest rates have been volatile there has been a significant reduction in the availability of and increase in the cost of debt to the real estate sector and the mortgage market.

Supply & Demand Analysis

The supply and demand analyses set out in the report are based on current and historic trends and may be impacted significantly by factors such as unforeseen delays in supply, decreasing demand levels and changes in investor, business and consumer sentiment as well as the outlook for economic growth at local, regional and global levels.

Demand in the Market Area

Currency volatility together with job security, economic growth changing oil prices and deteriorating employment conditions across much of the globe may impact the propensity to travel and affect the purchasing power of prospective visitors to the region. This is likely to materially impact the performance of the hospitality and retail sector in particular.

Veritas Development Advisors, LLC does not accept any liability for any changes in the market conditions which may have occurred in the time elapsed between the rendering of the report and the use of it. Nor can Veritas Development Advisors, LLC accept any liability for discrepancies between our assumptions, which lie at the basis of the report, and actual market conditions which are not available to any qualified real estate consultant as a result of the market's inherent limited transparency.

Executive Summary

VERITAS | DEVELOPMENT
ADVISORS

Executive Summary

October 21, 2021

Private and Confidential

Mr. Luis Batres, Senior Planner
City of Ontario ("Company")
303 East B Street
Ontario, California 91764

Re: Market Feasibility Study for the planned construction and operation of a 128-room extended stay hotel to be located at 5060 East 4th Street in Ontario, CA 91764. ("Subject Project").

Dear Mr. Batres:

The enclosed Market Feasibility Study is for the planned 128-room extended stay hotel to be located in Ontario, CA. Demand factors were analyzed in detail as presented herein. The Subject Project's industry and its relevant leveraged structure indicates that the Company's revenue should follow trends in the overall economy, including disposable income of end-users/consumers. Based on the analysis, the market area economy appears to be growing which indicates reasonable potential for the Subject Project.

The market area for the Subject Project appears stable. The Subject Project's rooms are expected to be absorbed in the market area based on the STR report analysis conducted herein. Based on the supply and demand analysis (pre-COVID) within the market area, it appears as though occupancy will likely remain above 65 percent over the next five years. Analyses of the market appears to indicate that development of the Subject Project, as planned, would yield about a 0.8 percent market share in the Subject Project's market area.

Primary and secondary research was used to carry out the analyses related to the Subject Project.



Steve Alves, Managing Partner
Veritas Development Advisors, LLC

Statement of Work

Scope of Work

// Market Feasibility Study //

1. A complete listing of proposed facilities, amenities, and services (i.e.: number and type of rooms, meeting space square footage, recreational amenities, business services such as data ports-workstations-etc., refrigerators in room, laundry service, restaurant-coffee shop-food service, etc.);
2. History of proposed developer and potential operators (i.e.: years in business, principals, capitalizing, experience, listing of projects, number of units owned, average rates charged, occupancy rates, etc.);
3. Analysis of economic environment projecting likely future economic conditions as they relate to the operation of the subject hotel;
4. Subjects competitive market (i.e.: identification of their market, 3 and 5 year history of occupancy- average daily rate-revenue per available room trends for that market, estimated share of the market the hotel will capture during the first five years of operation, etc.);
5. Analysis of the economic impacts on existing hotel markets within Ontario (i.e.: estimate of the dilution of the market due to addition of proposed hotel, etc.). Note: new hotel projects should only be approved if competitive market occupancy remains at or above 65 percent for a five year projection period;
6. Relationship to demand generators (i.e.: airport, convention center, corporate market, shopping and entertainment);
7. Public cost/revenue projections.

Market Feasibility Study

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Market Feasibility

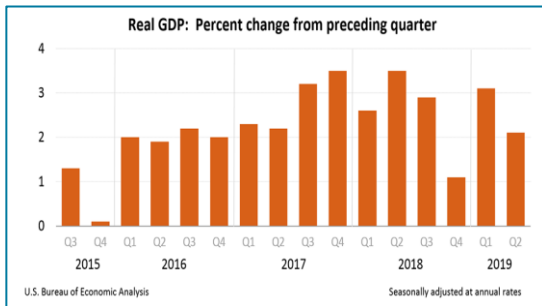
US Economy

Gross Domestic Product (GDP)

Current Numbers

- **2nd quarter 2019: 2.1 percent**
- **1st quarter 2019: 3.1 percent**

Real gross domestic product (GDP) increased at an annual rate of 2.1 percent in the second quarter of 2019, according to the "advance" estimate released by the Bureau of Economic Analysis. In the first quarter, real GDP increased 3.1 percent.



The Bureau emphasized that the third-quarter advance estimate released today is based on source data that are incomplete or subject to further revision by the source agency. The "second" estimate for the third quarter, based

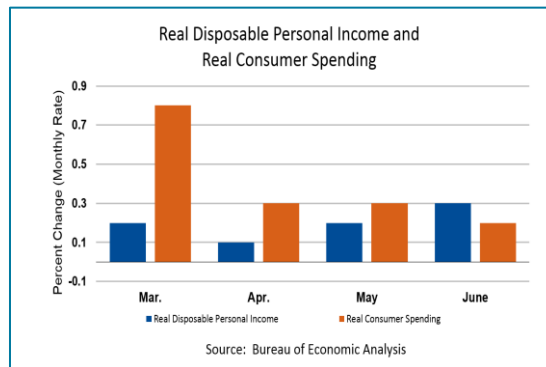
on more complete data, will be released on August 29, 2019.

Personal Income

- **June 2019: 0.4 percent**
- **May 2019: 0.4 percent**

Personal income increased 0.4 percent in June, the same increase as in May. Wages and salaries, the largest component of personal income, increased 0.5 percent in June after increasing 0.2 percent in May.

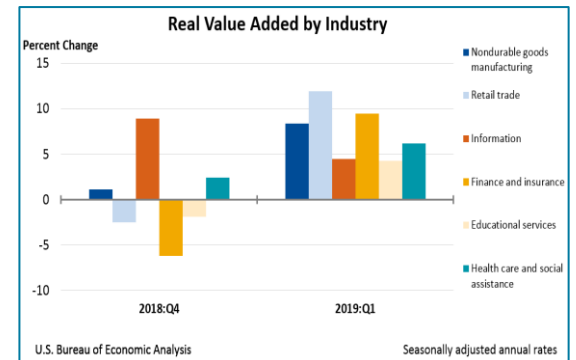
Personal income increased \$83.6 billion (0.4 percent) in June according to estimates released today by the Bureau of Economic



Analysis. Disposable personal income (DPI) increased \$69.7 billion (0.4 percent) and personal consumption expenditures (PCE) increased \$41.0 billion (0.3 percent).

Industry Economic Accounts

Finance and insurance; retail trade; and health care and social assistance were the leading contributors to the increase in U.S. economic growth in the first quarter of 2019. Overall, 16 of 22 industry groups contributed to the 3.1



percent increase in real GDP in the first quarter. According to gross domestic product (GDP) by the Bureau of Economic Analysis, 16 of 22 industry groups contributed to the overall 3.1 percent increase in real GDP in the first quarter.

Market Feasibility

Retail trade increased 11.9 percent in the first quarter, after decreasing 2.5 percent in the fourth. This primarily reflected an increase in other retail, which includes gasoline stations and pharmacies and drug stores.

U.S. Balance of Payments (International Transactions)

Current Account Balance:

- 1st quarter 2019: -\$130.4 billion
- 4th quarter 2018: -\$143.9 billion
- Annual 2017: -\$466.2 billion
- Annual 2016: -\$451.7 billion

The U.S. current-account deficit decreased to \$130.4 billion (preliminary) in the first quarter of 2019 from \$143.9 billion (revised) in the fourth quarter of 2018.

International Investment Position

Net International Investment Position at End of Period:

- End of 1st quarter 2019: -\$9.93 trillion
- End of 4th quarter 2018: -\$9.55 trillion

- End of year 2018: -\$9.55 trillion
- End of year 2017: -\$7.74 trillion

Quarterly data: The U.S. net international investment position decreased to -\$9.93 trillion (preliminary) at the end of the first quarter of 2019 from -\$9.55 trillion (revised) at the end of the fourth quarter of 2018, according to statistics released by the Bureau of Economic Analysis (BEA).

International Trade in Goods and Services

Trade Balance:

- May 2019: -\$55.5 billion
- April 2019: -\$51.2 billion

The U.S. monthly international trade deficit increased in May 2019 according to the U.S. Bureau of Economic Analysis and the U.S. Census Bureau. The deficit increased from \$51.2 billion in April (revised) to \$55.5 billion in May, as imports increased more than exports. The previously published April deficit was \$50.8 billion. The goods deficit increased \$4.4 billion in

May to \$76.1 billion. The services surplus increased \$0.1 billion in May to \$20.6 billion.

New Foreign Direct Investment in the United States

Annual Data: Expenditures by foreign direct investors to acquire, establish, or expand U.S. businesses totaled \$296.4 billion (preliminary) in 2018. Expenditures were up 8.7 percent from \$272.8 billion (revised) in 2017 but were below the annual average of \$338.1 billion for 2014–2017.

As in previous years, acquisitions of existing businesses accounted for a large majority of total expenditures.

In 2018, expenditures for acquisitions were \$287.3 billion, expenditures to establish new U.S. businesses were \$5.3 billion, and expenditures to expand existing foreign-owned businesses were \$3.8 billion. Planned total expenditures, which include both first-year and planned future expenditures, were \$318.1 billion.

Market Feasibility

California Economy

California has an unemployment rate of 8.2%.

The US average is 6.3% (Jan 2021).

California has seen the job market increase by 1.3% over the last year. Future job growth over the next ten years is predicted to be 34.0%, which is higher than the US average of 33.5%.

Tax Rates for California

- The Sales Tax Rate for California is 8.5%. The US average is 7.3%.
- The Income Tax Rate for California is 9.3%. The US average is 4.6%.
- Tax Rates can have a big impact when Comparing Cost of Living.

Income and Salaries for California

- The average income of a California resident is \$29,906 a year. The US average is \$28,555 a year.

San Bernardino County Economy

San Bernardino County has an unemployment rate of 7.8%.

The US average is 6.3% (Jan 2021).

San Bernardino County has seen the job market increase by 2.3% over the last year. Future job growth over the next ten years is predicted to be 38.7%, which is higher than the US average of 33.5%.

Tax Rates for San Bernardino County

- The Sales Tax Rate for San Bernardino County is 7.8%. The US average is 7.3%.
- The Income Tax Rate for San Bernardino County is 9.3%. The US average is 4.6%.
- Tax Rates can have a big impact when Comparing Cost of Living.

Income and Salaries for San Bernardino County

- The average income of a San Bernardino County resident is \$21,384 a year. The US average is \$28,555 a year.

Ontario Economy

Ontario has an unemployment rate of 6.9%.

The US average is 6.3% (Jan 2021).

Ontario has seen the job market increase by 2.3% over the last year. Future job growth over the next ten years is predicted to be 40.6%, which is higher than the US average of 33.5%.

Tax Rates for Ontario

- The Sales Tax Rate for Ontario is 7.8%. The US average is 7.3%.
- The Income Tax Rate for Ontario is 9.3%. The US average is 4.6%.
- Tax Rates can have a big impact when Comparing Cost of Living.

Income and Salaries for Ontario

- The average income of a Ontario resident is \$17,137 a year. The US average is \$28,555 a year.

Source: *Best Places to Live | Compare Cost of Living, Crime, Cities, Schools and More. Sperling's BestPlaces*, <https://www.bestplaces.net/>.

Market Feasibility

Economy At Glance California	Mar 2021	Apr 2021	May 2021	June 2021	July 2021	Aug 2021
Labor Force Data						
Civilian Labor Force(1)	18920.6	18895.2	18863.2	18877.2	18927.5	(p)18,982.8
Employment(1)	17341.3	17378.5	17417.3	17437.6	17493.6	(p)17,551.1
Unemployment(1)	1579.3	1516.7	1445.9	1439.6	1433.8	(p)1,431.6
Unemployment Rate(2)	8.3	8	7.7	7.6	7.6	(p)7.5
Nonfarm Wage and Salary Employment						
Total Nonfarm(3)	16146.4	16248.4	16343.1	16414.6	16527.8	(p)16,632.1
12-month % change	-7.7	8.7	8	5.1	5.5	(p)5.5
Mining and Logging(3)	19.2	19	18.7	18.6	18.8	(p)18.9
12-month % change	-13.9	-6.9	-1.6	0	0.5	(p)-0.5
Construction(3)	886.3	884.1	879.8	877.1	877.8	(p)878.4
12-month % change	-0.8	19.7	6.3	3.2	4.7	(p)4.3
Manufacturing(3)	1250.7	1253.7	1256.6	1258.3	1255.7	(p)1,258.6
12-month % change	-5.4	3.9	2.4	0.8	1.2	(p)1.1
Trade, Transportation, and Utilities(3)	2982.5	2982.6	2987.7	2988.4	2991.3	(p)2,990.5
12-month % change	-2.3	13.4	12.2	5.9	5.3	(p)3.8
Information(3)	529.2	527.3	538.6	539.6	545	(p)547.2
12-month % change	-8.9	3.4	6.1	7.6	7.7	(p)7.7
Financial Activities(3)	809.5	810.7	811.8	808.8	806.6	(p)809.8
12-month % change	-4.3	1.3	1.2	0.8	0.5	(p)0.7
Professional & Business Services(3)	2643.9	2662.4	2669.7	2672.2	2680.6	(p)2,694.6
12-month % change	-3.3	7.6	6.5	5.9	6.1	(p)6.2
Education & Health Services(3)	2747.5	2762.5	2772.9	2782.1	2793.3	(p)2,787.0
12-month % change	-3.8	7.2	5.9	3.6	3.4	(p)2.6
Leisure & Hospitality(3)	1418	1478.4	1531.1	1574.6	1627.4	(p)1,660.5
12-month % change	-28.6	37.8	36.7	20.2	24.8	(p)27.7
Other Services(3)	458.7	466.6	471	482	491.9	(p)500.3
12-month % change	-20.8	18	14.7	10.1	10.3	(p)17.4
Government(3)	2400.9	2401.1	2405.2	2412.9	2439.4	(p)2,486.3
12-month % change	-8.1	-4.7	-1.1	0	0	(p)0.3

Footnotes

(1) Number of persons, in thousands, seasonally adjusted.

(2) In percent, seasonally adjusted.

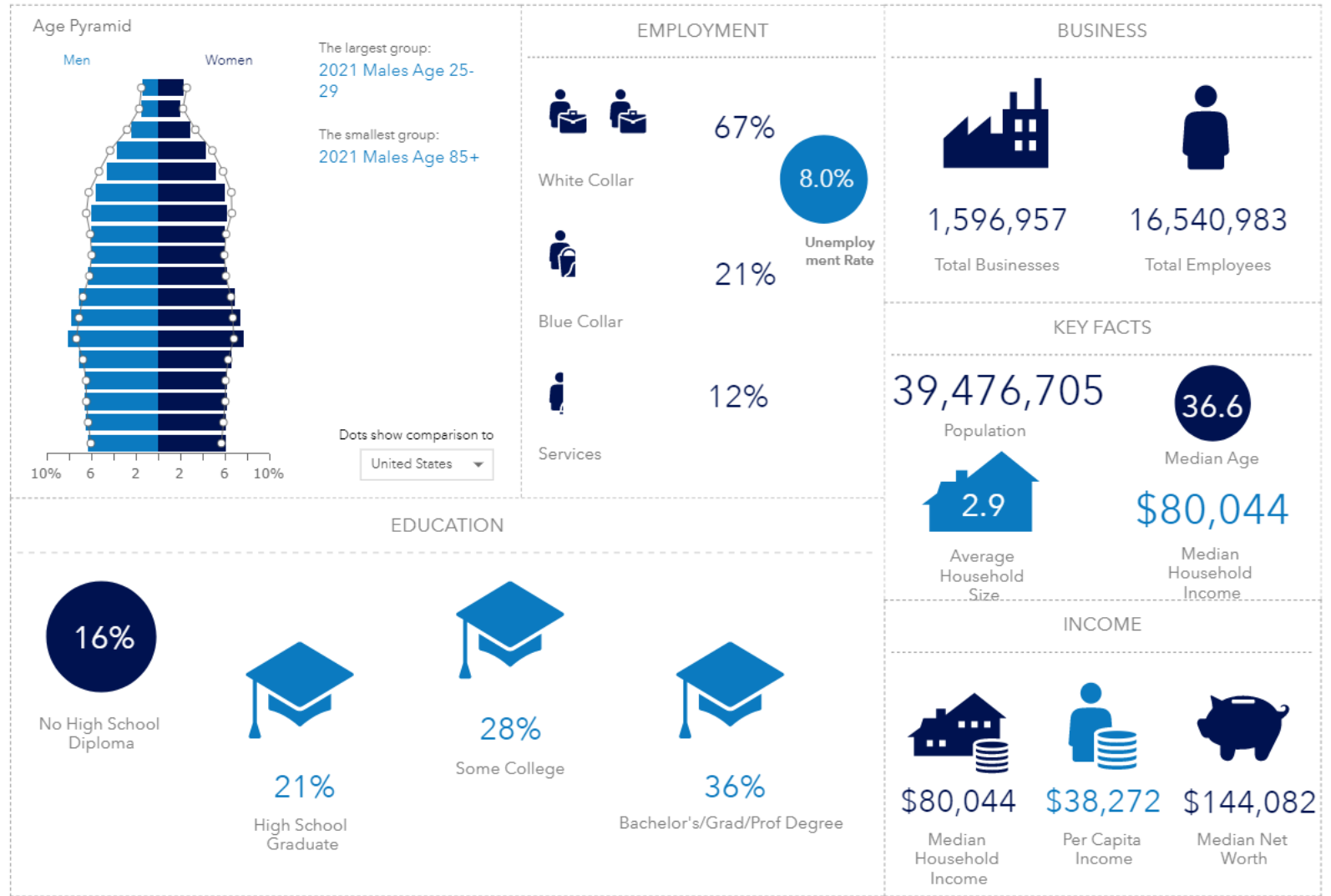
(3) Number of jobs, in thousands, seasonally adjusted.

(P) Preliminary

(r) Revised

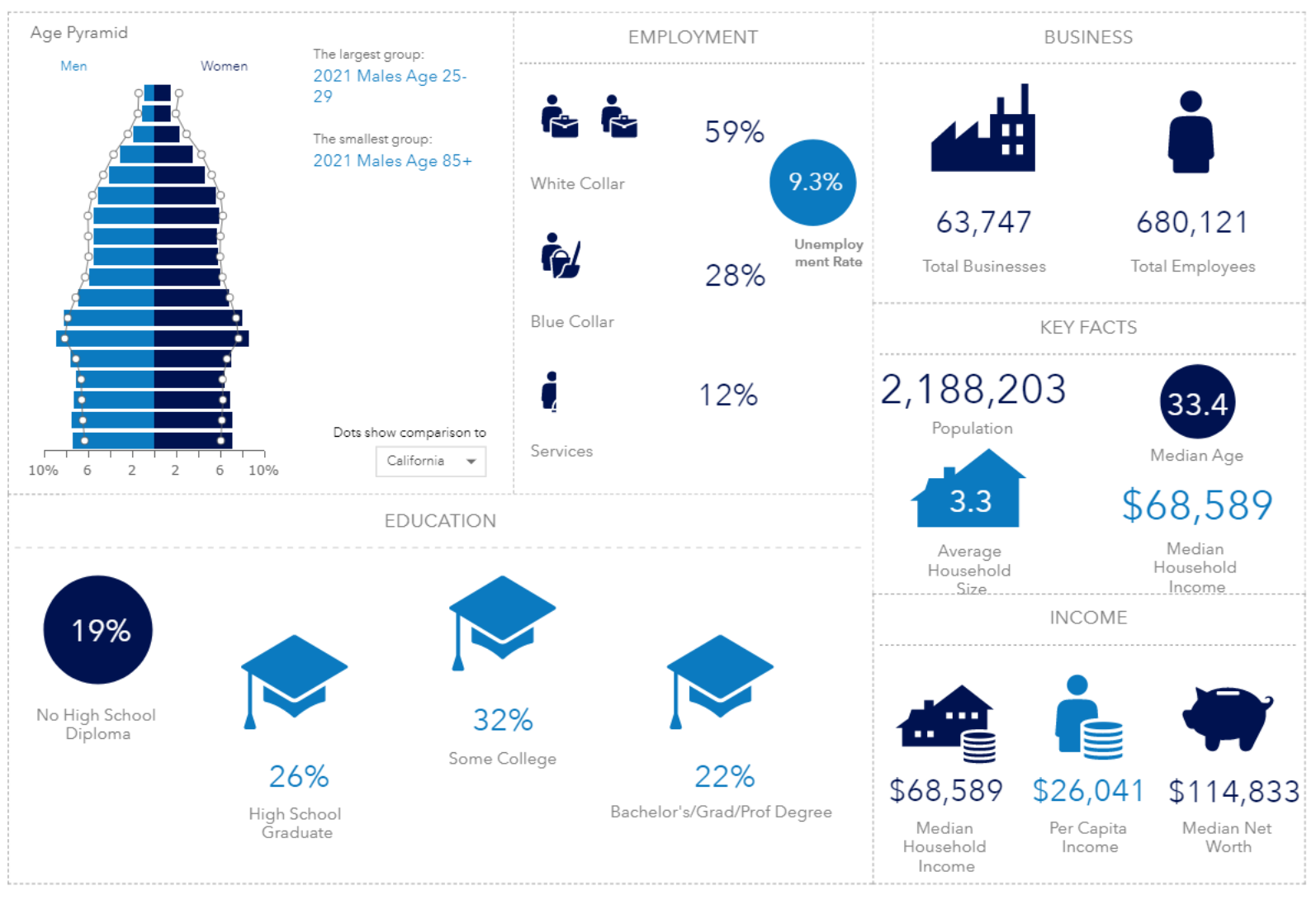
Market Feasibility

California Demographics Summary



Market Feasibility

San Bernardino County Demographics Summary



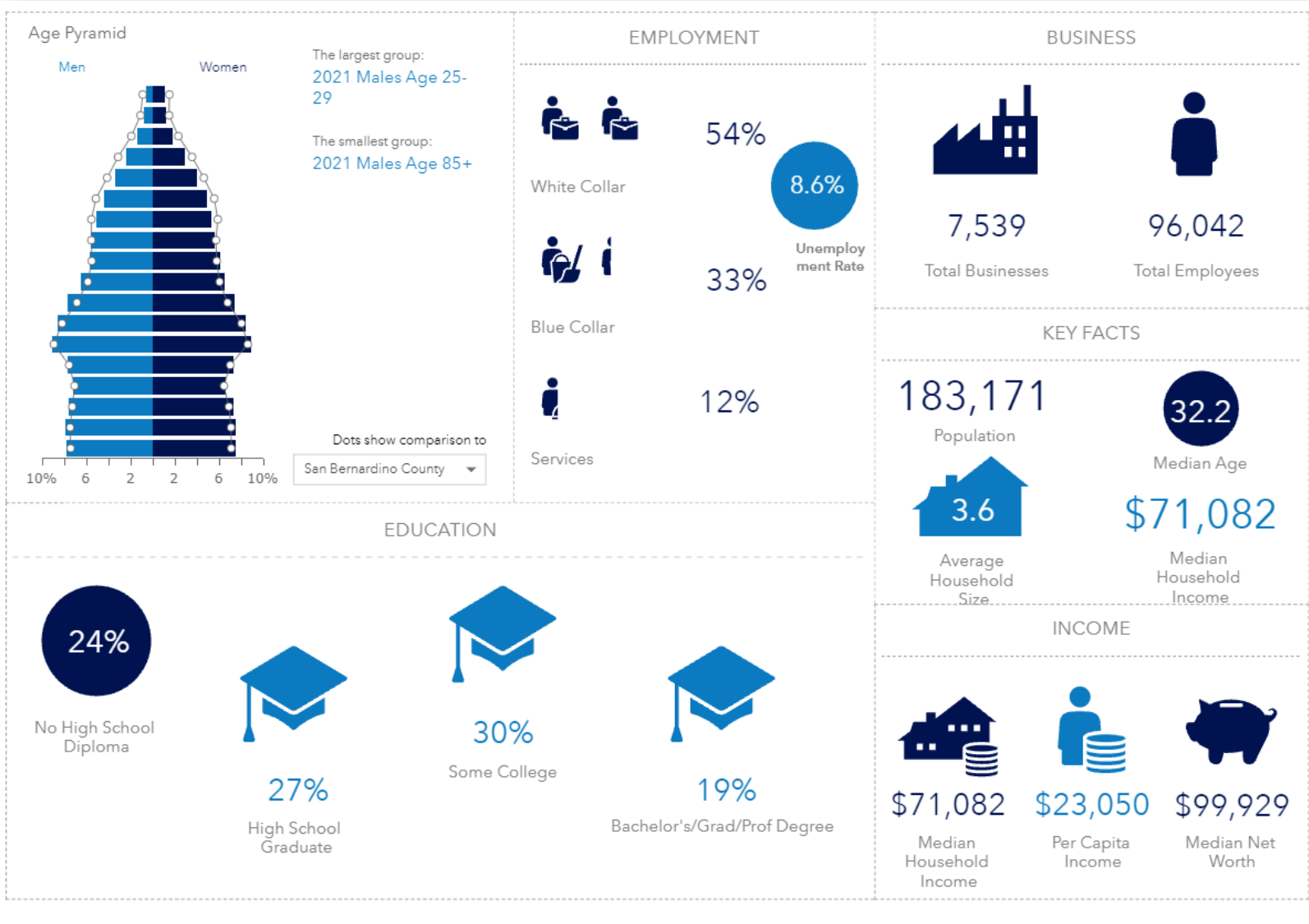
Market Feasibility

San Bernardino County | Demographic Tables

San Bernardino County, California	Estimate	Margin of Error	Percent	Percent Margin of Error	San Bernardino County, California	Estimate	Margin of Error	Percent	Percent Margin of Error
SEX AND AGE					Asian	160,336	±3,361	7.4%	±0.2
Total population	2,180,085	*****	2,180,085	(X)	Asian Indian	12,729	±3,707	0.6%	±0.2
Male	1,086,226	±637	49.8%	±0.1	Chinese	46,366	±6,124	2.1%	±0.3
Female	1,093,859	±637	50.2%	±0.1	Filipino	45,503	±6,076	2.1%	±0.3
Sex ratio (males per 100 females)	99.3	±0.1	(X)	(X)	Korean	16,352	±3,171	0.8%	±0.1
Under 5 years	151,731	±767	7.0%	±0.1	Vietnamese	13,759	±3,622	0.6%	±0.2
5 to 9 years	155,183	±5,575	7.1%	±0.3	Other Asian	21,927	±3,830	1.0%	±0.2
10 to 14 years	167,305	±5,539	7.7%	±0.3	Native Hawaiian and Other Pacific Islander	8,247	±1,747	0.4%	±0.1
15 to 19 years	155,930	±671	7.2%	±0.1	Some other race	346,772	±19,715	15.9%	±0.9
20 to 24 years	159,148	±594	7.3%	±0.1	Two or more races	114,621	±10,275	5.3%	±0.5
25 to 34 years	336,303	±942	15.4%	±0.1	White and Black or African American	23,047	±5,659	1.1%	±0.3
35 to 44 years	283,746	±873	13.0%	±0.1	White and American Indian and Alaska Native				
45 to 54 years	262,434	±1,127	12.0%	±0.1	Native	15,701	±4,414	0.7%	±0.2
55 to 59 years	131,001	±4,218	6.0%	±0.2	White and Asian	18,340	±3,382	0.8%	±0.2
60 to 64 years	116,492	±4,317	5.3%	±0.2	Race alone or in combination with one or more other races				
65 to 74 years	160,976	±331	7.4%	±0.1	Total population	2,180,085	*****	2,180,085	(X)
75 to 84 years	72,827	±2,680	3.3%	±0.1	White	1,443,800	±21,302	66.2%	±1.0
85 years and over	27,009	±2,622	1.2%	±0.1	Black or African American	218,705	±4,427	10.0%	±0.2
Median age (years)	33.8	±0.1	(X)	(X)	American Indian and Alaska Native	42,582	±5,350	2.0%	±0.2
Under 18 years	569,638	*****	26.1%	*****	Asian	193,095	±3,808	8.9%	±0.2
16 years and over	1,675,554	±2,740	76.9%	±0.1	Native Hawaiian and Other Pacific Islander	18,578	±3,520	0.9%	±0.2
18 years and over	1,610,447	*****	73.9%	*****	Some other race	386,752	±19,791	17.7%	±0.9
21 years and over	1,516,148	±3,660	69.5%	±0.2	HISPANIC OR LATINO AND RACE				
62 years and over	325,655	±3,200	14.9%	±0.1	Total population	2,180,085	*****	2,180,085	(X)
65 years and over	260,812	±181	12.0%	±0.1	Hispanic or Latino (of any race)	1,186,808	*****	54.4%	*****
18 years and over	1,610,447	*****	1,610,447	(X)	Mexican	1,019,547	±12,689	46.8%	±0.6
Male	794,408	±248	49.3%	±0.1	Puerto Rican	18,118	±5,000	0.8%	±0.2
Female	816,039	±247	50.7%	±0.1	Cuban	5,076	±1,669	0.2%	±0.1
Sex ratio (males per 100 females)	97.3	±0.1	(X)	(X)	Other Hispanic or Latino	144,067	±12,471	6.6%	±0.6
65 years and over	260,812	±181	260,812	(X)	Not Hispanic or Latino	993,277	*****	45.6%	*****
Male	117,464	±303	45.0%	±0.1	White alone	591,879	±1,432	27.1%	±0.1
Female	143,348	±247	55.0%	±0.1	Black or African American alone	168,946	±5,476	7.7%	±0.3
Sex ratio (males per 100 females)	81.9	±0.3	(X)	(X)	Asian alone	157,172	±3,372	7.2%	±0.2
RACE					Two or more races	56,208	±6,563	2.6%	±0.3
Total population	2,180,085	*****	2,180,085	(X)	Two races excluding Some other race, and Three or more races	53,338	±6,419	2.4%	±0.3
One race	2,065,464	±10,275	94.7%	±0.5	Total housing units	731,393	±941	(X)	(X)
Two or more races	114,621	±10,275	5.3%	±0.5	CITIZEN, VOTING AGE POPULATION				
One race	2,065,464	±10,275	94.7%	±0.5	Citizen, 18 and over population	1,399,650	±11,326	1,399,650	(X)
White	1,351,926	±19,123	62.0%	±0.9	Male	690,022	±7,363	49.3%	±0.3
Black or African American	181,122	±6,792	8.3%	±0.3	Female	709,628	±5,924	50.7%	±0.3
American Indian and Alaska Native	17,061	±2,855	0.8%	±0.1					

Market Feasibility

Ontario Demographics Summary



Market Feasibility

Ontario | Demographic Tables

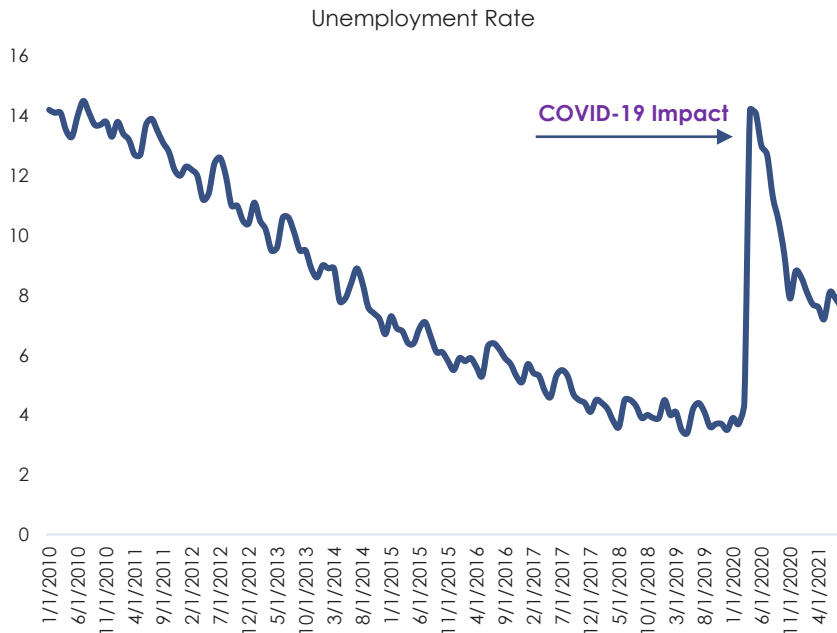
Ontario, California	Estimate	Margin of Error	Percent	Percent Margin of Error
SEX AND AGE				
Total population	184,999	±52	184,999	(X)
Male	90,016	±2,978	48.7%	±1.6
Female	94,983	±2,979	51.3%	±1.6
Sex ratio (males per 100 females)	94.8	±6.2	(X)	(X)
Under 5 years	13,807	±2,207	7.5%	±1.2
5 to 9 years	13,395	±2,197	7.2%	±1.2
10 to 14 years	14,699	±2,234	7.9%	±1.2
15 to 19 years	11,933	±1,926	6.5%	±1.0
20 to 24 years	12,797	±2,017	6.9%	±1.1
25 to 34 years	36,105	±2,930	19.5%	±1.6
35 to 44 years	23,624	±2,617	12.8%	±1.4
45 to 54 years	21,931	±2,607	11.9%	±1.4
55 to 59 years	10,116	±1,566	5.5%	±0.8
60 to 64 years	10,241	±1,799	5.5%	±1.0
65 to 74 years	9,450	±1,706	5.1%	±0.9
75 to 84 years	5,685	±1,147	3.1%	±0.6
85 years and over	1,216	±612	0.7%	±0.3
Median age (years)	32.1	±1.0	(X)	(X)
Under 18 years	49,419	±3,954	26.7%	±2.1
16 years and over	140,404	±3,957	75.9%	±2.1
18 years and over	135,580	±3,957	73.3%	±2.1
21 years and over	128,868	±3,898	69.7%	±2.1
62 years and over	21,918	±2,316	11.8%	±1.3
65 years and over	16,351	±2,133	8.8%	±1.2
18 years and over	135,580	±3,957	135,580	(X)
Male	67,143	±3,245	49.5%	±1.8
Female	68,437	±2,965	50.5%	±1.8
Sex ratio (males per 100 females)	98.1	±7.0	(X)	(X)
65 years and over	16,351	±2,133	16,351	(X)
Male	7,032	±1,287	43.0%	±4.8
Female	9,319	±1,357	57.0%	±4.8
Sex ratio (males per 100 females)	75.5	±14.7	(X)	(X)
RACE				
Total population	184,999	±52	184,999	(X)
One race	174,511	±2,287	94.3%	±1.2
Two or more races	10,488	±2,290	5.7%	±1.2
One race	174,511	±2,287	94.3%	±1.2
White	114,932	±6,968	62.1%	±3.8
Black or African American	8,225	±3,180	4.4%	±1.7
American Indian and Alaska Native	1,010	±716	0.5%	±0.4

Ontario, California	Estimate	Margin of Error	Percent	Percent Margin of Error
Asian	12,600	±3,018	6.8%	±1.6
Asian Indian	599	±952	0.3%	±0.5
Native Hawaiian and Other Pacific Islander	1,278	±1,300	0.7%	±0.7
Some other race	36,466	±5,923	19.7%	±3.2
Two or more races	10,488	±2,290	5.7%	±1.2
White and Black or African American	2,137	±1,513	1.2%	±0.8
White and American Indian and Alaska Native				
Native	1,026	±699	0.6%	±0.4
White and Asian	949	±607	0.5%	±0.3
Black or African American and American Indian and Alaska Native	172	±282	0.1%	±0.2
Race alone or in combination with one or more other races				
Total population	184,999	±52	184,999	(X)
White	123,478	±6,651	66.7%	±3.6
Black or African American	11,048	±3,643	6.0%	±2.0
American Indian and Alaska Native	3,080	±1,145	1.7%	±0.6
Asian	14,468	±3,225	7.8%	±1.7
Native Hawaiian and Other Pacific Islander	2,206	±1,656	1.2%	±0.9
Some other race	42,377	±5,894	22.9%	±3.2
HISPANIC OR LATINO AND RACE				
Total population	184,999	±52	184,999	(X)
Hispanic or Latino (of any race)	132,110	±6,159	71.4%	±3.3
Mexican	114,053	±6,540	61.7%	±3.5
Puerto Rican	1,793	±1,419	1.0%	±0.8
Cuban	813	±716	0.4%	±0.4
Other Hispanic or Latino	15,451	±4,228	8.4%	±2.3
Not Hispanic or Latino	52,889	±6,164	28.6%	±3.3
White alone	27,667	±4,260	15.0%	±2.3
Black or African American alone	7,443	±3,037	4.0%	±1.6
American Indian and Alaska Native alone	363	±373	0.2%	±0.2
Asian alone	12,472	±3,039	6.7%	±1.6
Native Hawaiian and Other Pacific Islander alone	1,049	±1,246	0.6%	±0.7
Some other race alone	123	±199	0.1%	±0.1
Two or more races	3,772	±1,632	2.0%	±0.9
Two races including Some other race	350	±401	0.2%	±0.2
Two races excluding Some other race, and Three or more races	3,422	±1,541	1.8%	±0.8
Total housing units	52,886	±2,128	(X)	(X)
CITIZEN, VOTING AGE POPULATION				
Citizen, 18 and over population	108,478	±5,132	108,478	(X)
Male	53,030	±3,426	48.9%	±2.1
Female	55,448	±3,429	51.1%	±2.1

Market Feasibility

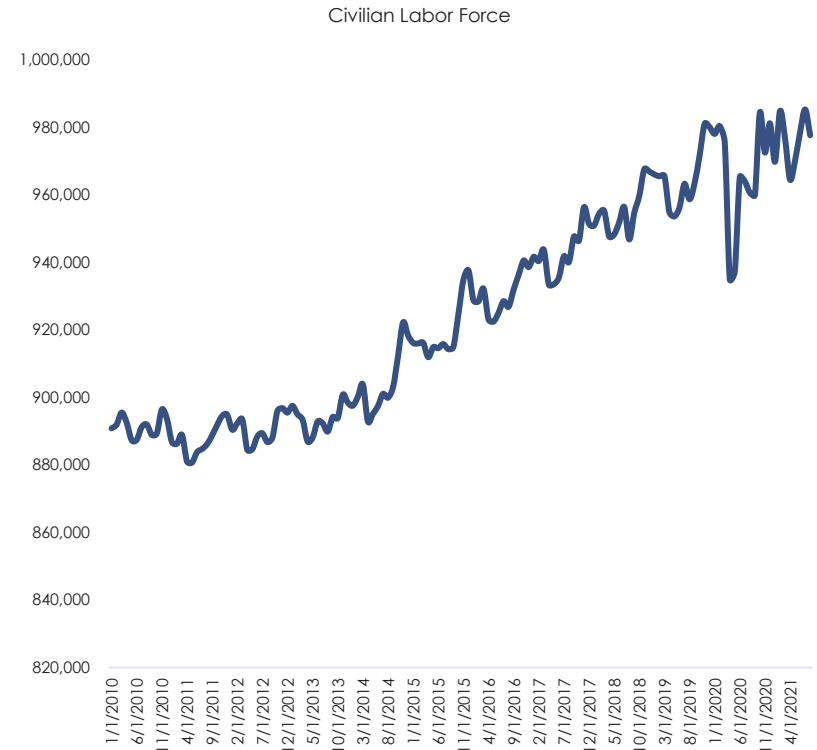
Availability of Trained or Trainable Labor

According to the Federal Reserve Bank of St. Louis Economic Data, the unemployment rate for San Bernardino County (latest data) was recorded at about 7.6 percent.



The civilian Labor Force in the subject County according to the Federal Reserve Bank of St. Louis Economic Data and US Bureau of Labor and Statistics was about 977,677. The unemployment rate reached its highest

rate of about 14.5 percent in July 2010. Based on the current unemployment rate, the County retains about 74,303 job seekers.

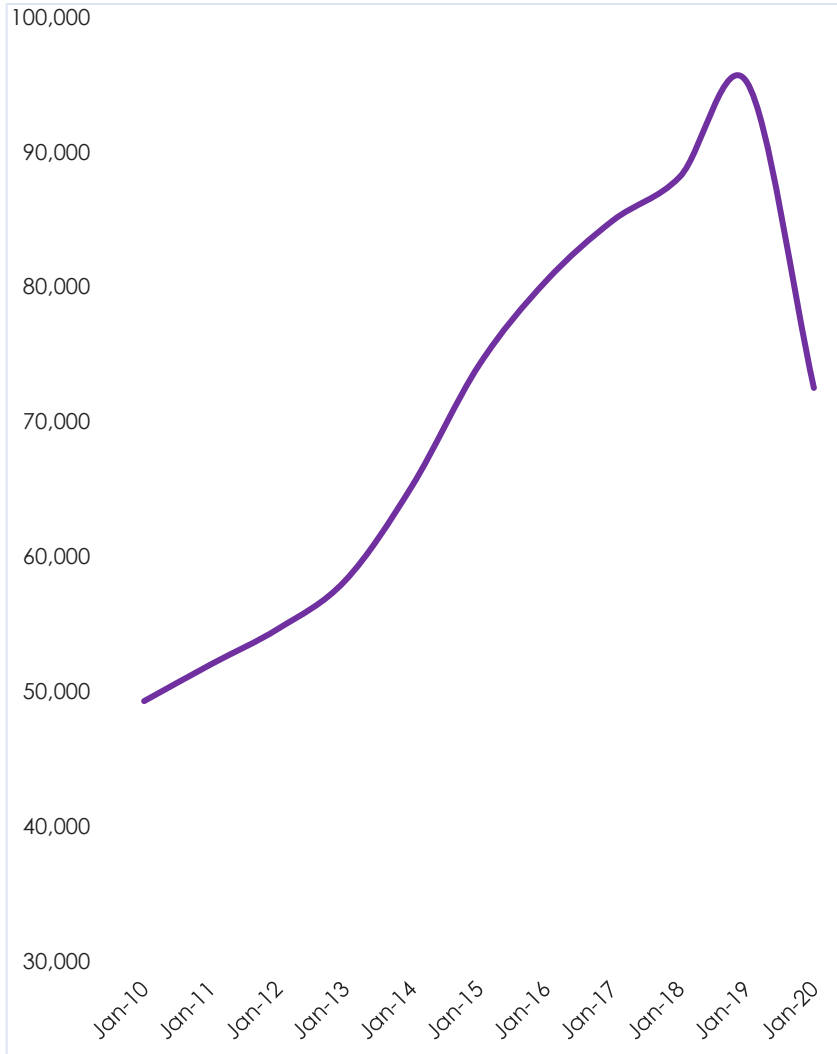


The Company intends to manage the Subject Project with the years of operations and management experience that principals of the Company has. This item does not appear to be a risk for the Subject Project.

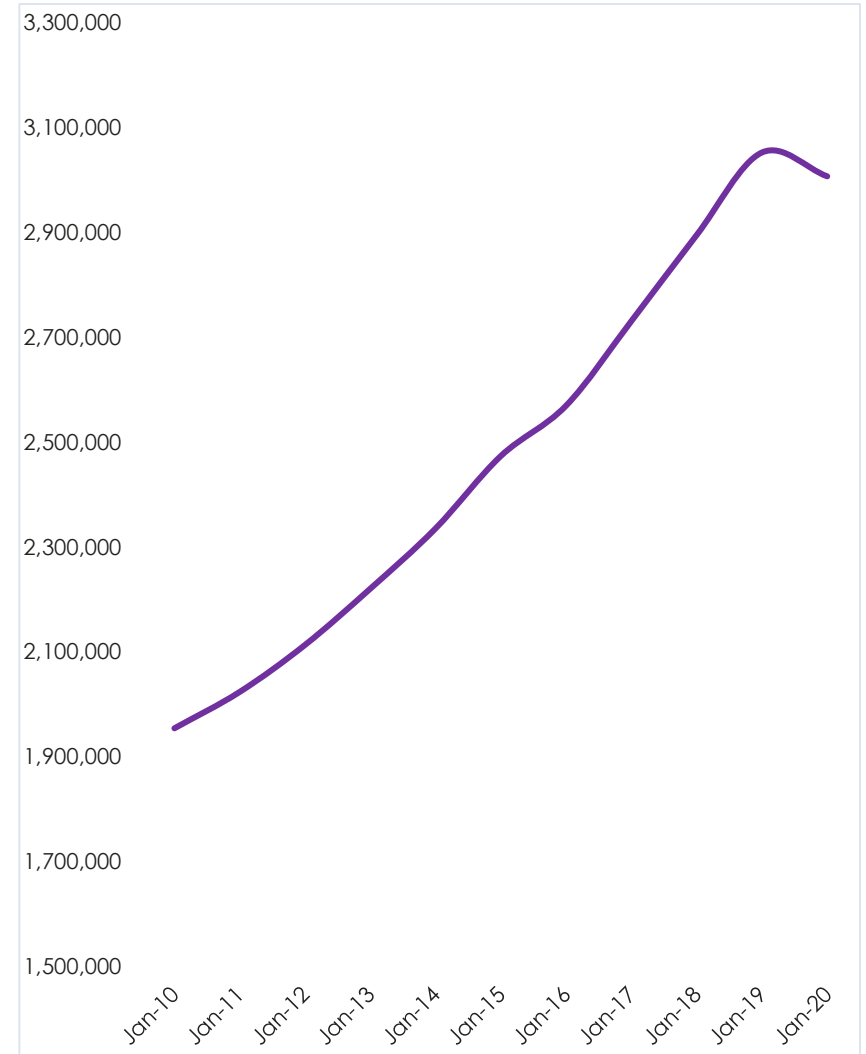
Market Feasibility

The industry and its relevant leveraged structure indicates that the Company's revenue should follow trends in the overall economy, including disposable income of end-users/consumers. Based on the analysis, the market area economy appears to be growing which indicates reasonable potential for the Subject Project.

Gross Domestic Product: Accommodation and Food Services in California



Gross Domestic Product: All Industry Total in California



Source: Veritas Development Advisors Secondary Research Analysis

Hotel Market Overview

Hotels & Motels in the US

- IBISWorld's analysts constantly monitor the industry impacts of current events in real-time – here is an update of how this industry is likely to be impacted as a result of the global COVID-19 pandemic:
- Recovery for the Hotels and Motels industry is anticipated to be skewed toward domestic, leisure markets where COVID-19 (coronavirus) restrictions have been lifted.
- Operators that cater to business customers such as, truckers, contractors, construction workers, healthcare workers and others that must travel for work and do not have the ability to conduct their work remotely are anticipated to experience an increase in demand.
- International travel to the United States has remained subdued, as restrictions remain in place on travelers from key markets such as, Canada and the European Union. This is anticipated to decelerate revenue growth for the industry in 2021.

VERITAS

DEVELOPMENT
ADVISORS

Market Feasibility

Hotels & Motels in the US

Checking in: Industry players will likely continue expanding abroad into emerging economies. The Hotels and Motels industry is highly susceptible to changes in the domestic and global economic environments, which has caused the industry to experience substantial volatility due to the onset of the COVID-19 (coronavirus) pandemic in 2020. Over most of the five years to 2021, the industry has benefited from increases in travel spending, corporate profit and general consumer spending. These factors were all affected substantially by the coronavirus pandemic. IBISWorld expects industry revenue to fall at an annualized rate of 7.6% to \$133.0 billion over the five years to 2021, despite an anticipated increase of 42.9% in 2021 amid a strong recovery in domestic leisure travel.

Revenue

\$133.0 bn

Growth,21-26

10.8% (Annual)

Profit Margin

3.1%

Growth,14-19

--15.3% (Annual)

Wages Share

\$43.0 bn

Growth,21-26

7.8%

Key Points

- Over the past five years, rising external competition has increased pressure on many hotel and motel operators, leading to competitive room rates. While some operators have shifted to offer premium services and accommodations to increase their rates or diversify revenue streams, not all operators have been able to make this shift. This has led to declines in industry profit.
- Additionally, the industry has been substantially affected by the onset and spread of coronavirus.
- Although domestic leisure travel has rebounded strongly in 2021, both international and business travel remain significantly below prepandemic levels amid the emergence of the Delta variant.
- Over the five years to 2026, IBISWorld projects that the industry will rebound and expand, with particularly strong growth in extended-stay hotels, boutique hotels, spa and health retreats and resorts segments.
- As demand for these auxiliary services picks up, industry employment is anticipated to recover and rise over the next five years. Industry players are also expected to continue expanding abroad into emerging economies, such as Asia, Eastern Europe and South America.
- These foreign markets are expected to somewhat detract from domestic investment, as they offer higher growth prospects for industry operators.
- Nonetheless, industry revenue is estimated to increase at an annualized rate of 10.8% to \$222.0 billion over the five years to 2026.

Source: IBISWorld, US Industry (NAICS) Report 72111, September 2021

Market Feasibility

Key External Drivers

Domestic trips by US residents

Trends in domestic travel, especially business travel, and total nights spent away from home directly affect demand for accommodation. As the number of trips made by US citizens rises, demand for hotels and models increases, while the inverse is also true. The number of domestic trips by US residents is expected to increase in 2021, representing a potential opportunity for the industry.

Consumer spending

Consumer spending levels have a direct effect on travel demand. When consumers spend more overall, they are more likely to spend on travel and accommodations. Therefore, a rise in consumer spending benefits demand for hotels and motels. Conversely, as consumers reduce spending, they decrease excess spending on travel, reducing demand for hotels and motels. Consumer spending is expected to increase in 2021.

Inbound trips by non-US residents

Trends in international visitor arrivals and their lengths of stay influence demand for accommodation. A rise in inbound trips positively affects demand for hotels and motels. The number of inbound trips by non-US residents is expected to increase in 2021.

Consumer confidence index

The Consumer Confidence Index measures consumer sentiment regarding the current economic outlook. Changes in consumer confidence influence decisions that individuals make concerning current and future expenditure on entertainment and travel. When consumers feel optimistic regarding the economic outlook, they are more likely to plan travel arrangements and book nights at hotels or motels. However, as consumers grow increasingly skeptical of the economic outlook, they forego spending on travel and accommodations. The Consumer Confidence Index is expected to increase in 2021.

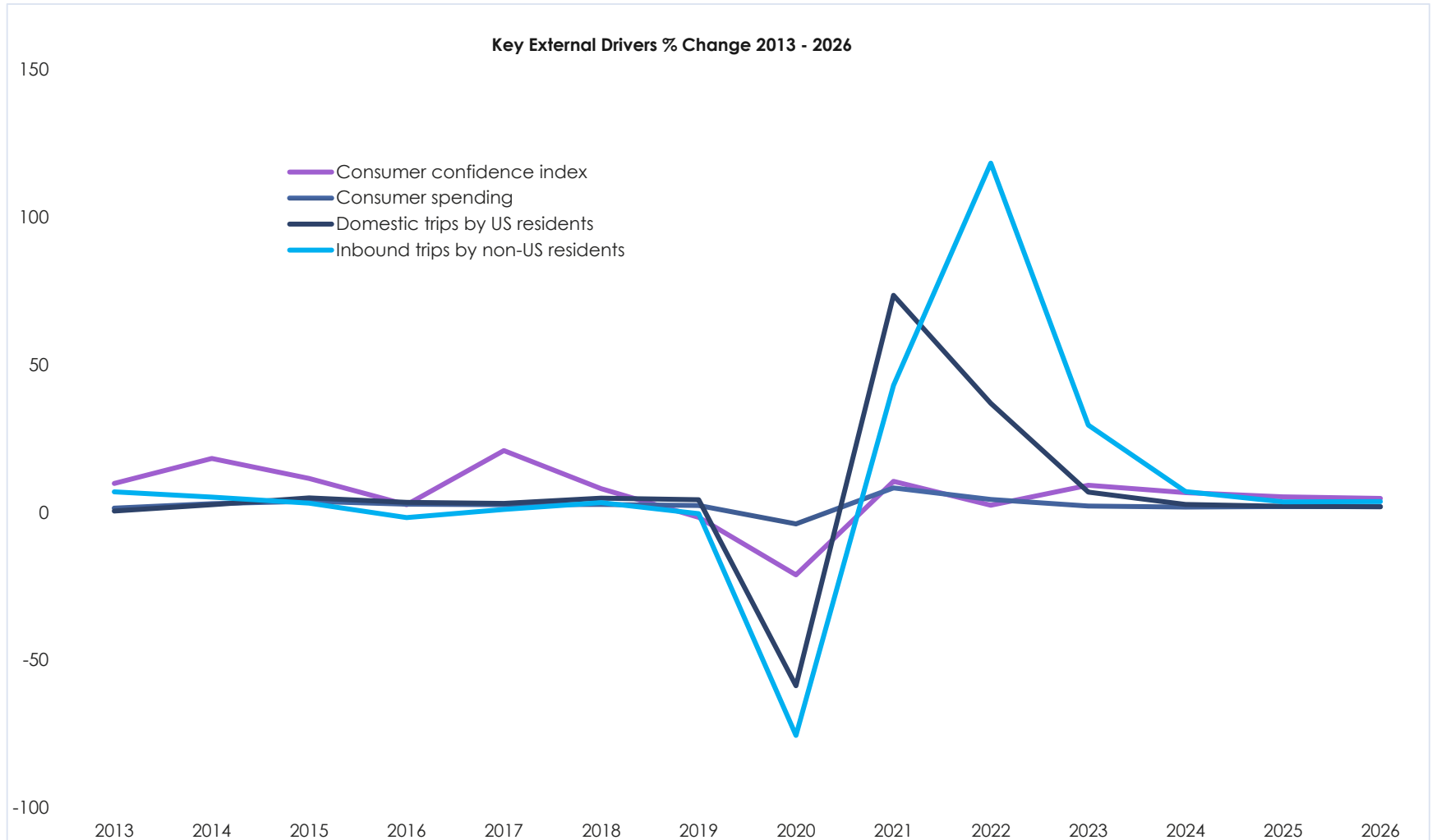
External competition for the Hotels and Motels Industry

The Hotels and Motels industry experiences competition from lodging alternatives, such as RV parks, bed-and-breakfast establishments, room rental services and hostels. Travelers are increasingly comparing prices across these alternatives when booking travel arrangements. External competition for the Hotels and Motels industry is expected to increase in 2021, posing a potential threat to the industry.

Market Feasibility

Industry revenue is expected to fall at an annualized rate of 7.6% to \$133.0 billion over the five years to 2021, despite an anticipated increase of 42.9% in 2021 amid a strong recovery in domestic leisure travel.

Key External Drivers



Market Feasibility

Current Performance

The Hotels and Motels industry has experienced elevated volatility over the five years to 2021.

Hotels and motels primarily provide short-term lodging to consumers; however, many also offer other services and accommodations as a way to diversify revenue. During most of the period, industry revenue grew at a steady rate, driven by positive economic factors that were favorably affecting the domestic economy as a whole. However, in early 2020, as the COVID-19 (coronavirus) pandemic spread across the globe, this trend sharply reversed, resulting in a sharp decline in industry revenue that year overall.

Economic indicators, such as per capita disposable income and consumer confidence, rose early during the period, only to experience sharp decline later during the period. Thus, all forms of short-term accommodation have experienced a

substantial decrease in demand. Consumers that had previously increased spending on travel for both business and leisure purposes have abruptly curbed that, causing industry revenue to decline. Since destination hotels and motels rely heavily on domestic and foreign tourism, any changes in domestic and international travel substantially contribute to the industry's bottom line. Industry revenue is expected to decrease an annualized 7.6% to \$133.0 billion over five years to 2021, despite an estimated increase of 42.9% in 2021 alone due to the expulsion pent-up domestic travel demand.

Changing Direction And The Coronavirus

The industry is particularly sensitive to macroeconomic factors, which can negatively affect consumers' tendency to travel.

Unexpected changes in geopolitical order can potentially affect revenue growth should travel restrictions arise or consumer sentiment sour. Although the US economy has improved during

most of the period, the United States has been negatively affected by the coronavirus outbreak.

The coronavirus spread rapidly within the United States, forcing many state and local governments, with the aid of the federal government, to take action.

Many state and local governments implemented stay-at-home orders, mandating the closure of nonessential businesses. This caused a shock to the US economy, and many companies were forced to lay off employees and temporarily shut down, while consumer sentiment declined, causing a near halt to domestic travel. The federal government also banned travel from international visitors originating from countries and regions that were drastically affected by the virus.

Consequently, demand for hotels and motels has decreased, eliminating all growth experienced between 2016 and 2019. However, in 2021 domestic travel is estimated to sharply

Market Feasibility

rise, in line with the cessation of government restrictions on businesses and travel.

Furthermore, the coronavirus vaccination campaign has resulting in a rising percentage of the population successfully vaccinated, which has contributed to a surge in domestic leisure travel during summer 2021, benefiting industry operators. However, restrictions regarding international visitors entering the United States remain in place for several key markets such as the European Union and Canada.

Consequently, demand from international travelers is anticipated to rise at a much slower rate than demand from domestic travelers. Moreover, although business travel has rebounded somewhat from lows endured during the coronavirus pandemic, the spread of the Delta variant has delayed the return to the office for many employees as well as business conferences and trips.

Industry Structure

Over the past five years, the structure of the industry has shifted. Many major operators have altered their business structure, through actions such as forming real estate investment trusts to raise funds.

Additionally, major operators have restructured operations to solely provide specialist services in hotel management through increased franchising opportunities. While revenue from hotel management has declined, such services have provided an opportunity to generate higher profit due to the elimination of many property-related costs. In 2017,

Hilton Worldwide Holdings Inc. separated into three separate entities to capitalize on growth opportunities and increase its competitiveness. The company spun-off its domestically owned and leased properties into a real estate investment trust.

Ultimately, owners are subject to changes in

property value cycles and economic conditions, in addition to any imbalances in hotel room demand and supply influences.

Similarly, Wyndham Worldwide Corporation separated into two separate holdings, Wyndham Hotels and Resorts Inc. and Wyndham Destinations. This separation aimed to enable each segment to grow and operate independently. Nevertheless, the industry is still largely property-based, with hotels and motels owning or leasing property specifically for hotel and motel operation.

Declining Profit

Profit has fallen over the past five years, partially because many operators have been unable to increase room rates amid increased competition.

While the rate of construction and development to get new rooms on the market has not kept up with increased demand, operators have experienced substantial external competition from companies such as

Market Feasibility

Airbnb Inc. and VRBO. These services permit consumers to rent rooms, apartments or whole houses online rather than a traditional hotel room. Such services provide a wide range of options to consumers and can play into a variety of different price points.

This has forced many operators to offer competitive pricing to maintain high demand or to provide upscale amenities to compensate for the price difference.

Furthermore, the crippling effect on the industry from the coronavirus pandemic, which caused rapid declines in occupancy rates and revenue per available room, coupled with rising operating costs due to the implementation of pandemic-related sanitation measures, has also contributed to a sharp decline in profit.

Consequently, profit, measured as earnings before interest and taxes, is estimated to account for 3.1% of revenue in 2021, down from 18.4% in 2016.

Declining revenue and profit have led many small operators to close locations either temporarily or permanently.

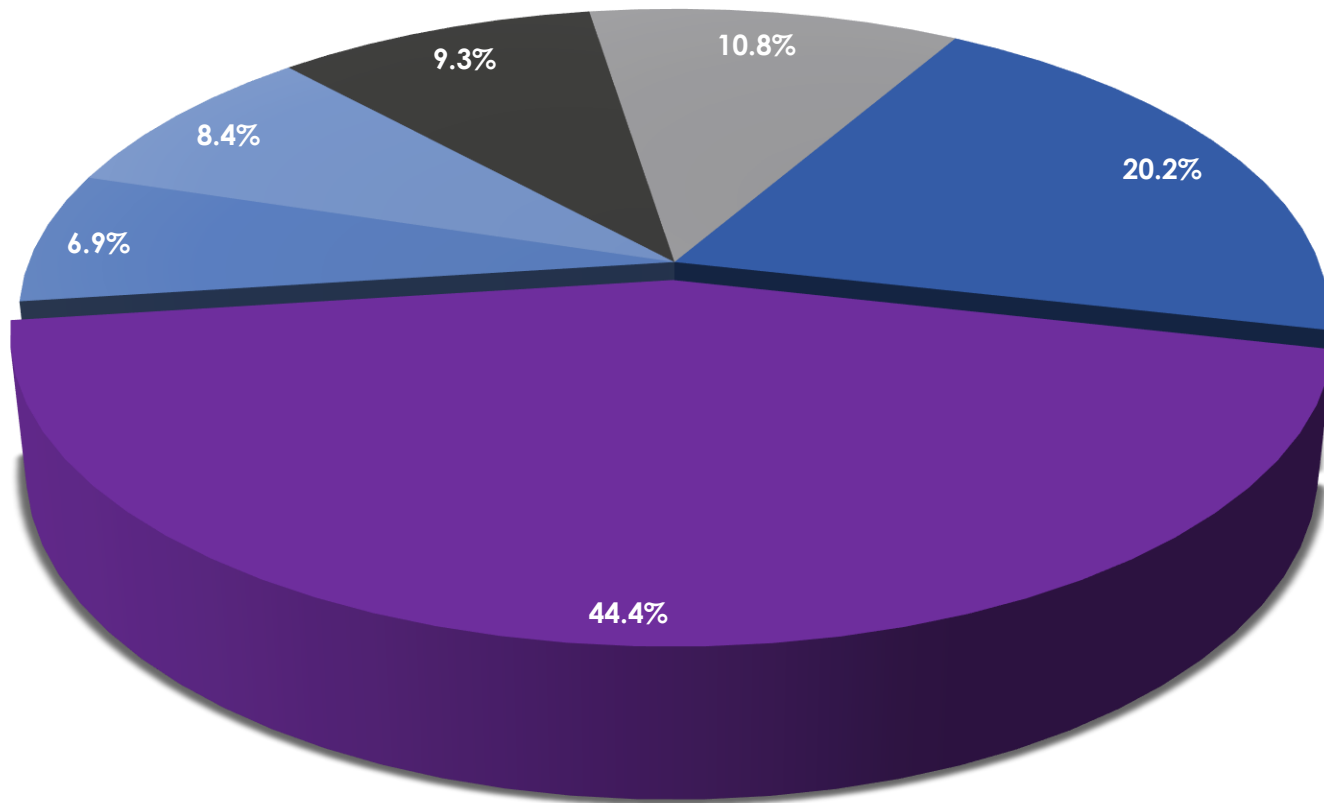
Consequently, the number of industry establishments has decreased an annualized 0.4% to 92,746 locations over the five years to 2021.

The decline in establishments resulting from the pandemic in 2020 is anticipated to outweigh strong establishment growth early during the period. Similarly, industry employment has decreased an annualized 3.3% to 1.4 million workers over the five years to 2021. IBISWorld estimates that industry employment declined 34.5% in 2020 alone.

Market Feasibility

Products & Services (Market Share)

- Guest room rentals from properties with under 75 rooms
- Guest room rentals from properties with between 300 and 500 rooms
- Restaurants and bars
- Guest room rentals from properties with between 75 and 299 rooms
- Guest room rentals from properties with over 500 rooms
- Other services



Market Feasibility

Demand Determinants

Domestic travel

Demand for hotel and motel accommodation is dependent on factors that affect travel, such as disposable income, which is influenced by changes in general employment growth and movements in interest and tax rates.

Changes in disposable income affect the number of trips a household takes and its expenditures while traveling, which, in turn, affects the growth and economic effect of the hospitality tourism industry.

The COVID-19 (coronavirus) pandemic in 2020 resulted in a surge in the unemployment rate, widespread economic uncertainty and restrictions on domestic travel. These factors resulted in a decline in domestic travel in 2020.

Nonetheless, in 2021, demand from domestic travel is anticipated to rise from 2020 lows, as individuals seek to travel after a year where

Consequently, demand for these products has increased among both nontraditional and travel was largely restricted.

The price of fuel is also important, which affects disposable income and general travel demand. When fuel prices increase, it reduces disposable income and consumers' willingness to spend on long car trips.

Changes in the availability of leisure time also affects the industry. As the unemployment rate falls, time available for leisure activities, such as travel also declines, despite the increased disposable income. It also adds more tradeoffs to consumers who have to use limited paid vacation days to travel. Holiday expenditure also competes with other leisure and recreational industries and competes for a share of household disposable income.

A longer-term influence on travel patterns is the cost of taking a domestic trip compared with an international one. The difference between the two is influenced by exchange rate

movements, the availability of inexpensive fares and holiday packages and the supply of airline seats. If traveling domestically becomes more expensive relative to international trips, individuals may choose to travel internationally, affecting the growth of domestic industry operators.

Finally, tourism promotions by private operators and federal and state governments, including through TV programs and special sporting events, also stimulates travel. However, individual state government promotions typically influence domestic travel patterns to favor only their state, rather than the entire industry.

Business travel

Business travel is greatly influenced by changes in economic growth, business confidence and corporate profit. Economic conditions directly affect the number of business trips taken, the length of stay and budgeted travel spending.

Market Feasibility

Business travel has experienced growth throughout most of the five years to 2021 as many corporations have benefited from the growth in the domestic economy.

However, the spread of the coronavirus throughout the United States in 2020 has resulted in a sharp contraction in business travel, as employees increasingly work from home and avoid nonessential travel.

Additionally, technology such as teleconferencing and conference calling has replaced business travel during the pandemic, as it is cost-effective and safer. In 2021 business travel levels have remained subdued due to the spread of the delta variant of the coronavirus and a continuation of many employees working from home.

This trend of companies restricting travel spending and conference attendance to focus more technology-based alternatives in an effort to preserve capital is likely to be

continued during the outlook period, however at a decreasing rate.

International tourism

International tourism is one of the most competitive industries. International tourism is affected by factors similar to domestic travel and global economic conditions, especially changes in economic growth.

Furthermore, international tourism is affected by changes in the US dollar against other major currencies, which has an effect on the cost of travel and the relative attractiveness of traveling to competing destinations. The coronavirus pandemic has resulted in a sharp decline in international tourism. There are still restrictions placed on individuals attempting to enter the United States who have been in countries experiencing more severe outbreaks of the coronavirus.

Additionally, many states implemented stay-at-home mandates and restrictions on businesses, further reducing the allure of traveling to the

United States in 2020. Widespread global economic uncertainty has also limited international tourism.

Although restrictions have been somewhat eased in 2021, international travel demand is anticipated to return at a slower rate compared with domestic travel.

Other factors, such as heightened geopolitical tensions including wars and terrorism, whether feared or actual, affect international travel plans. Many of the top tourist locations have struggled to regain traction for industry operators following terrorism or other negative events or geopolitical issues.

Promotional expenditures and activities, such as major or special events, on the part of governments and other organizations, can raise awareness and interest in travel. Finally, supply factors are also of critical importance, including the availability of airline flights and seats at the times people want to travel, and accommodations to and at their selected destination.

Market Feasibility

External factors

Several external factors can severely affect the industry either directly or indirectly. Such factors include public health crises, government regulation, geopolitical tensions and other macroeconomic factors.

Global or national pandemics can cause increased concern among US and international travelers.

Traveling amid public health crises may place consumers at further risk of catching the ailment, especially when staying at shared locations, such as hotels and motels, or traveling by airplane or train and other shared transportations.

Many hotel and motel guests are traveling far distances, which is the reason they required accommodation services.

As health concerns increase, consumers are more inclined to stay closer to home, limiting demand for travel. Similarly, government

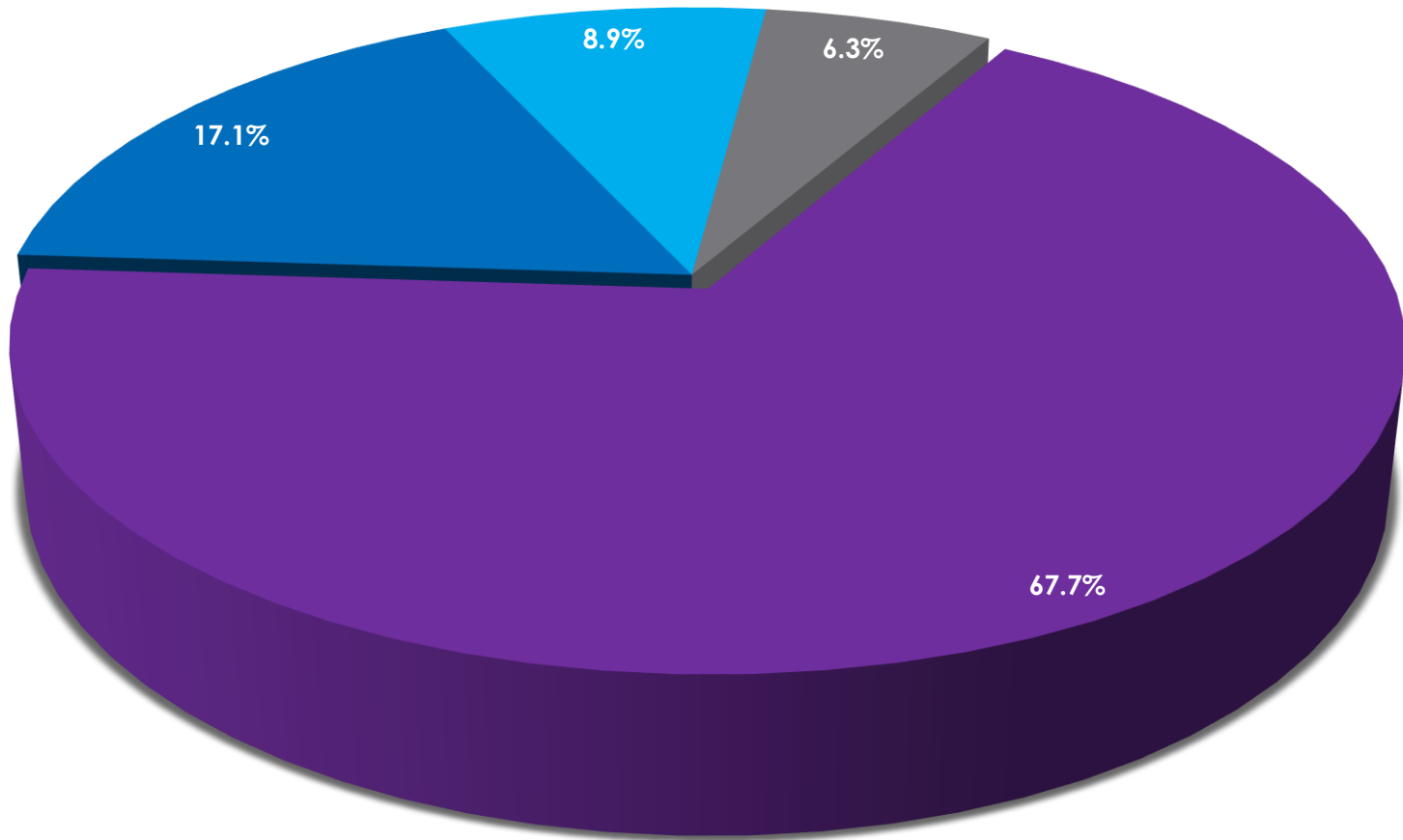
regulations that effect travel indirectly influences demand for hotels and motels. When any government restricts travel for individuals to or within the United States, demand will likely be negatively affected, as it reduces the volume of consumers needing industry services.

This has been apparent with the effect of the coronavirus. Hotels and motels experienced a sharp decline in occupancy rates in 2020 as consumers opted to forego travel and stay at home.

Market Feasibility

Major Markets (Market Share)

■ Domestic leisure travelers ■ International leisure travelers ■ Business travelers ■ Meetings, events and incentive travelers



Market Feasibility

Key Success Factors

Access to multiskilled and flexible workforce:

- Access to multiskilled and well-trained staff is vital to success in the industry.

Being part of a franchising chain:

- There are many benefits to being part of a chain or franchised group, namely brand recognition, national marketing and quality control.

Receiving the benefit of word-of-mouth recommendations:

- Good word-of-mouth recommendations are quite often the most successful promotional tool.

Proximity to key markets:

- The location, facilities and services offered to hotel and motel guests are very important.

Ability to quickly adopt new technology:

- It is essential to be aware of the new technology available in this industry for information, promotions, bookings and general management control systems

Ability to control stock on hand:

- Understanding the various room stock, availability and tariff mechanisms used in this industry is important.

Market Feasibility

Cost Structure Benchmarks

Profit

Profit, measured as earnings before interest and taxes, is expected to account for 3.1% of industry revenue in 2020, driven by the economic damage of the COVID-19 (coronavirus) pandemic.

Purchases

In 2019, wages are expected to account for 21.4% of industry revenue.

Wages

Wages represent 32.3% of industry revenue in 2020.

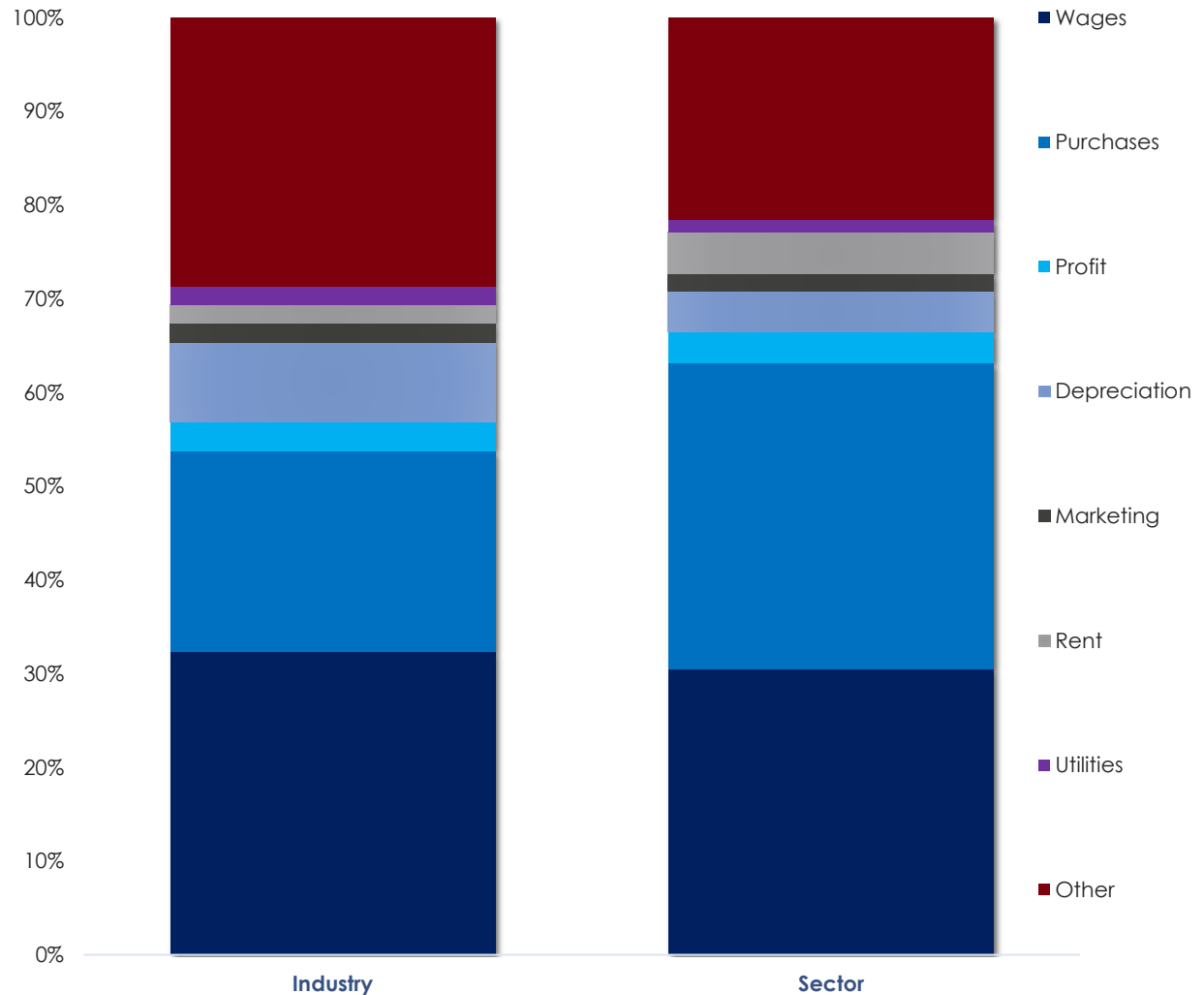
Marketing

Marketing costs account for 2.1% of industry revenue in 2021.

Depreciation

Depreciation represents an estimated 8.5% of industry revenue in 2020.

Sector versus Industry Costs



Market Feasibility

Major Companies

There are no major players in this industry.

Other Companies

Marriott International Inc.

Market Share: 0.4%

Marriott International Inc. (Marriott) is a lodging company based in Bethesda, MD, with 7,797 global properties in 80 countries and territories. The United States is home to 62.3% of Marriott's rooms.

Marriott operates and franchises its hotels under various brands, including Marriott, the Ritz-Carlton, Renaissance, Courtyard, TownePlace Suites and Bulgari. It also develops and operates vacation ownership resorts under the Marriott Vacation Club, Horizons, the Ritz-Carlton Club and Grand Residences brands, while also running Marriott Executive Apartments. The company employs an estimated 121,000 people worldwide across its various hotels and other locations in 2020 (latest data available).

Marriott's operations extend over most segments of the accommodation market, including luxury, full service and limited service, to suit a variety of travelers and budgets.

While such diversity typically provides some insulation from economic downturns, many of the company's hotels still endure severely cut room rates to remain competitive and maintain positive cash flow during difficult economic periods.

Consequently, Marriott has significantly expanded its US portfolio over the past five years to further inoculate itself from downturns and better position itself to compete with its traditional competitors and also with newer, nontraditional competitors, such as Airbnb Inc.

Most of this expansion has been through franchise operations. Franchise agreements are contracts that enable individuals to create a business establishment under the branding of an existing company. This often requires upfront

fees, but enables individuals to take advantage of the parent company's network, branding and other features. While these establishments are considered independent enterprises, they have increased Marriott's operations across the United States.

Due to the nature of Marriott's business structure, with its focus on management, franchising and licensing,

IBISWorld uses company reported revenue from owned and leased locations to project the company's market share.

However, IBISWorld also reports and estimates total network sales. Network sales further include revenue generated by the company's franchise operations. In 2021,

Marriott is expected to generate \$509.3 million in industry-relevant revenue. This includes an estimated decline in 2020 due to the COVID-19 (coronavirus) pandemic as domestic and

Market Feasibility

international travel sharply contracted amid travel restrictions and stay-at-home mandates. In 2021, the company is anticipated to experience a rebound in demand, driven primarily by robust leisure demand.

Hilton Worldwide Holdings Inc.

Market Share: 0.2%

Brand Names: Hilton, Hilton Garden Inn, Doubletree, Embassy Suites, Hampton, Homewood Suites by Hilton, Conrad

Hilton Worldwide Holdings Inc. (Hilton), formerly Hilton Hotels Corporation, is a McLean, VA-based lodging company that owns, manages or franchises more than 6,500 hotels with over 1.0 million rooms worldwide.

An estimated 71.0% of Hilton's rooms are based in the United States, which has increased over the five years to 2021. Hilton employs 141,000 people worldwide at its managed, owned, leased and corporate locations, while 173,000 individuals work in the company's franchised locations.

Hilton has undergone a series of ownership changes since it was first listed on the New York Stock Exchange in 1970. Most recently, the company was purchased by private equity firm Blackstone Group Inc. (Blackstone) in 2007 for \$26.0 billion, initially pulling it off of public exchanges.

Blackstone took Hilton public again in late 2015, listing the company on the New York Stock Exchange under the name of Hilton Worldwide and using the proceeds to pay down the substantial debt the group had taken on during the initial purchase of Hilton. During its ownership tenure,

Blackstone increased the chain's room count, which was mainly achieved through franchised and managed hotels, which require limited capital investment. In February 2016, the company announced plans to break into three separate entities to capitalize on growth opportunities, increase its competitiveness within the Hotels and Motels industry and create internal efficiencies that would enable

its core segments to act on opportunities faster than before. These spin-offs were completed in early 2017. The two new segments include Park Hotels & Resorts Inc. and Hilton Grand Vacations Inc. These segments comprised the company's previous timeshare rentals and various resorts segments. The company's remaining portfolio is focused on luxury and lifestyle hotel brands, with global properties remaining within the traditional company structure.

In 2021, Hilton is estimated to generate \$219.5 million in industry-relevant revenue. This does not include revenue from its franchised operations, as Hilton does not release revenue figures for its franchised and managed locations in its publicly available financials.

The company's continued shift toward franchising has been a large driver behind its declining industry-relevant revenue. The company's revenue is expected to decline in 2020 due to the negative effect of COVID-19 (coronavirus) pandemic. However, based on

Market Feasibility

RevPAR figures and the company's reported number of rooms to determine its total system-wide sales, IBISWorld estimates that Hilton's US system-wide sales have grown throughout most of the five years to 2021, prior to the coronavirus pandemic, and system-wide sales remain important to Hilton's growth post-pandemic.

Moreover, Hilton is anticipated to experience an increase in demand in 2021 amid the easing of travel restrictions and anticipated pent-up travel demand amid the broader distribution of the coronavirus vaccination.

InterContinental Hotels Group PLC

Brand Names: InterContinental

InterContinental Hotels Group PLC (IHG) is a UK-based company and one of the largest hotel chains in the world as measured by total number of rooms. IHG owns, manages and franchises 5,964 hotels throughout 100 countries under major brands, including Holiday Inn, Kimpton Hotels, Crowne Plaza and

InterContinental. It also employs more than 400,000 individuals across all hotels and countries. IHG divides its hotels into segments based on ownership and management structures. Hotels are either franchised, managed or owned.

Consistent with IHG's low-asset business model, most of the company's hotels operate under a franchise agreement or are managed by IHG on behalf of the owner. Due to the low capital investment and minimal wage costs required for franchising, the company's franchise business is its most profitable segment.

IHG's portfolio of brands covers a wide range of key consumer segments active in the Hotels and Motels industry. High-end luxury travelers visiting major cities are catered to by IHG's five-star InterContinental locations, while its Holiday Inn brand accommodates mid-market consumers traveling for business or leisure.

IHG's most recent project, Hotel Indigo, is a boutique hotel concept with 50 locations that

targets travelers with a preference for edgy art and design. These locations are predominantly located in urban areas and target high-end consumers between the ages of 20 and 50. RevPAR for all of IHG's brands has increased strongly during most of the period, as travel across all major markets has increased.

Similar to other service industries, IHG was heavily affected by the onset of the COVID-19 (coronavirus) pandemic in the United States and throughout the globe.

As people self-isolated and sheltered in place, they canceled travel plans, and thus, did not book stays at hotels and motels, causing sharp declines in occupancy rates in 2020.

However, in 2021 IHG has experienced a recovery in its occupancy rates, which has been skewed toward domestic leisure markets where restrictions have been lifted. IHG's business market occupancy levels have remained an estimated 30.0% below pre-pandemic levels.

Market Feasibility

IHG's industry-relevant hotels are located within the company's Americas segment, which includes all properties located in North, South and Central America. The Americas segment represents over 4,200 hotels and 514,000 rooms. Properties located in the United States represent an estimated 58.0% of total properties.

While the United States still accounts for the majority of revenue within the Americas segment, Canada, Mexico and the Caribbean are also key players that significantly contribute to the company's profit, mainly because more than 90.0% of rooms in the Americas segment operate under a franchise business model.

IHG's asset-light business model means it owns nine hotels, as most hotels operate under a franchise agreement or are managed by IHG on behalf of owners. Additionally, the global effect of coronavirus is forecast to substantially affect the industry, further reducing growth.

Nonetheless, IHG experienced significant

growth during the most of the period, which is expected to somewhat mitigate loss that has been incurred in 2020.

Therefore, the company is expected to generate \$4.5 million in industry-relevant revenue in 2021. The figure is relatively low because industry-relevant revenue does not include franchise revenue, as franchises are considered independent operators, according to the Bureau of Labor Statistics.

Nonetheless, IHG's total network sales in the United States, which includes sales garnered from owned, leased and managed hotels and sales earned by third-party-owned franchised hotels, are estimated to fall over the five years to 2021 due to the coronavirus pandemic induced decline in 2020.

Wyndham Hotel and Resorts

Brand Names: Super 8 Motels, Knights Inn, Days Inn, Travelodge

Wyndham Hotels and Resorts (Wyndham), previously Wyndham Worldwide Corporation, is

based in Parsippany, NJ, but operates globally. Wyndham is one of the largest franchised-hotel operators in the United States. In 2006, its parent company, Cendant Corporation, split into discrete companies operating in specific industries, and its hotel operation was renamed Wyndham Worldwide.

During the second quarter of 2017, the company decided to further divide the company, and announced its intent to spin-off of the hotel business segment. This spin-off was completed in June 2018 and resulted in the hotel business operation being held as its own publicly traded entity named Wyndham Hotel and Resorts. Wyndham states that the spin-off aimed to enable a greater focus on the individual functions of each business segment, enhancing their potential for success and growth.

In the United States, Wyndham has 8,941 properties with a total of 484,800 rooms. In 2021, IBISWorld estimates that Wyndham will derive 60.8% of its revenue in the United States.

Market Feasibility

Wyndham's brands include Days Inn, Knights Inn, Ramada, RCI, Super 8 Motels, Travelodge, Howard Johnson's and Wingate by Wyndham. Its two largest brands, Super 8 and Days Inn, have an estimated 2,000 locations each.

Wyndham's brands mainly cater to the economy and midscale markets. It is also involved in the timeshare market via its RCI and Fairfield Communities brands.

Wyndham earns one of the lowest RevPARs in the industry due to the budget-focused nature of its lodgings.

In 2021, Wyndham is expected to generate \$2.9 million in industry-relevant revenue. This does not include revenue generated by the company's franchised establishments.

US-network sales have fallen over the five years to 2021. This is largely due to an anticipated decline in 2020, as many consumers throughout the globe and in the United States were placed under stay-at-home orders, and significantly

reduced and canceled most traveling. However, in 2021,

Wyndham has benefited from strong demand from its business customers, which largely are comprised of truckers, contractors, construction workers, healthcare workers and others who must travel for work and do not have the ability to conduct their work remotely.

Consequently, the company's economy and midscale brands have outperformed the industry's higher-end brands during the pandemic. Moreover, leisure travel demand has recovered strongly in 2021, with occupancy rates reaching 95.0% of their pre-pandemic levels during the second quarter of 2021.

Market Feasibility

Operating Conditions

The level of capital intensity is Medium

The Hotels and Motels industry is subject to a moderate to level of capital intensity. In 2021, for every \$1.00 spent on wages, the average industry operator is expected to spend an estimated \$0.26 on capital. Capital intensity is expected to remain stable moving forward as labor and capital both play an important role in the industry.

As a service-based industry, hotel and resort operators are highly dependent on direct labor input across all areas of operation. Individuals are needed in areas such as front-desk service, reservations, room service and cleaning, food preparation, liquor and beverage service and back of house operational management. Due to the service-based nature of the industry, many of these labor-intensive functions cannot be substituted by technology or machinery and are a key foundation in the day-to-day functions. To meet customers' expectations of quality and provide a hospitable stay, trained staff are required.



Market Feasibility

Revenue Volatility

The level of volatility is Very High

Over much of the five years to 2021, Hotels and Motels industry revenue volatility has been moderate to very high.

Volatility was low during most of the period due to the consistent growth industry operators have been able to capitalize on. However, with the onset of the COVID-19 (coronavirus) pandemic, industry revenue is anticipated to rapidly decline in 2020 and strongly rebound in 2021, introducing greater volatility to the industry.

Industry revenue grew as much as 42.9% in 2021 and declined as much as 55.8% in 2020. Prior to 2020, there was little variability. However, this new instability in revenue growth derived from global economic and public health issues has affected the United States in 2020.

This has led to steep declines in the previously steady increase in inbound tourism, volumes of

domestic travel and general weakening of economic conditions. The introduction and spread of coronavirus in the United States caused implementations of travel bans, limited domestic travel and a downturn in the US economy. However, revenue is estimated to rebound in 2021 in line with the cessation of domestic travel restrictions and an increase in the percentage of the domestic population which has been vaccinated. This moderate to high level of volatility is still subject to change if economic conditions change over the five years to 2026, especially as the effect of the virus is fully realized.

Regulation & Policy

The level of regulation is Medium and this trend is Steady.

The Hotels and Motels industry is subject to a medium and steady level of regulation at the federal and state level.

Several states regulate the activities of hospitality properties and restaurants, including

safety and health standards, and the sale of liquor, by requiring licensing, registration, disclosure statements and compliance with specific standards of conduct. There are also extensive state and federal laws and regulations relating to selling and marketing timeshare intervals for those hotels that offer such arrangements.

LABOR RELATIONS

Operators of hotels and motels are also subject to laws governing their relationship with employees, including minimum wage requirements, overtime, working conditions and work permit requirements.

The industry employs a high number of young and low-skilled workers at hourly rates, and therefore, is subject to minimum wage and employee benefits regulations.

Workers in the United States are entitled to be paid no less than the statutory minimum wage, which is \$7.25 per hour in 2021. Each state also formulates and regulates its own minimum

Market Feasibility

wage, with most states implementing rates higher than the federal rate. National operators that have establishments in various states must comply with each individual state's requirements for each location.

Food Safety And Standards

As many hotels and motels prepare and sell food on premises, the industry is subject to laws and regulations relating to the preparation and sale of food, including regulations regarding product safety, nutritional content and menu labeling.

The Food and Drug Administration (FDA) is the main agency responsible for providing guidance and regulation. The FDA's Model Food Code, which is a best-practice guide to food handling and presentation, applies to this industry and is updated each year.

The FDA Nutritional Value applies as well. Since 1996, the FDA regulations have set standards for nutritional values of individual foods and meals. If claims such as "low-fat" or

"heart-healthy" are on a menu, an owner must be able to demonstrate to officials that there is a reasonable basis for the claim.

For instance, the meal may be based on a recipe from a health association or a recognized dietary group. Complete nutritional information, however, is not required to be on menus.

The Affordable Care Act requires restaurant companies to disclose calorie information on their menus.

The Food and Drug Administration has proposed rules to implement this provision that would require restaurants to post the number of calories for most items on menus or menu boards and to make available more detailed nutrition information upon request. FDA regulations require that restaurants and similar retail food establishments that are part of a chain with 20.0 or more locations are required to provide nutrition information for standard menu items on menus and menu boards.

However, during the coronavirus pandemic the FDA has granted restaurants flexibility in implementing these changes and will not object if establishments do not meet labeling requirements during the public health emergency.

Liquor Licensing

A license is required to serve liquor and the issuing of licenses may be restricted in some states, such as limiting the number of licenses in a given area or by population.

For example, in Wisconsin, there is a license quota of one license per 500 people. Additionally, states are able to mandate hours of operation, the price of each drink, which establishments are able to serve and how long an unfinished bottle of wine may be used in the bar. Hotel and motel operators must comply with state and local service laws, commonly called dram shop statutes. Dram shop statutes generally prohibit serving alcoholic beverages to certain persons such as an individual who is

Market Feasibility

intoxicated or a minor. In the United States, a person must be 21 years of age to be legally served alcohol, which has been in place since the passing of the National Minimum Drinking Age Act of 1984

Cybersecurity

After Wyndham Hotels and Resorts experienced a breach in its data systems, the Federal Trade Commission (FTC) has increased its powers and regulations on cybersecurity.

While no regulation has yet to be passed that outlines exactly the level of cybersecurity a hotel or motel must have, it has become increasingly pertinent. The FTC can still fine an operator if they experience a high-level security breach. This increases the need for hotels and motels to implement high level of data security.

Smoking Bans

Smoking laws are generally enforced at the state level as the US Congress has not attempted to enact any nationwide federal smoking ban.

Smoking is banned in restaurants, bars and non hospitality workplaces in many states and some local jurisdictions ban smoking in outdoor areas. Each jurisdiction has developed legislation separately; however, most laws are relatively consistent.

There are some differences pertaining to the circumstances in which ventilated smoking rooms are permitted and the distance smoking is banned outside a building.

A growing number of cities and states now require hotels to be 100.0% smoke-free indoors, including guest rooms. Currently, all hotels and motels, including guest rooms, must be smoke-free in Wisconsin, Michigan and Nebraska.

Over the past decade, smoke-free hotels have gone from being almost nonexistent to the national norm. The Westin, a Marriott International Inc. (Marriott) brand, announced the first national 100.0% smoke-free hotel policy for all its properties in the United States in 2006 following a report from the Surgeon General

that exposure to secondhand smoke is damaging to health. This marked a turning point for the industry and a domino effect led Marriott to adopt a similar policy across its portfolio of brands.

Franchising Laws

A large proportion of industry establishments are operated under franchise agreements.

There are both federal and state laws governing franchising, which vary from state to state. Franchising is regulated at the federal level by the US Federal Trade Commission and applied in any region within the United States. At the state level, various state agencies regulate franchises and laws vary between states.

A state's franchise laws usually only apply if the sale of a franchise is made in the state and the business is located in the state. Laws generally fall into three categories, which include disclosure laws, registration laws and relationship laws.

Market Feasibility

Under the FTC Franchise Rule there are three elements of a franchise, which include the franchise has a trademark under which the franchisee is given the right to distribute goods and services; the franchisor has significant control of or provides significance to the franchisee's method of operation; and the franchisee is required to pay the franchisor at least \$600.00 within the first six months of opening for business.

COVID-19

In early 2020, the United States was affected by the global COVID-19 (coronavirus) pandemic.

While many industries have been affected heavily by this pandemic, industries related to hospitality and tourism have been hit especially hard due to travel bans and stay-at-home restrictions.

There has been no direct legislation on hotels and motels in the United States, however, there has been broad sweeping regulation that affected industry operators and employees.

This included the Families First Coronavirus Response Act. This act required specified employers to provide their employees with paid sick leave or expanded family and medical leave for specified reasons related to coronavirus.

This regulation likely affected operators that fell under the designated categories specified by the act. However, the FFCRA leave requirements expired December 31st, 2020. In 2021, operators still are contending with regulations such as the limitation of foreign travelers into the United States. For example, as of August, U.S. borders remain closed to most European travelers, even those with vaccinations.

Industry Assistance

The level of industry assistance is low and the trend is increasing

As a whole, the Hotels and Motels industry does not receive on-going and continuous direct support from local or state governments.

In early 2020, however, many hotel and motel operators were given stimulus in the form of money from the US government due to the COVID-19 (coronavirus) pandemic.

The US Coronavirus Aid, Relief, and Economic Security (CARES) Act, which was introduced and signed into law in March 2020, is a \$2.0 trillion economic relief package designed to provide direct economic assistance for American workers, families and small businesses as well as preserve jobs for American industries. The Paycheck Protection Program (PPP), which was established by the CARES Act, is implemented by the Small Business Administration (SBA) and provides small businesses with funds to pay up to eight weeks of payroll costs including benefits.

Funds can also be used to pay interest on mortgages, rent and utilities. Furthermore, in December 2020, the government passed an additional \$900.0 billion in a COVID-19 (coronavirus) relief bill. The legislation included another \$300.0 billion for the PPP and

Market Feasibility

expanded the kinds of businesses that can qualify for forgivable loans and grants. Lastly, in March 2021, a third, \$1.9 trillion coronavirus relief plan was signed into law.

The plan provides \$15.0 billion to the Emergency Injury Disaster Loan program, which provides long-term, low-interest loans from the SBA. Moreover, the PPP will receive an additional \$7.0 billion in funds under this relief plan.

Many industry operators were severely affected by the coronavirus pandemic as travel from many international locations was suspended for months and domestic travel declined as people were ordered to quarantine and self-isolate at home throughout most of the United States.

Aside from direct stimulus provided on rare occasions, the industry receives other indirect assistance regularly. In many states, some of the funds collected by lodging taxes are spent on promoting local tourism, which can directly

and indirectly benefit the Hotels and Motels industry. This tax is often used to promote tourism within the state. Thus, the industry is an indirect beneficiary of any promotional tourism spending by governments, to which operators may or may not have contributed funds. The more local tourism is promoted, the more likely people might be to travel to that location which typically benefits the region's overall economy.

Trade groups such as the American Hotel & Lodging Association also lobby on the industry's behalf. This is the sole national association that represents all components of the lodging industry. This association includes individual hotel property members, hotel companies, training organizations, students and suppliers. Its activities incorporate national advocacy, public relations and image management, education and research and information. It also operates through 43 partner state associations to provide local representation to members.

Nature and Extent of the Market and Market Area

Market Feasibility

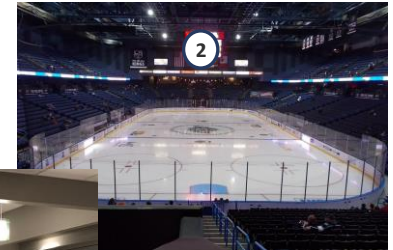
Top 10 things to do in Ontario, CA (per TripAdvisor)

No Name

1 Ontario Mills



2 Toyota Arena



3 Escape Lounge



4 Ontario Convention Center



5 Museum of History and Art, Ontario



6 Animanga



7 Cucamonga-Guasti Regional Park



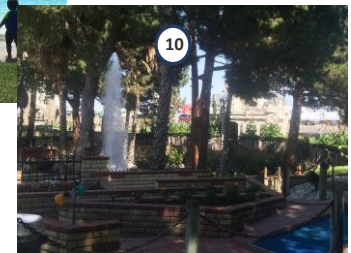
8 Treasures N Junk



9 K1 Speed Ontario



10 Scandia

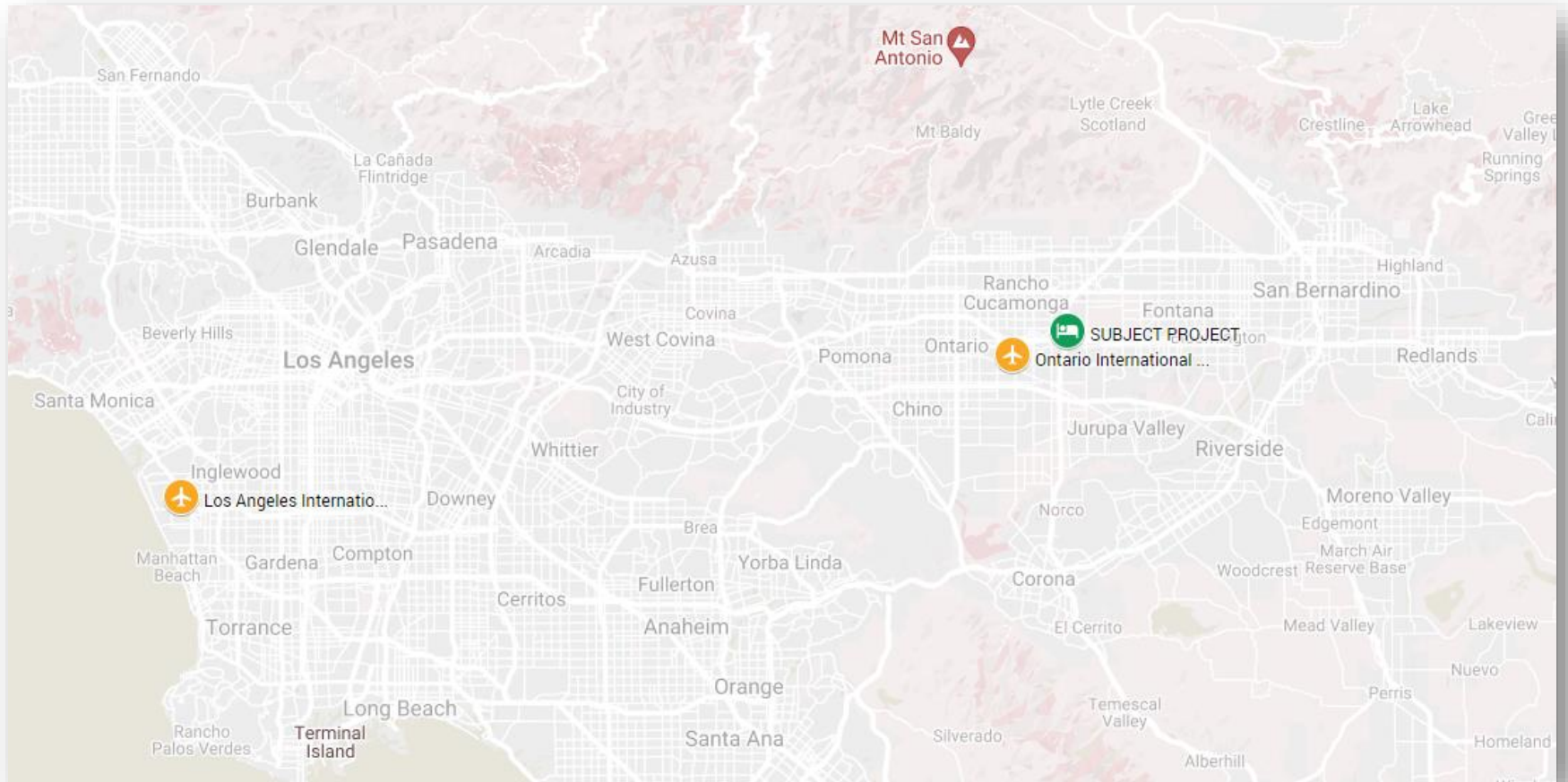


Source: Veritas Development Advisors Primary Research

Market Feasibility

Major Airports Near the Subject Project Data Table and Map

No.	Name	Address	Miles Away from the Subject Project
1	Ontario International Airport	Ontario, CA 91761	3.2
2	Los Angeles International Airport	1 World Way, Los Angeles, CA 90045	58.5

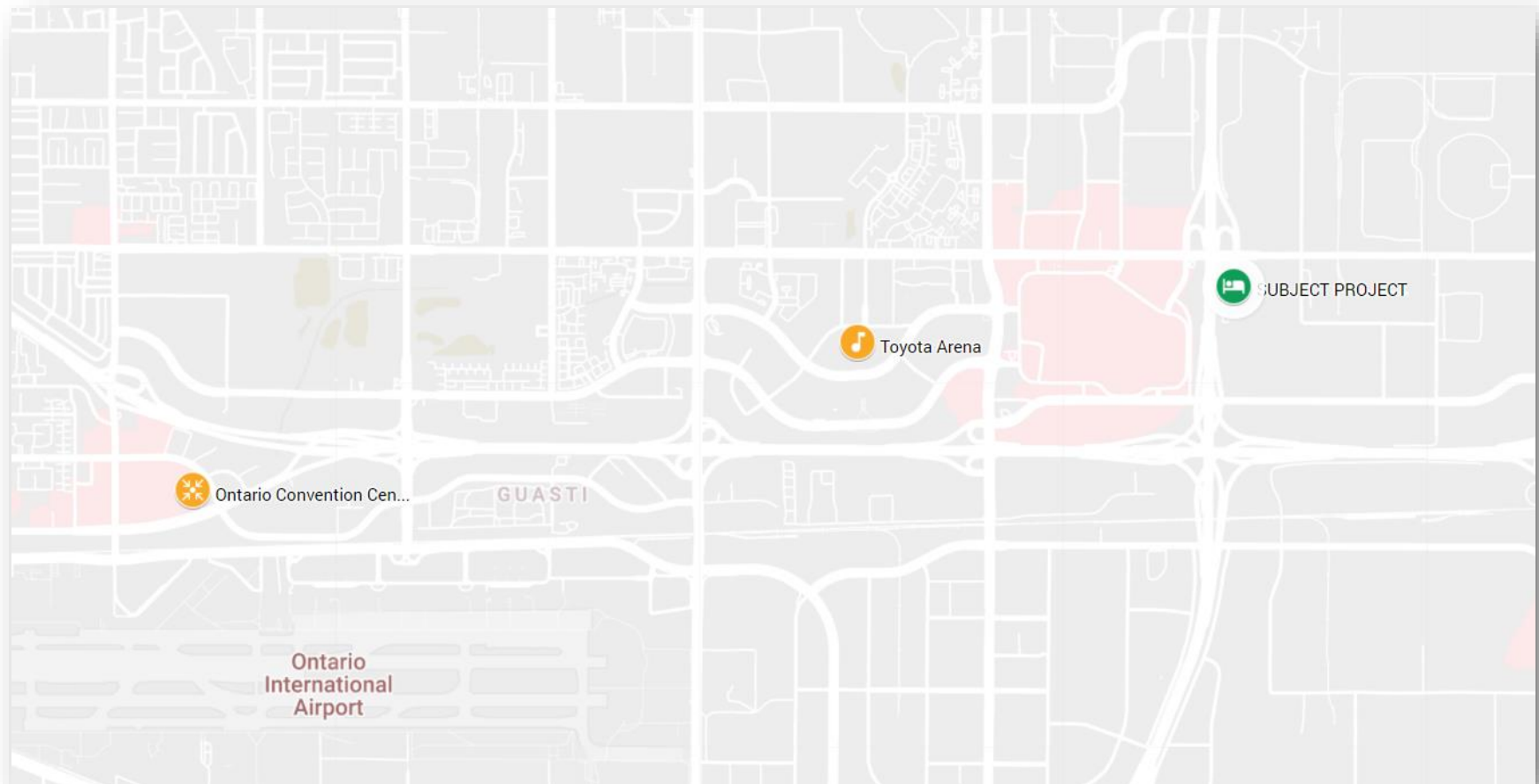


Source: Google Maps, Veritas Development Advisors Primary Research Analysis

Market Feasibility

Significant Demand Generators Near the Subject Project Data Table and Map

No.	Name	Address	Miles from Subject Project	Overnight Stays Demanded Annually
1	Toyota Arena	4000 Ontario Center, Ontario, CA	1.6	Left voice msg with Ontario Econ. Dev.
2	Ontario Convention Center	2000 E Convention Center Way, Ontario, CA	4.9	Left voice msg with Ontario Econ. Dev.



Source: Google Maps, Veritas Development Advisors Primary Research Analysis

Market Feasibility

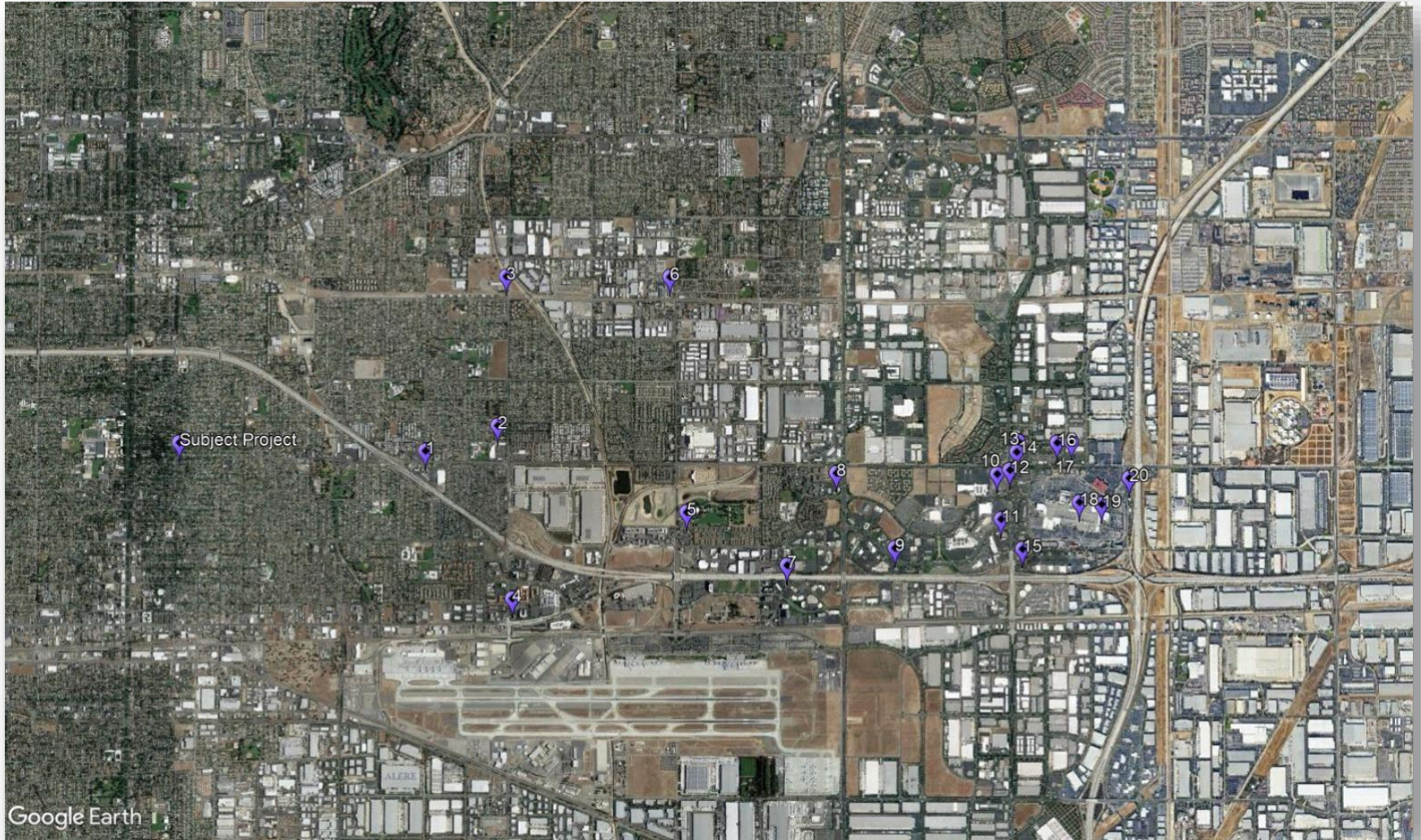
Restaurants Near the Subject Project Data Table

No.	Name	Address	Miles Away from the Subject Project
1	El Chilitos Mexican Restaurant	1630 E 4th St K, Ontario, CA 91764	1.49
2	Zeke's Eatin' Place	1855 E 4th St, Ontario, CA 91764,	1.92
3	Johnny O's Café	8890 8th St, Rancho Cucamonga, CA 91730	2.20
4	Spires Restaurant	104 N Vineyard Ave, Ontario, CA 91764	2.25
5	Ontar Thai Restaurant	750 Archibald Ave, Ontario, CA 91764	3.10
6	Chasqui	8880 Archibald Ave, Rancho Cucamonga, CA 91730	3.12
7	Panda Inn	3223 E, N Centre Lake Dr, Ontario, CA 91761	3.77
8	Jikan Japanese Restaurant	3495 Concourse St suite e, Ontario, CA 91764	3.97
9	Benihana	3760 Inland Empire Blvd, Ontario, CA 91764	4.39
10	@ Home Thai Fusion bistro	4275 Concourse St Suite 130, Ontario, CA 91764	4.93
11	Chili Bistro-湘巴佬	765 N Milliken Ave ste a, Ontario, CA 91764	4.98
12	Applebee's Grill + Bar	1021 N Milliken Ave, Ontario, CA 91764	5.02
13	Olive Garden Italian Restaurant	4403 Mills Cir, Ontario, CA 91764	5.07
14	Big Wok Mongolian Grill BWRC	11334 Fourth St Ste 103, Rancho Cucamonga, CA 91730	5.08
15	In-N-Out Burger	4310 Ontario Mills Pkwy, Ontario, CA 91764	5.13
16	BJ's Restaurant & Brewhouse	11520 Fourth St, Rancho Cucamonga, CA 91730	5.28
17	Lazy Dog Restaurant & Bar	11560 Fourth St, Rancho Cucamonga, CA 91730	5.40
18	The Sweet Spot	Ontario, CA 91764	5.45
19	Rainforest Café	4810 Mills Cir, Ontario, CA 91764	5.59
20	Rubio's Coastal Grill	980 Ontario Mills Dr Suite A, Ontario, CA 91764	5.71

Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

Restaurants Near the Subject Project Map



Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

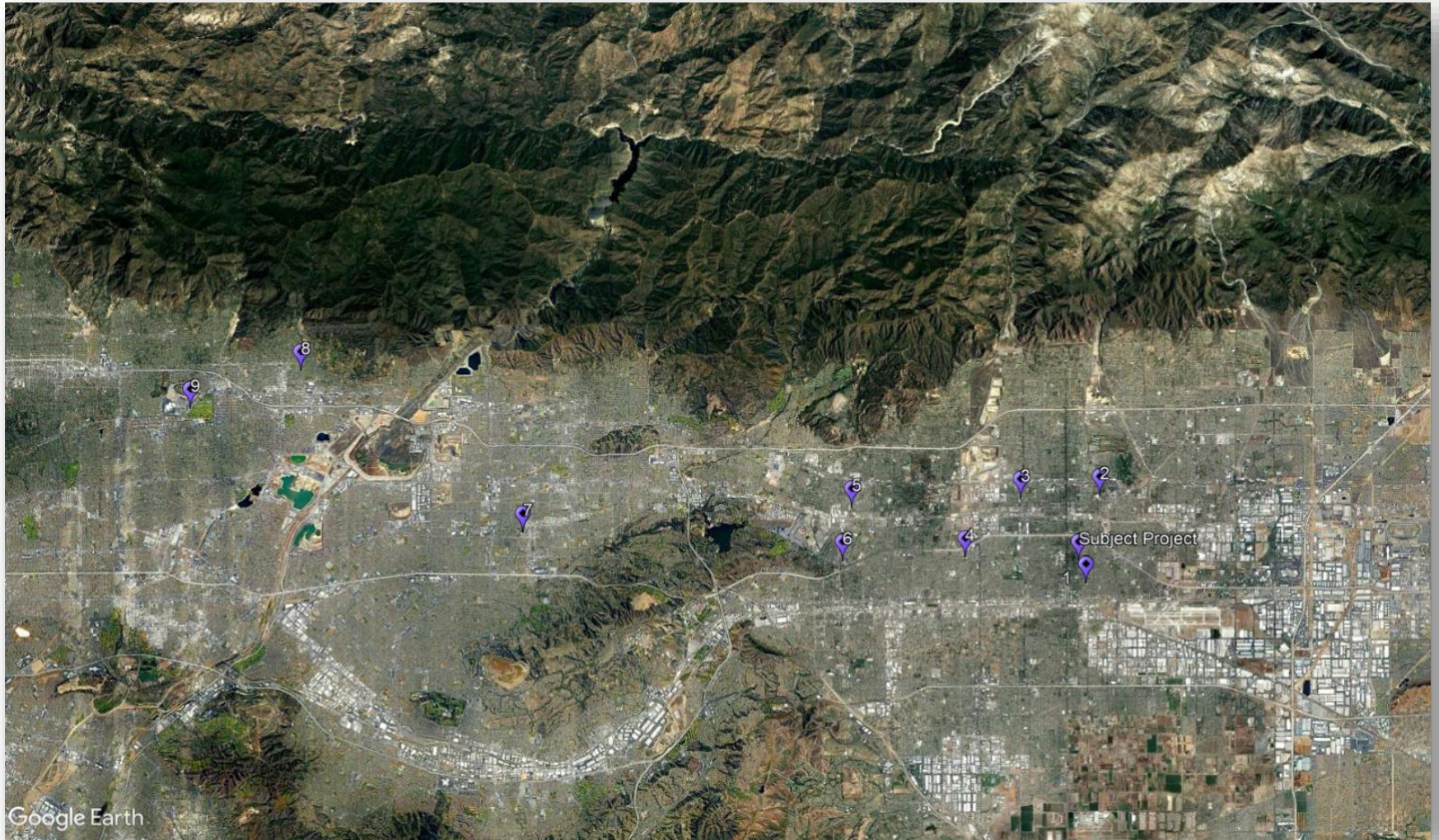
Medical Facilities Near the Subject Project Data Table

No.	Name	Address	Miles Away from the Subject Project
1	Kindred Hospital Ontario	550 N Monterey Ave, Ontario, CA 91764	0.71
2	San Antonio Regional Hospital	999 San Bernardino Rd, Upland, CA 91786	1.66
3	Chaparral Medical Group	585 N Mountain Ave, Upland, CA 91786	2.09
4	Montclair Hospital Medical Center	5000 San Bernardino St, Montclair, CA 91763	2.87
5	Casa Colina Hospital and Centers for Healthcare	255 E Bonita Ave, Pomona, CA 91767	5.70
6	Pomona Valley Hospital Medical Center	1798 N Garey Ave, Pomona, CA 91767	6.10
7	Emanate Health Inter-Community Hospital	210 W San Bernardino Rd, Covina, CA 91723	14.18
8	Monrovia Memorial Hospital	323 S Heliotrope Ave, Monrovia, CA 91016	20.05
9	Methodist Hospital	300 Huntington Dr, Arcadia, CA 91007	22.54

Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

Medical Facilities Near the Subject Project Map



Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

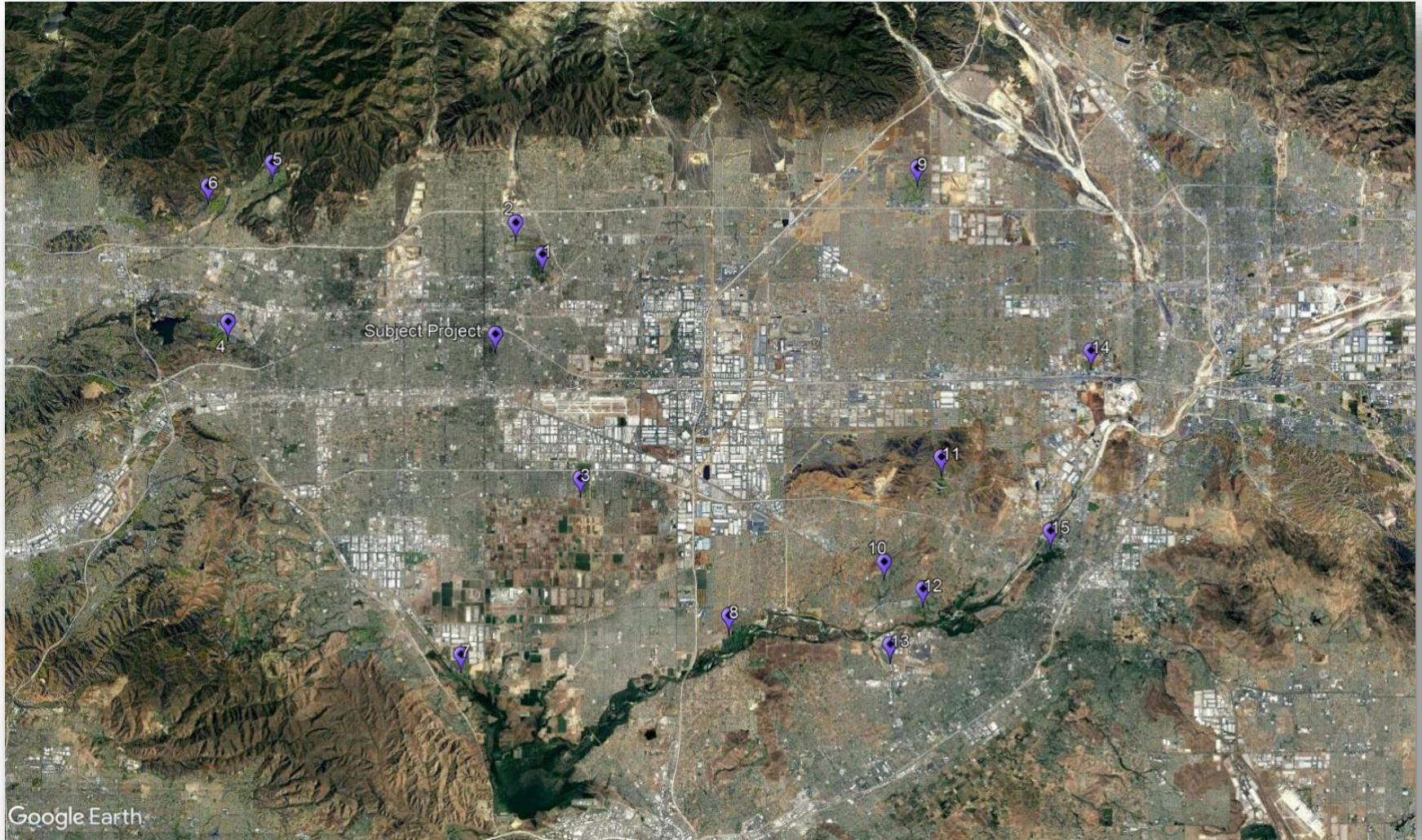
Golf Courses Near the Subject Project Data Table

No.	Name	Address	Miles Away from the Subject Project
1	Red Hill Country Club	8358 Red Hill Country Club Dr, Rancho Cucamonga, CA 91730	2.09
2	Upland Hills Country Club	1231 E 16th St, Upland, CA 91784	2.60
3	Whispering Lakes Golf Course	2525 E Riverside Dr, Ontario, CA 91761	5.23
4	Mountain Meadows Golf Course	1875 Fairplex Dr, Pomona, CA 91768	7.37
5	Marshall Canyon Golf Course	1135, 6100 Stephens Ranch Rd, La Verne, CA 91750	7.45
6	San Dimas Canyon Golf Course	2100 Terrebonne Ave, San Dimas, CA 91773	8.69
7	El Prado Golf Courses	6555 Pine Ave, Chino, CA 91708	9.61
8	Goose Creek Golf Club	11418 68th St, Mira Loma, CA 91752	10.72
9	Sierra Lakes Golf Club	16600 Clubhouse Dr, Fontana, CA 92336	12.41
10	Indian Hills Golf Club	5700 Club House Dr, Riverside, CA 92509	12.79
11	Oak Quarry Golf Club	7151 Sierra Ave, Riverside, CA 92509	12.96
12	Jurupa Hills Country Club	6161 Moraga Ave, Riverside, CA 92509	14.13
13	Van Buren Golf Center	6720 Van Buren Boulevard, Riverside, CA 92503	14.28
14	Colton Golf Course	1901 W Valley Blvd, Colton, CA 92324	16.49
15	Fairmount Golf Course	2681 Dexter Dr, Riverside, CA 92501	16.51

Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

Golf Courses Near the Subject Project Map



Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

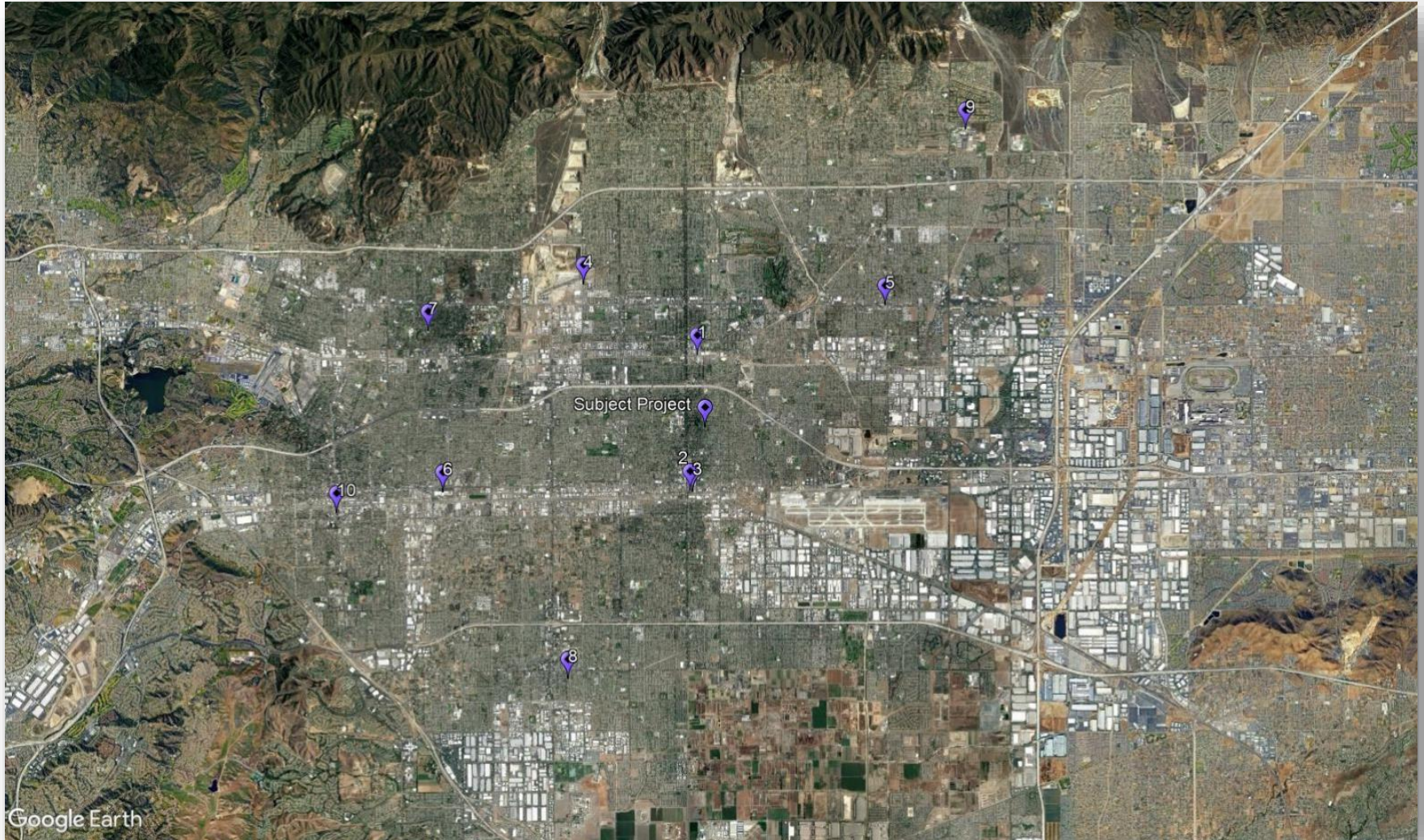
Museums Near the Subject Project Data Table

No.	Name	Address	Miles Away from the Subject Project
1	Cooper Regional History Museum	217 E A St, Upland, CA 9178	0.82
2	Ontario Museum of History & Art	225 Euclid Ave, Ontario, CA 91762	1.48
3	Chaffey Community Museum of Art	217 S Lemon Ave, Ontario, CA 91761	1.49
4	Sasse Museum of Art	1334 N Benson Ave STE D, Upland, CA 91786	2.79
5	Cucamonga Service Station	9670 Foothill Blvd, Rancho Cucamonga, CA 91730	3.38
6	The African-American Museum of Beginnings	1460 E Holt Ave Suite 188, Pomona, CA 91767	4.56
7	Petterson Museum of Intercultural Art	730 Plymouth Rd, Claremont, CA 91711	4.70
8	Chino's Old Schoolhouse Museum	5493 B St, Chino, CA 91710	5.19
9	Wignall Museum & Gallery	5885 Haven Ave, Rancho Cucamonga, CA 91737	6.19
10	Latino Art Museum	281 S Thomas St, Pomona, CA 91766	6.31

Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

Museums Near the Subject Project Map



Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

4th Street Hotel (Subject Project)

Site Info	
Location	5060 E. 4th Street, Ontario, California 91764
Rooms	128 (planned)
Room Types	61 Queen Suites 61 DBL Queen Suites 3 ADA DBL Queen Suites 3 ADA Queen Suites
Site Area	• 80,000 sq. ft
GBA	• 55,250 sq. ft
Story	• Four
Parking Area	• 19,106 sq. ft
Meeting Room	• 1,824 sq. ft
Seating Area	• 300 sq. ft
Café/Snack	• 331 sq. ft
Fitness	• 331 sq. ft
Pool Deck/Spa	• 2,353 sq. ft
Lobby	• 504 sq. ft
Reception	• 110 sq. ft
Laundry	• 437 sq. ft

SUITE AMENITIES INCLUDE

Spacious Kitchens

- Stove
- Microwave Oven
- Toaster
- Refrigerator (Full)
- Icemaker In Refrigerator
- Dishwasher
- Pots/Pans/Serving Dishes
- Plates/Glassware
- Silverware
- Dining Table

Flexible Workspaces

- Work Desk With Lamp
- Desk Level Electrical Outlet
- Spare Electrical Outlet at Desk

Connectivity

- Wired Internet Available in Rooms, Suites, Business Center, Public Areas and Meeting Convention Spaces.

- Wireless Internet Available in Rooms, Suites, Business Center, Public Areas and Meeting Convention Spaces.
- Standard Wireless Internet service is free for all members
- Two-Line Phone
- Phone with Voicemail

HOTEL AMENITIES INCLUDE

Connectivity

- Wired Internet Available in Rooms, Suites, Business Center, Public Areas and Meeting Convention Spaces.
- Wireless Internet Available in Rooms, Suites, Business Center, Public Areas and Meeting Convention Spaces.

Housekeeping and Laundry Services

- On-site Guest Self-Laundry Facilities
- Weekly Housekeeping
- Housekeeping Full Service
- Full service - complete room clean.

Market Feasibility

Business Services

- On-Site Business Center
- Business Services are available
- Copying
- Office supplies available
- Printer
- Scanner

Entertainment and Recreation

On-site Fitness Center Available

- Limited Offering
- Available Equipment: Elliptical Machines, Treadmill, Free Weights, Stationary Bicycle

Outdoor Pool Available

- Outdoor Gazebo Grill



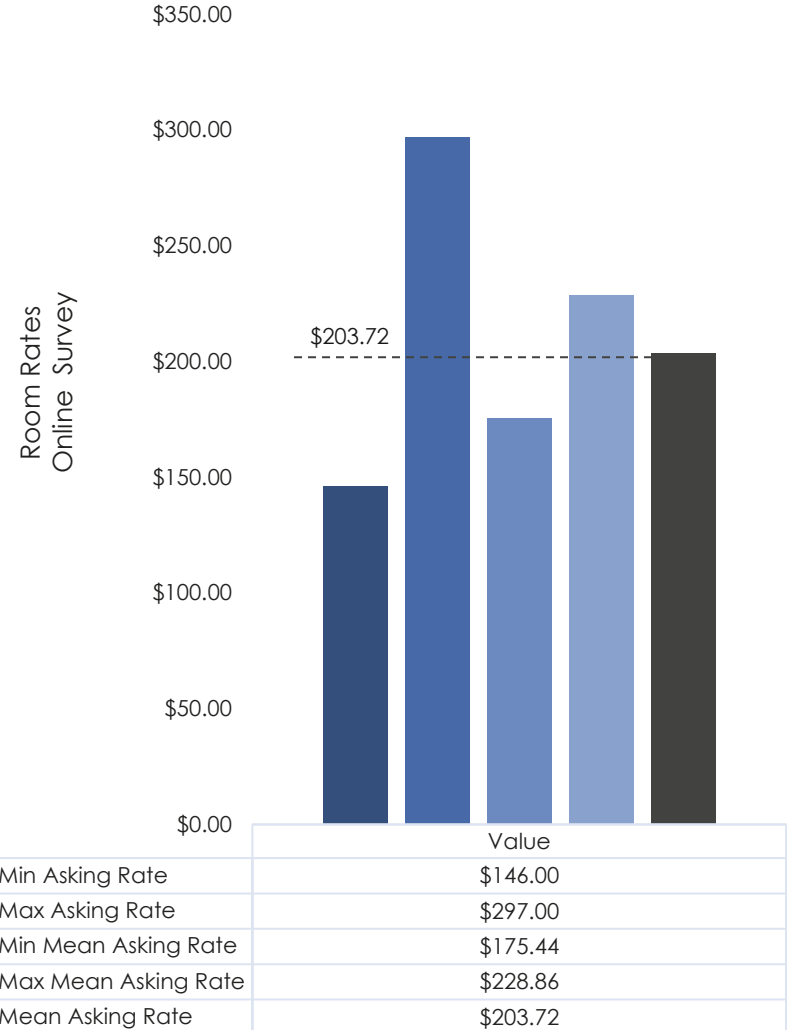
Competitive Market Area Analysis

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Market Feasibility

Home2 Suites by Hilton Azusa

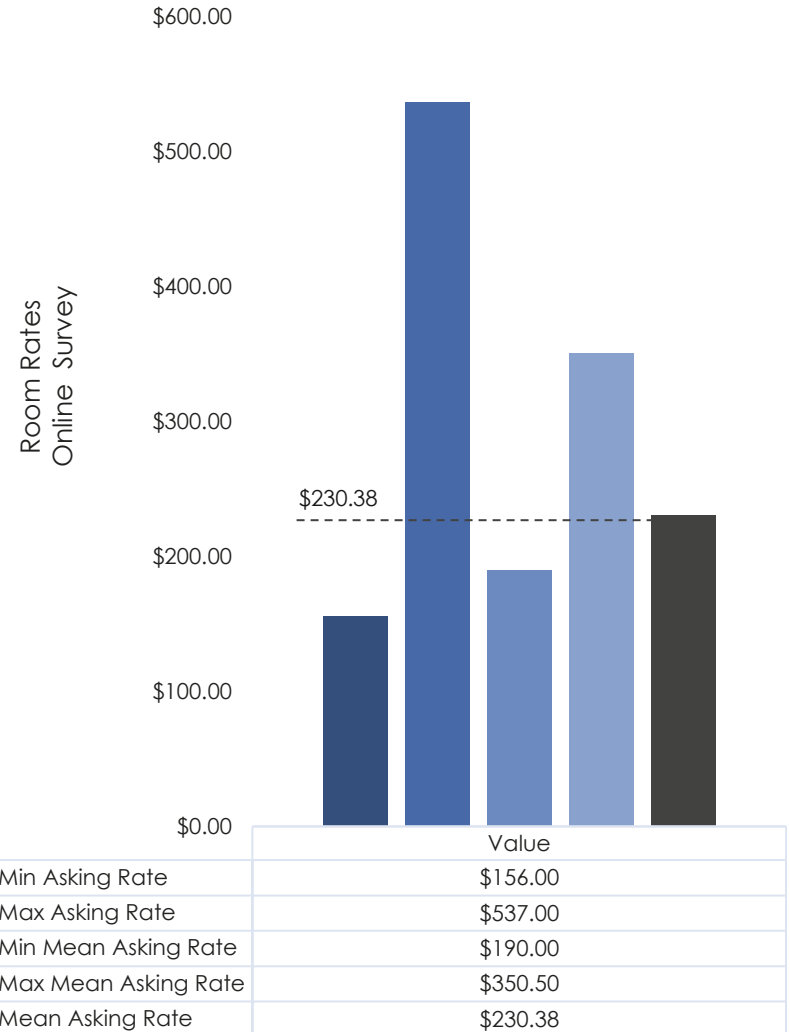
Site Info	
Location	229 S Azusa Ave , Azusa, CA 91702
Room	110
Built	July 2017
Miles (away) from the Subject Project	15.23
Room Types	<ul style="list-style-type: none"> • King Studio Suite -Hearing Accessible • King Studio Suite- Non-Smoking • King Studio Suite -Mobility Access/Non-Smoking • One-bedroom King Suite - Non-Smoking • King Suite - Mobility Accessible/Non-Smoking • King Accessible Roll In Shower Suite With Sofa Bed - Non-Smoking • King Suite -Hearing Accessible/Non-Smoking



Market Feasibility

Homewood Suites by Hilton Ontario Rancho Cucamonga

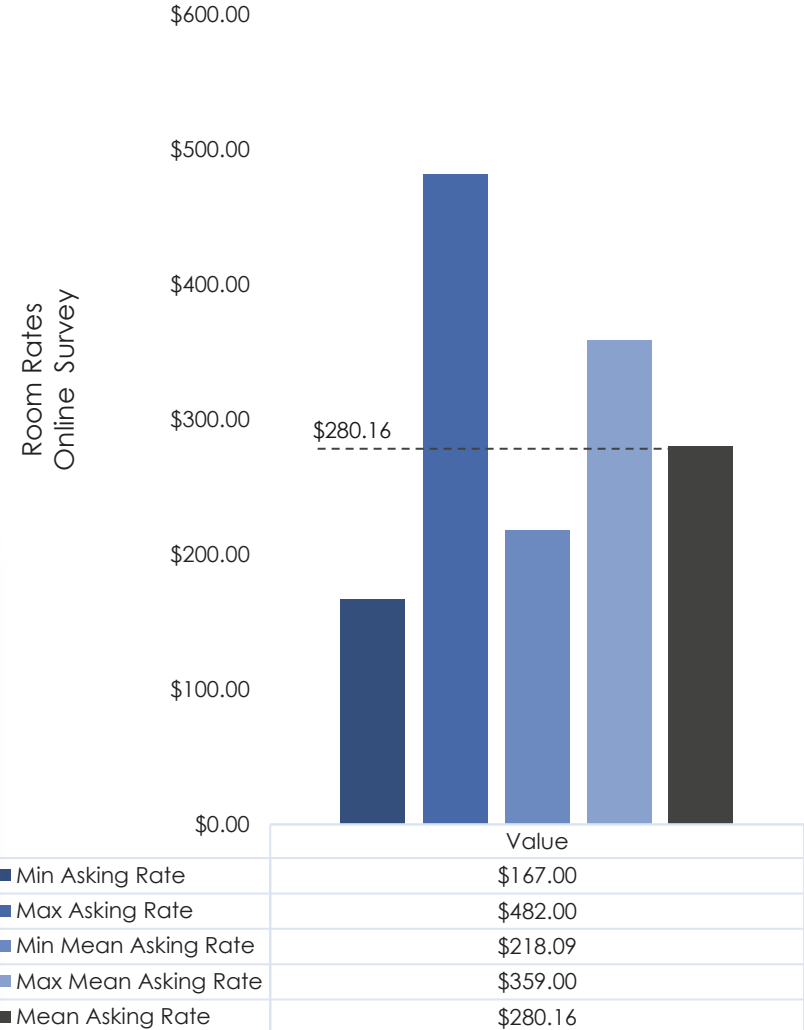
Site Info	
Location	11433 Mission Vista Drive, Rancho Cucamonga, CA 91730
Room	103
Built	November 2005
Miles (away) from the Subject Project	5.14
Room Types	<ul style="list-style-type: none"> • Studio Suite, 1 Queen Bed, Non-smoking • Suite, 2 Queen Beds, Non-Smoking • Suite, 2 Queen Beds, Accessible , Bathtub (Mobility & Hearing) • Suite, 1 King Bed, Non-Smoking • Suite, 1 King Bed, Hearing Accessible • Suite, 1 King Bed, Accessible, Bathtub (Mobility & Hearing) • Suite, 1 King Bed, Accessible (Mobility & Hearing , Roll In Shower) • Premium Suite, 1 King Bed, Accessible, Bathtub • Premium Suite, 1 King Bed, Accessible , Non- Smoking (Hearing) • Room, 2 Bedrooms, Non-Smoking • Suite, Accessible, Non - Smoking • Suite, 2 Queen Beds, Accessible (Roll-in Shower)



Market Feasibility

TownePlace Suites Ontario Airport

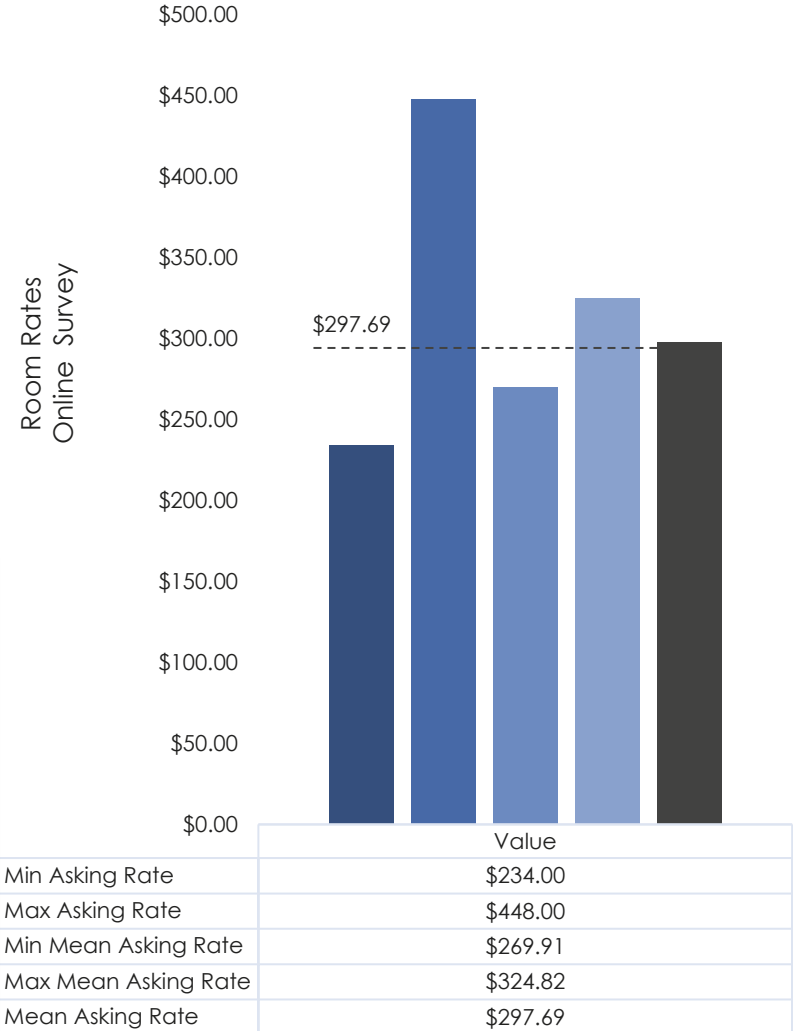
Site Info	
Location	9625 Milliken Avenue, Rancho Cucamonga, CA 91730
Room	112
Built	November 2005
Miles (away) from the Subject Project	5.05
Room Types	<ul style="list-style-type: none"> • Studio, 1 Queen Bed, Non-Smoking • Studio, 2 Queen Beds, Non-Smoking • Suite, 1 Bedroom, Non-Smoking • Suite 2 Bedrooms, Non-Smoking



Market Feasibility

Residence Inn Ontario Rancho Cucamonga

Site Info	
Location	9299 Haven Avenue, Rancho Cucamonga, 91730
Room	126
Built	December 2018
Miles (away) from the Subject Project	4.11
Room Types	<ul style="list-style-type: none"> • Studio, 1 King Bed, Non-Smoking • Studio, 2 Queen Beds, Non-Smoking • Suite, 1 Bedroom, Non-Smoking



Market Feasibility

Extended Stay America Los Angeles - Ontario Airport

Site Info	
Location	3990 Inland Empire Blvd, Guasti, CA 91764
Room	127
Built	May 1997
Miles (away) from the Subject Project	4.49
Room Types	<ul style="list-style-type: none"> • Studio, 1 Queen Bed, Non-Smoking • Studio, 1 Queen Bed, Accessible Non-Smoking • Studio, 1 King Bed, Non-Smoking • Studio, 2 Double Beds, Non-Smoking



Market Feasibility

Element Ontario

Site Info

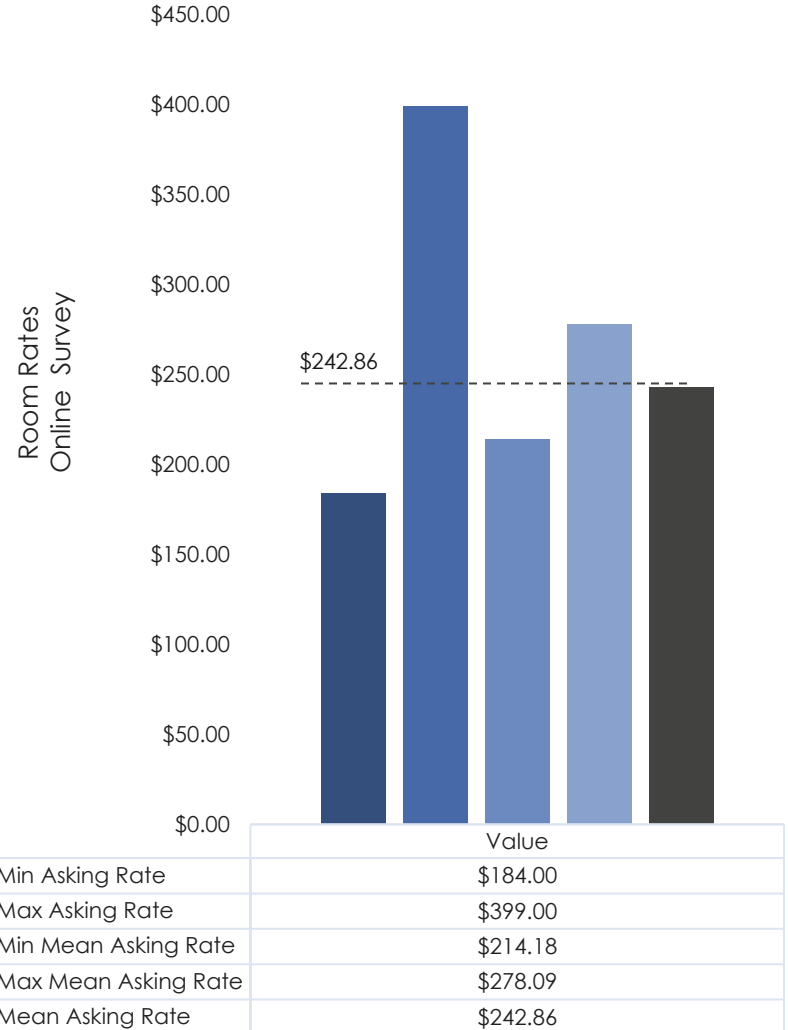
Location 900 Via Piemonte, Ontario, 91764

Room 131

Built May 2020

Miles (away) from the Subject Project 4.65

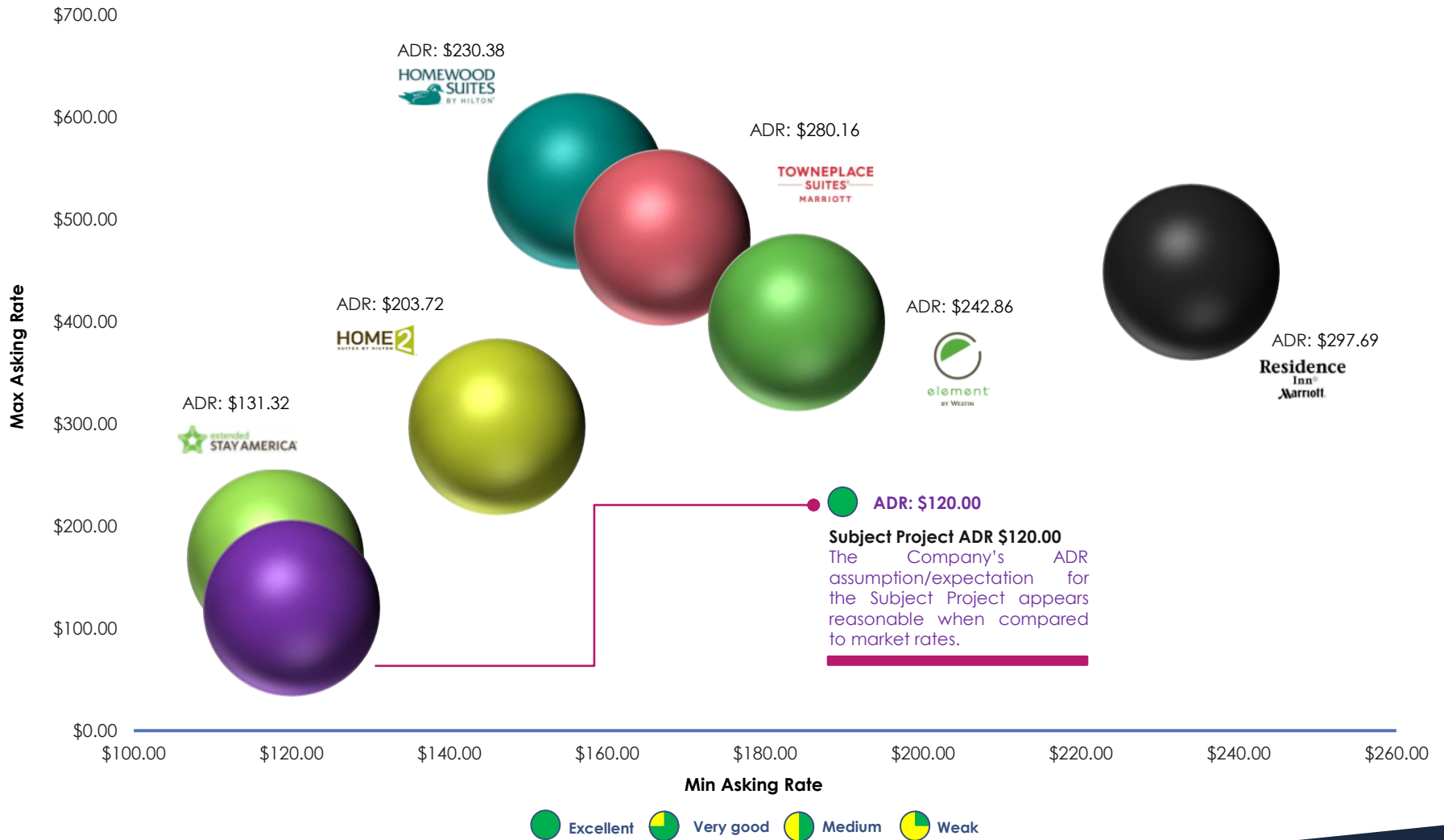
- Room Types
- Room, 1 King Bed, Non-Smoking
 - Studio, 1 King Bed, Non-Smoking
 - Studio, 1 King Bed, Non-Smoking
 - Suite, 1 Bedroom, Non-Smoking



Market Feasibility

Summary of ADR in the Market

Min, Max and Mean Asking Rates of Hotels Compared to Subject Project

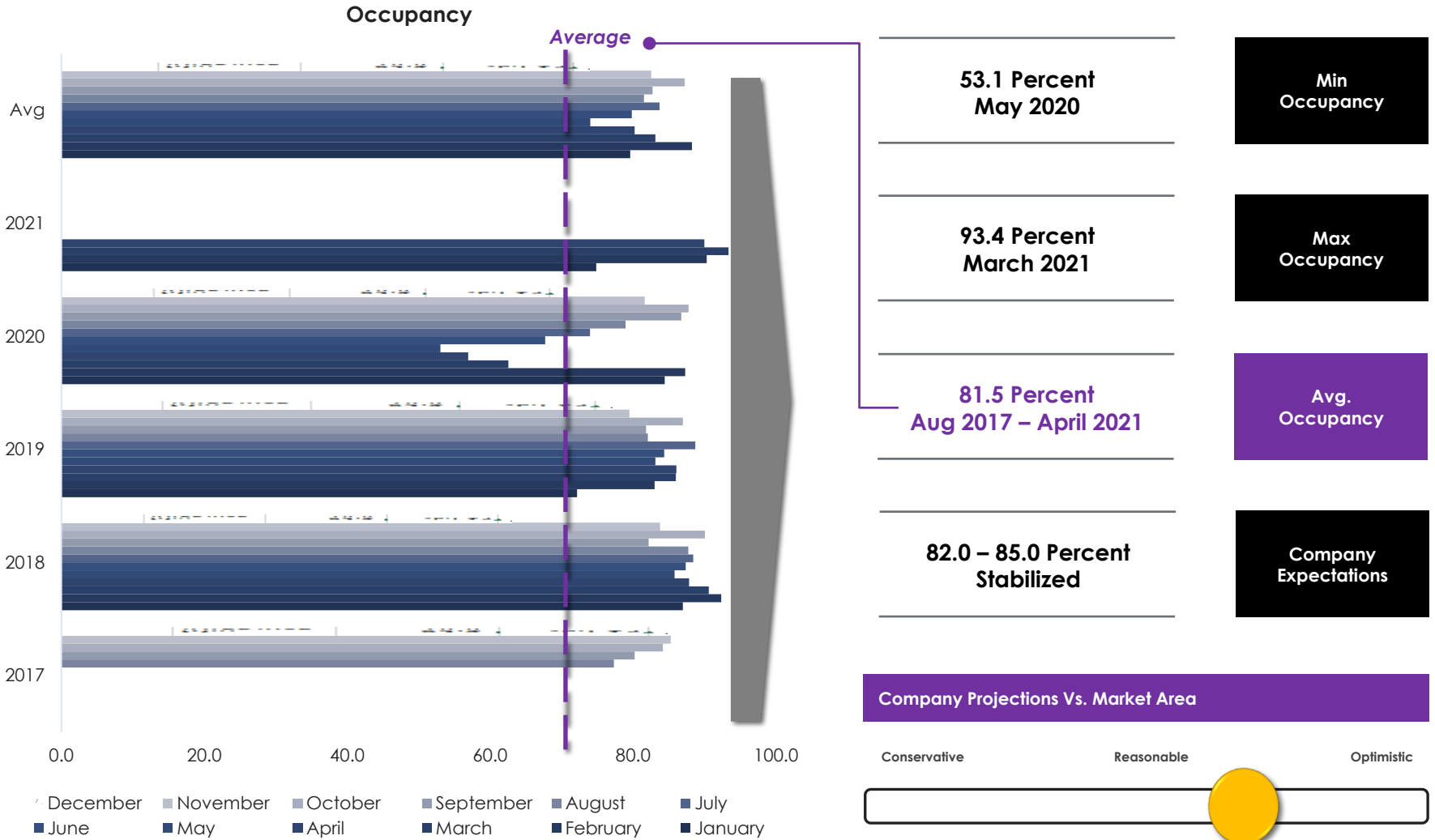


Smith Travel Research Report Analysis

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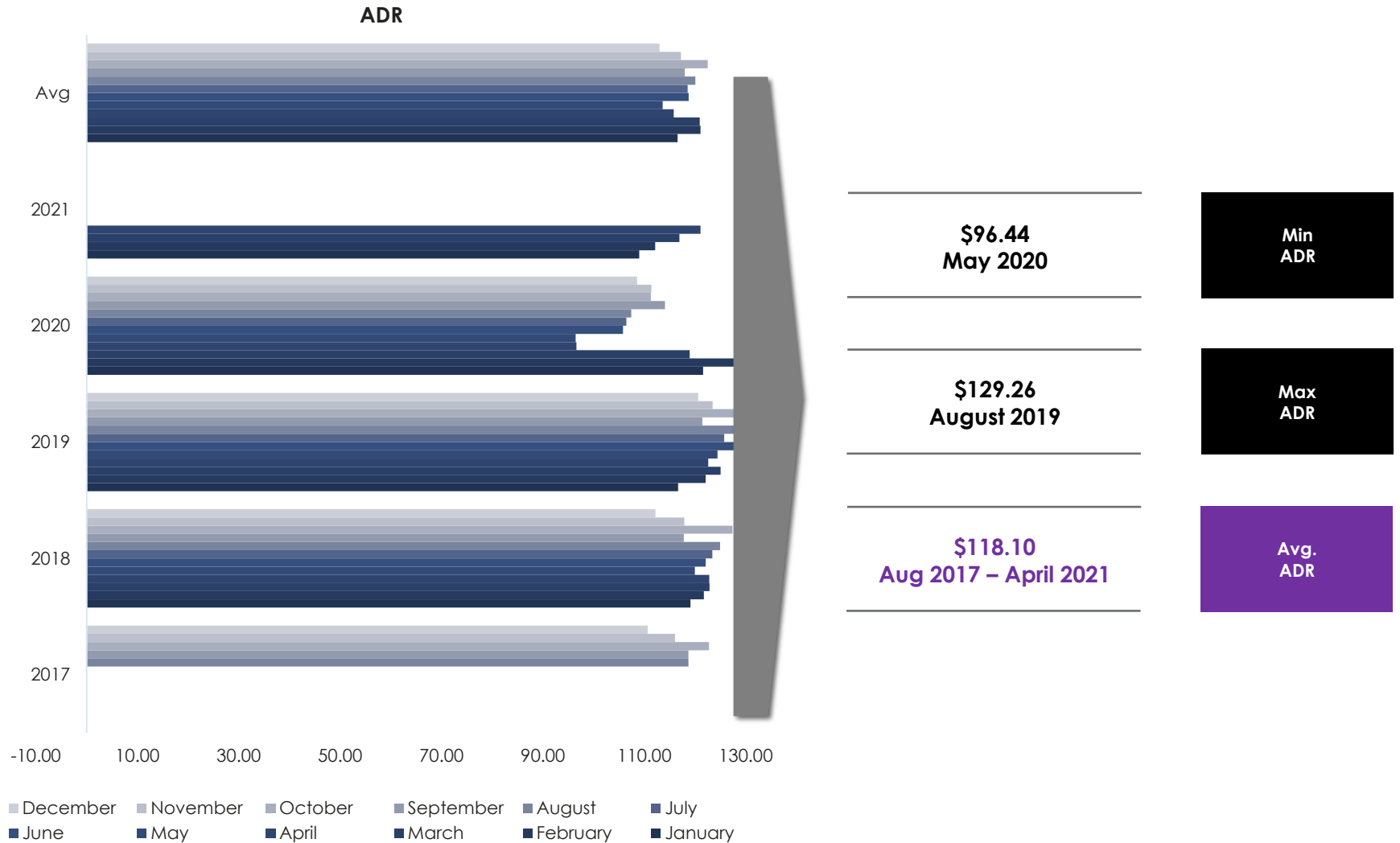
Market Feasibility

Smith Travel Research STR Report – Hotels in the Market Area



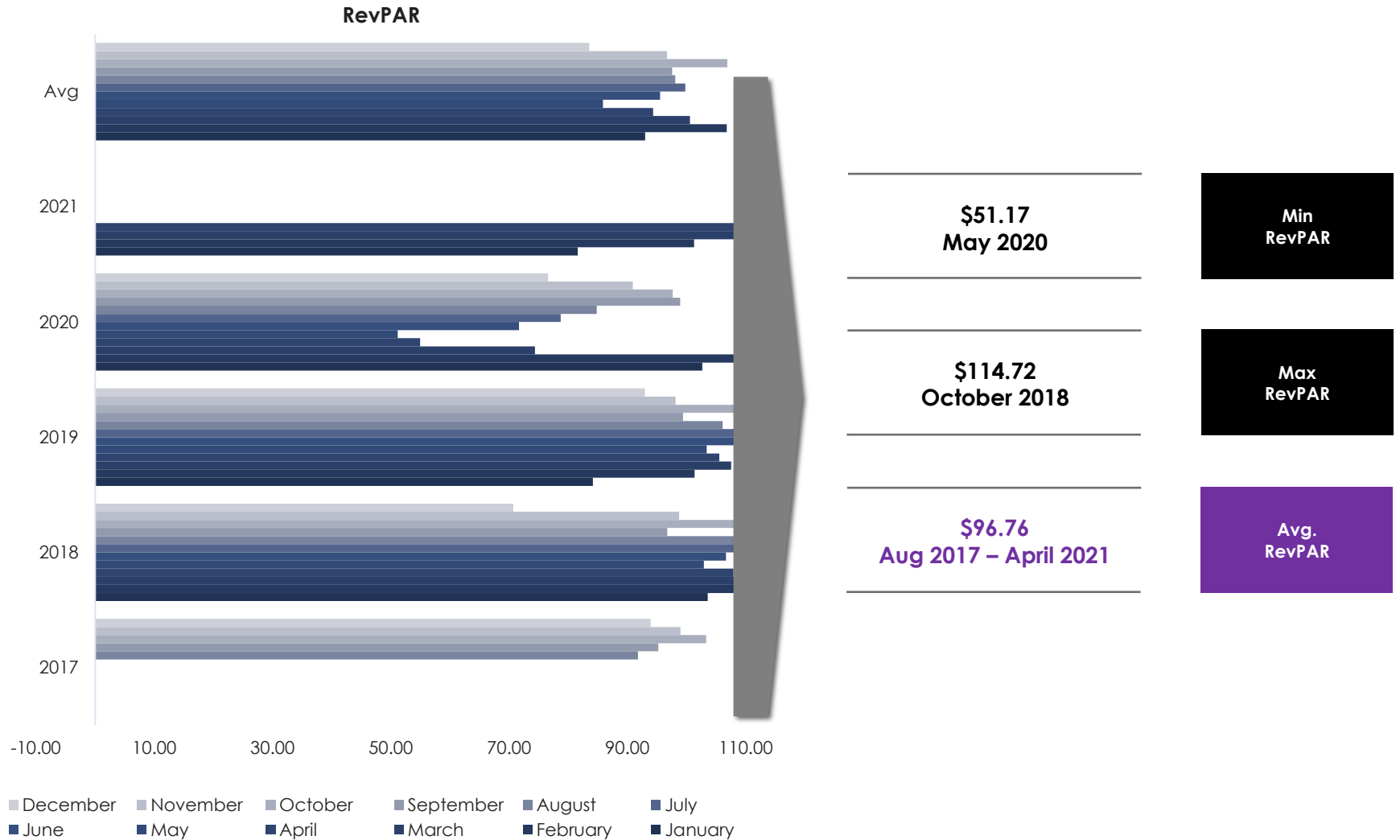
Market Feasibility

Smith Travel Research STR Report – Hotels in the Market Area



Market Feasibility

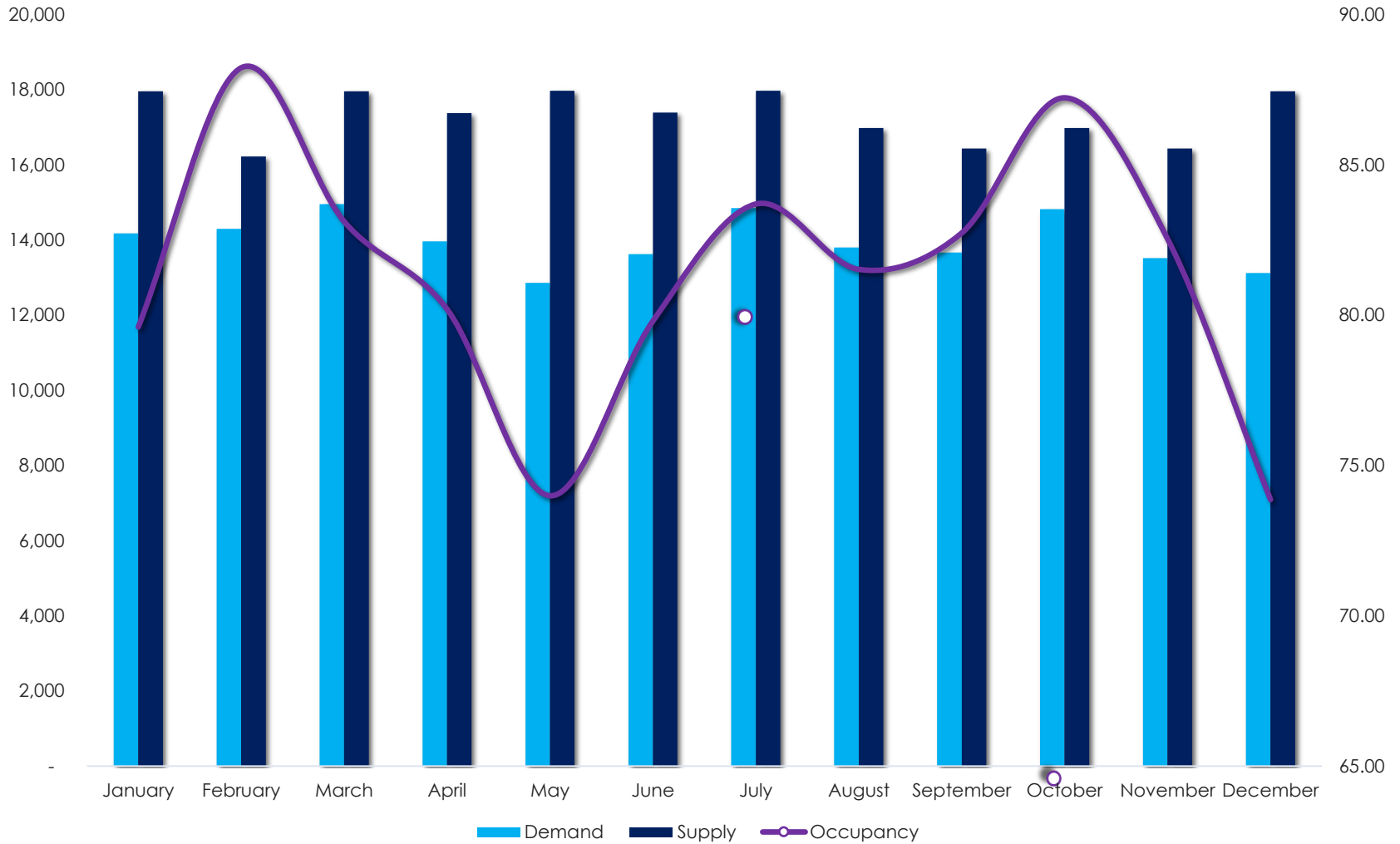
Smith Travel Research STR Report –Hotels in the Market Area



Market Feasibility

Smith Travel Research STR Report – Hotels in the Market Area

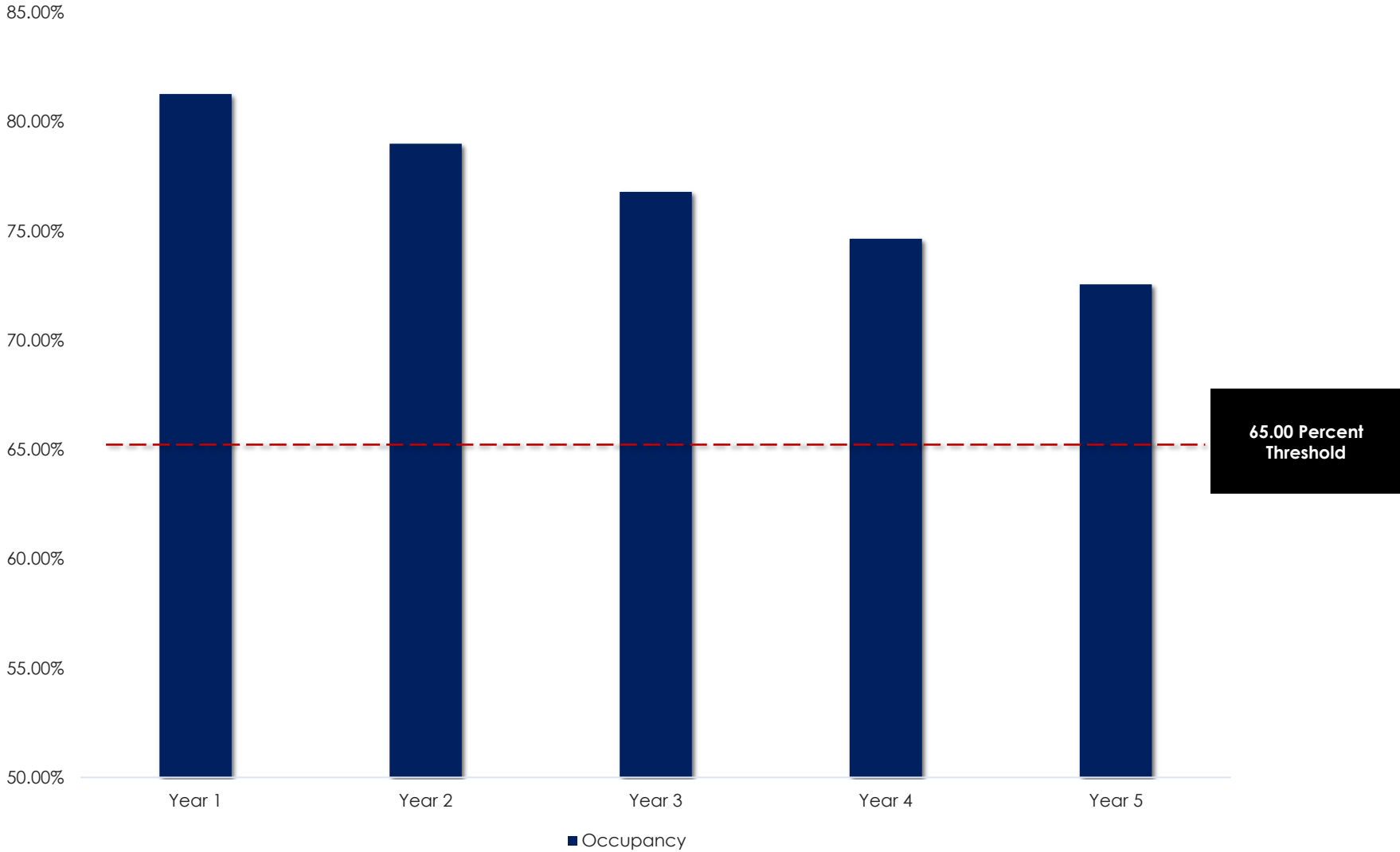
Demand Versus Supply (Average 2017 - 2021)



Market Feasibility

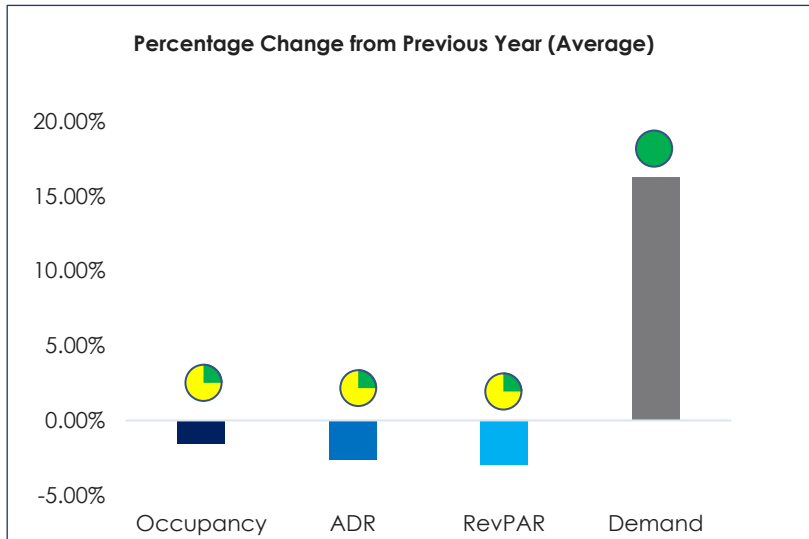
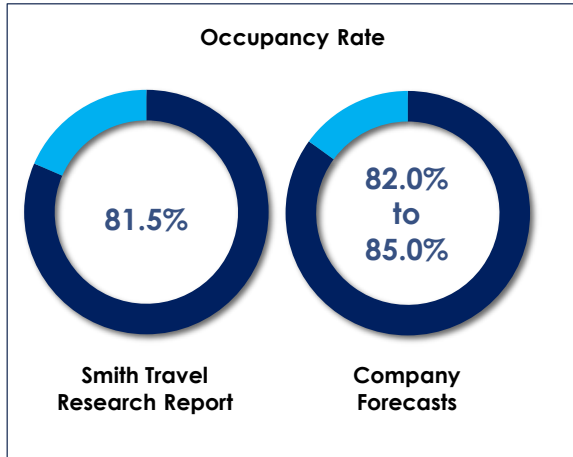
Based on the supply and demand analysis (pre-COVID) within the market area, it appears as though occupancy will likely remain above 65 percent over the next five years.

Market Area Dilution Analysis



Market Feasibility

Summary of Occupancy, RevPAR, ADR and Demand in the Market Area



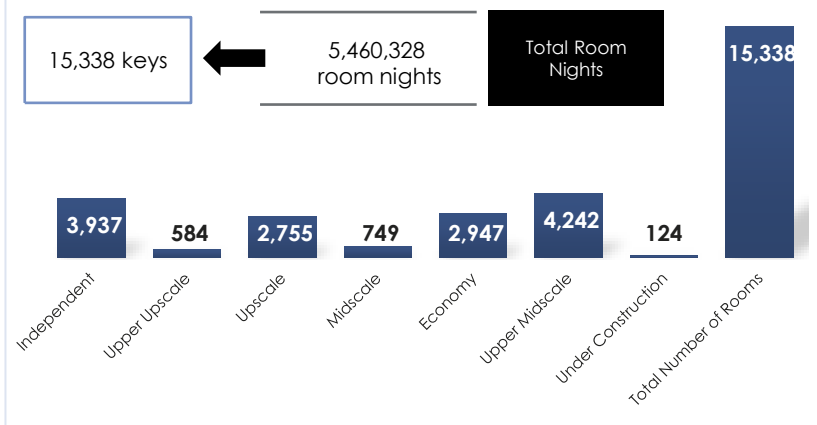
● Excellent
 ● Very good
 ● Medium
 ● Weak

Based on the STR report, the Subject Project's rooms are expected to be absorbed in the market area.

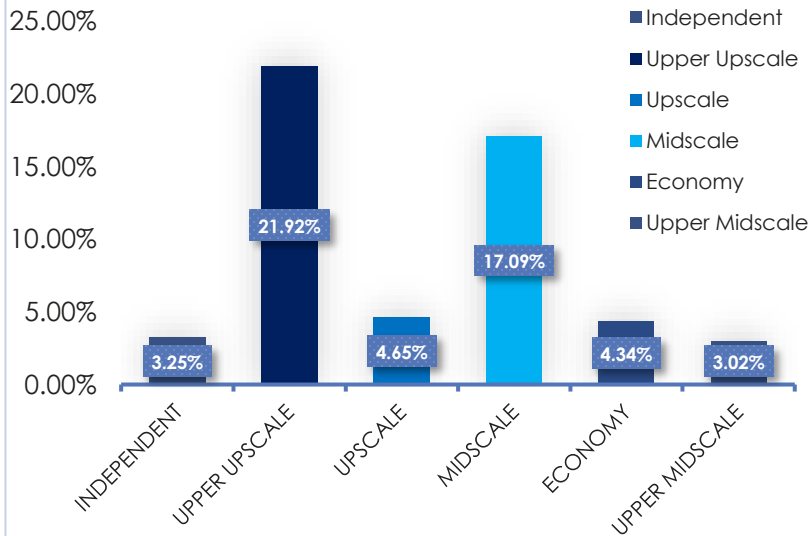
80.4 Percent	Weekend Occupancy
78.4 Percent	Weekday Occupancy
No Risks Identified	All Key Parameters
Approx. 124-Keys Construction Pipeline	New Hospitality Supply Units
Room: 124 Room Nights: 45,260	Subject Project

Market Feasibility

Current Room Counts within 15 Mile Radius



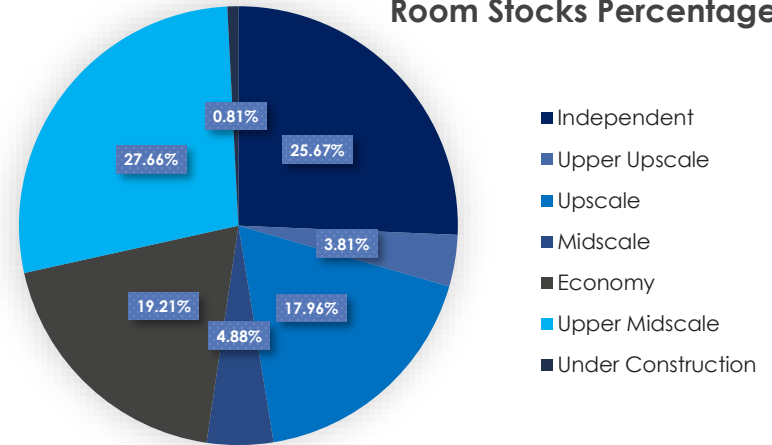
Subject Project Penetration of Various Hotel Classes Within 15 Miles



0.80 Percent of the total market area

Subject Project Market Share

Room Stocks Percentage



Subject Project Penetration Rate:

- The graph, derived from data obtained from Smith Travel Research, shows hotel types and room counts in a 15-mile radius from the Subject Project.
- This geographic footprint contains about 15,338 total rooms which accounts for about 5,460,328 total room nights.
- The Subject Project plans call for 128 keys, which is 46,720 room nights, and represents a penetration rate of ~ 0.8 percent of the total market.**
- Based on the STR report, it appears as though the Subject Project rooms will be absorbed in the market area as the demand for the market appears to be growing at a CAGR of ~16.30 percent.

Market Feasibility

Discuss adequacy of management (experience, training, and education of management).

Leadership Team

Hero Hotels, LLC

The Company is a fully integrated real estate development company specializing in hotel development with a focus in the California and Texas market areas. The Company also specializes in asset management, hotel property management, and revenue management, with a strong focus on an aggressive sales and marketing strategies, so that their hotels are run at maximum efficiencies.

Company principals have owned, operated, and developed real estate assets for the last thirty years and have partnered with well-known franchises such as Holiday Inn Express, Best Western, Days Inn, Ramada, Four Points and Choice.

Dipak Patel | Founder & Principal- Operations

Focus: Hotel Operations

Education: UCLA, Bachelors of Science- Bachelors of Science in Economics

Other: Owner and Operator of Hotels for 30 plus years in Southern California; liaison to the community relations and experience entrepreneur.

Amar Patel | Founder & Principal- Development

Focus: Acquisitions, real estate development, construction, design & architecture

Education: University of Southern California (USC), Bachelors in Business Administration, Real Estate Finance, Masters of Science (USC) for Construction Management

Other: USC Construction Alumni Group, Founder; 10 plus years in Project Management with RD Olson Construction.

Market Feasibility

A complete listing of proposed facilities, amenities, and services (i.e.: number and type of rooms, meeting space square footage, recreational amenities, business services such as data ports-workstations-etc., refrigerators in room, laundry service, restaurant-coffee shop-food service, etc.);

See PP55, 56.

History of proposed developer and potential operators (i.e.: years in business, principals, capitalizing, experience, listing of projects, number of units owned, average rates charged, occupancy rates, etc.);

See P73.

Analysis of economic environment projecting likely future economic conditions as they relate to the operation of the subject hotel;

See PP9-17.

Subjects competitive market (i.e.: identification of their market, 3 and 5 year history of occupancy, average daily rate, revenue per available room trends for that market, estimated share of the market the hotel will capture during the first five years of operation, etc.);

See PP57-72.

Analysis of the economic impacts on existing hotel markets within Ontario (i.e.: estimate of the dilution of the market due to addition of proposed hotel, etc.). Note: new hotel projects should only be approved if competitive market occupancy remains at or above 65 percent for a five year projection period;

See PP70-72.

Relationship to demand generators (i.e.: airport, convention center, corporate market, shopping and entertainment);

See PP45-54.

Public cost/revenue projections.

This item does not apply to the Subject Project as planned.

Project Experience (Partial List)

Upscale Hotels in California

Midscale Hotels in California

Midscale Hotels in Arizona

Luxury Hotels in Florida

Luxury Hotels in California

Midscale Hotels in Texas

Upper Midscale Hotels in California

Cannabis Grow House Expansion in Florida

Hydroponic Facility acquisition in Puerto Rico

Hydroponic in Florida

Retail Fruits and Vegetables project in Hurst, Texas

Indoor Sports Complex in Texas

Indoor Sports Complex in North Carolina

Indoor Game Center in New Jersey

Squash Academy in New Jersey

Neighborhood Retail Center in Florida

Biofuel Facility in Hawaii

Hospitals in Louisiana

Mobile Home Parks in Louisiana

Cold Storage Facility in Wisconsin

Cold Storage Facility in New Jersey

Self Storage Facility in Texas

Car Wash in California

Medical Waste to Energy in Rhode Island

Wheat, Corn and Forage Operation

Frac Sand Manufacturing Plant

52 Oil and Gas Wells in Kentucky

Golf Center and Hotel in Colorado

Indoor Gym & Wellness Center in Idaho

Indoor Sports Complex in North Carolina

Nursery and Landscaping in Maryland

Assisted Living and Memory Care in Michigan

Marina Expansion in Kentucky

Apartment Complex in Texas

Football Stadium in Riyadh

Pipe Factory in Sweden

Resume of the Analyst

Awais Dilawer, B.E, MBA eq, FMVA, CMSA, CBCA, IM&A, M&AP, American Appraisal Institute Certified, CFA Investment Foundations Certificate Holder, Completed Level I in 2021 (1st Attempt), CFA Level II (Candidate)

Over fifteen years of experience in investment, venture capital, business management and consulting with a demonstrated record of consistent achievements across different organizations globally. Specialties include feasibility and due diligence of investment opportunities, business strategy and planning, investment strategy development, deal negotiation and structuring.

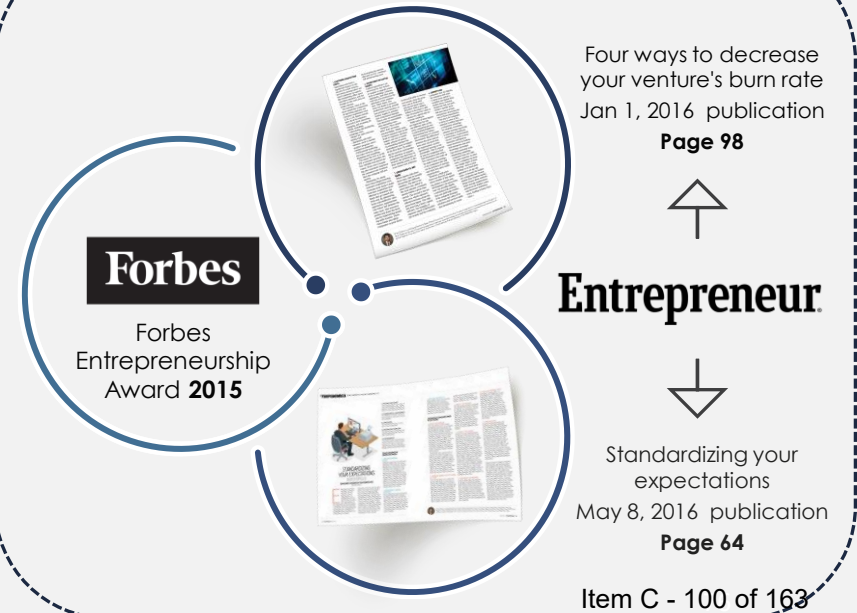
Education/Courses/Certifications

- Investment Foundations certificate by CFA Institute, ID: 204095
- Financial Modelling and Valuation Analyst, ID: 21257732
- Capital Market and Securities Analyst, ID: 22013916
- Certified Banking and Credit Analyst, ID: 22717302
- Hotel Valuation, American Appraisal Institute, ID: 2637
- Forecasting Revenue, American Appraisal Institute, ID: 2637
- CFA level 1 (Passed), ID: 9445336
- Project Management (University of New South Wales), ID: 3250978
- Business Management (University of New South Wales), ID: 3250978
- Crystal Ball (Oracle), ID: 41909
- University of New South Wales, Australia– Master with Business Management, ID: 3250978
- University of Engineering and Technology, ID: 100312
- International Merger & Acquisition Expert ID: 592
- Merger & Acquisition Professional ID: 593

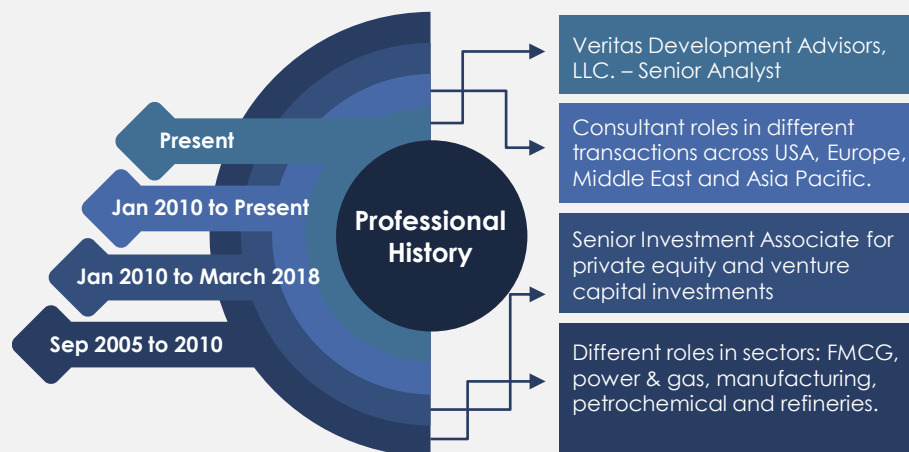
Certifications



International Publications/Awards



Resume of the Analyst

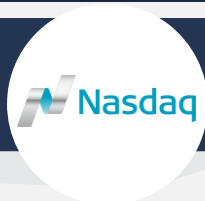


Key Experience

- Prepared and supervised feasibility study, due diligence and business plan of various complexities across USA, EU and other regions.
- Built and recommended investment committee and board in managing real estate portfolio of million US Dollars in value (commercial malls, hospitals, stadiums, hotels, residential apartments, villas, etc.)
- Experienced in performing in depth transaction financial and commercial diligence using internal and external resources
- Assessed risk and impact analysis for different business opportunities and proposing solutions to deal with potential threatening investment risks.
- Analyzed, reviewed and evaluated reports in the area of ICT, Renewable Energy, Life Sciences Health Care and manufacturing sector in the deals pipeline
- Conducted equity valuations both for transactions and financial reporting purposes
- Developed Investment MEMO's and deal reports for board and potential investors especially for the private equity and venture capital funds.
- Advised clients on financial feasibilities of large projects and conducted market research studies.
- Hands on experience in preparation of legal documents in coordination with internal and external resources.
- Experienced in identifying and sourcing investments in private equity and venture capital funds.
- Managed a team of different resources and contributed to their professional development. Extensive experience of talent management, coaching, development and mentoring.
- Led equity investment projects, help structuring and negotiating transactions from start to close.

Key Success

Led *due diligence and feasibility study* of a biotech based in California. The transaction involved arranging financing. The target company listed on Nasdaq with the market cap of more than a billion dollar.



Worked on the *due diligence and feasibility study* on an electric vehicle startup with the transaction valued more than \$100 million. The target company is listed in Hong Kong Exchange with the market cap of 400 million dollar.



Successfully conducted *feasibility study and due diligence* of a Dutch based EV charging station company for a private equity fund. The Company is listed on Amsterdam Exchange with the market cap of 170 million dollar.



Resume of the Analyst

Key Projects throughout his career include:

Manufacturing:

- Battery Manufacturing, WA
- Operational Assessment Steel Plant, ME
- Dairy Farm, GA
- Shrimp Farm, AZ,
- Solar Cells Manufacturing, CA
- Aseptic Packaging Food & Beverage Plant, WV
- Bunker Fuel Oil Processing Plant, TX
- Oil and Gas Drill Fuel Wastewater Plant, OH
- Dairy Biogas Digester, WI, TX, AZ
- Yard Waste Disposal and Composting Facility, FL
- Charcoal Manufacturing, OK
- Aluminum processing facility, TX
- Hydroponics, TX, PR
- Concrete Manufacturing Plant, USVI
- Water Bottling Factory, ME
- Chip Manufacturing, ME
- Biofuel Processing, HI
- Medical Waste, RI
- Oil and Gas Wells, KY
- Frac Sand Facility, OK
- Pipe factory, EU
- Automotive, ME
- Solar Panels Coating, EU

Healthcare & Life science:

- Addiction Center, MD, PA
- Biotech, CA
- Assisted Living & Memory Care, WI, UT, TX, FL, MI, CO
- Therapy and Skilled Day School Facility, FL

- Child Day Care, NV
- Hospitals, LA
- Biosimilars Manufacturing, MA
- Vaccine Manufacturing Plant, WA
- Diabetes Center, ME
- Health Information System, MO

Real Estate:

- Self Storage & RV Storage, NV, PA
- Outdoor Soccer Facility, NM
- Car Wash, CA, NV, TX
- Multicomplex Apartments, TX, LA, CA
- Leadership School, UT
- Equestrian Center, TX
- Cold Storage, FL, WI
- Primrose Schools, MD, VA
- Historic Park, IL, KY
- Indoor Sports Complex, NC, NM, TX, ID
- Gas Station with Convenience Store, UT, CA
- Nursey and Landscaping, MD
- RV Park, FL
- Indoor Shooting Range, VA
- Golf Sports Complex, CO
- Distribution & Shipping Facility, TX
- Marina, KY
- Mobile Home Park, LA
- Neighborhood Shopping Center, FL
- Squash Academy, NJ
- Private School, WA, EU
- Stadium, ME

Restaurant:

- Culver, AZ
- Independent Restaurants, UT, NM
- Buffalo Wings, KY
- Dairy Queen, GA
- Cinnabon, ME
- McDonald, ME
- Subway, ME

Hotels & Resorts:

- Baymont Inn & Suites, AZ
- Hilton Hotel, PA, CA, AZ
- Best Western, CA,
- Best Western Plus, TX
- Fairfield Inn & Suites, CA
- Mainstay Suites, TN
- Holiday Inn, TX
- Motel 6, CA
- Independent Hotels, CA, FL, UT
- Resort, NY
- Dual Branded Hotel, AL
- Banquet Hall, CA
- Event Center, TX
- Comfort Suites, CA
- Hampton Inn & Suites, CA
- Marriot, CA

Contact Us

Veritas Development Advisors, LLC (“VDA”)

Steve Alves, Managing Partner

Email: salves@veritasda.com

Ph: 240-626-1209



Exhibit L—PARKING STUDY

(Document follows this page)

October 21, 2021

Roger Barbosa
Milestone Management
9891 Irvine Center Dr., Suite #200
Irvine, CA 92618

Subject: Extended Stay Hotel Parking Study (JN 0365-0001)

Dear Mr. Barbosa:

Trames Solutions Inc. is pleased to submit the following parking evaluation for the proposed Extended Stay Hotel development. It is our understanding that the site is proposed to be developed with a 128 room hotel. The project site is located at 5060 E. Fourth St. in the City of Ontario.

INTRODUCTION

The proposed project consists of a 128-room hotel with an 1,824 sf meeting room, and a 331 sf cafe. Attachment A contains the site plan that shows a total of 118 parking spaces consisting of 106 regular spaces, 5 handicap spaces, and 7 electric vehicle spaces.

The intent of this parking evaluation is to determine the parking requirements of the proposed uses based on the City's parking code and the potential requirements of the project due to the nature of the proposed land uses.

CITY OF ONTARIO PARKING CODE REQUIREMENTS

Proposed Project

The following parking rate is based on the City of Ontario for the use associated with the proposed site:

- Hotel = 1 space per room

Therefore, according to the City's requirements, the following number of parking spaces would be required for the proposed project:

Hotel: 128 rooms x (1 space per room) = 128 spaces

PARKING REDUCTION MEASURES

The proposed project will consist of several factors that can reduce the number of parking spaces required for the site. These "mode and noncaptive adjustment" factors include the location of the project (urban environment), provision/proximity to public transit opportunities, and ride hailing opportunities.

The typical patron of the proposed hotel use is anticipated to arrive from the Ontario International Airport (about 5 miles away) to attend a conference or meeting in the adjacent area or attend an event at the Ontario Convention Center. Rather than renting a car, it is anticipated that the patrons will arrive at the hotel via a ride hailing service since the cost and convenience of such services outweigh the difficulty and expense of renting a vehicle.

Ride Hailing Services

Uber/Lyft provide on-demand transportation services for a reasonable cost. Once at the hotel, guests can use the Uber/Lyft services to travel to their nearby meetings/conferences rather than renting a vehicle.

Public Transit

Public bus service is provided by Omnitrans Route 61 and can be taken to the Ontario Airport or other various amenities.

Urban Location

The urban environment promotes pedestrian mobility in lieu of vehicles. Many of the restaurants/attractions are within walking distance of the hotel. Sidewalks and signalized intersections provide controlled crossings.

Urban Land Institute (ULI) Recommended Reduction Measures

The Urban Land Institute has provided mode and noncaptive parking reduction percentages for a hotel based on the factors listed above. ULI has indicated a 41% reduction factor during the weekday and a 31% reduction factor during the weekend in visitor parking for a hotel located in the vicinity of a suburban location (**Shared Parking**, 3rd Edition, Urban Land Institute, 2020, Figure 4-18 Suggested Mode and Noncaptive Adjustment Factors for Hotels). Since the hotel will contain an 1,824 sf meeting room and a 331 sf cafe, these uses were also accounted for in the parking calculations. Furthermore, parking demands at hotels peak at different times of day/different months of the year. ULI's publication Shared Parking, 3rd edition (2020) provides the peaking factors by time of day and month. For the analysis provided in this report, the highest peaks (worst case conditions) were used.

The peak parking demands can be determined by applying the factors and peak demands by time of day/month for the proposed hotel use as shown below. Based on the application of these factors, the hotel will have a peak demand of 94 spaces at 8 AM on a weekday and 105 spaces at 8 AM on a weekend. Attachment B contains the summary of the project's peak parking demands based on the ULI factors.

Weekday at 8 AM

Suburban Hotel:

Rooms (128 rooms x 1 space/room)	= 128 spaces
Adjustment due to ride hailing/public transit/suburban location (41% reduction)	= -52 spaces
Peak hour adjustment (10% reduction)	= -8 spaces
<hr/>	
Subtotal	= 68 spaces
Employees (128 rooms x .15 space/room)	= 19 spaces
<hr/>	
Subtotal	= 19 spaces
Meeting Room (1,824 sf x 8.72 space/tsf)	= 16 spaces
Peak hour adjustment (70% reduction)	= -11 spaces
Employees (2,155 sf x 1.39 space/tsf)	= 3 spaces
Peak hour adjustment (40% reduction)	= -1 space
<hr/>	
Subtotal	= 7 spaces
Total	= 94 spaces

Weekend at 8 AM

Suburban Hotel:

Rooms (128 rooms x 1 space/room)	= 128 spaces
Adjustment due to ride hailing/public transit/suburban location (31% reduction)	= -40 spaces
Peak hour adjustment (10% reduction)	= -9 spaces
<hr/>	
Subtotal	= 79 spaces
Employees (128 rooms x .15 space/room)	= 19 spaces
<hr/>	
Subtotal	= 19 spaces
Meeting Room (1,824 sf x 6.78 space/tsf)	= 12 spaces
Peak hour adjustment (70% reduction)	= -8 spaces
Employees (2,155 sf x 1.41 space/tsf)	= 3 spaces
Peak hour adjustment (40% reduction)	= -1 space
<hr/>	
Subtotal	= 6 spaces
Total	= 104 spaces

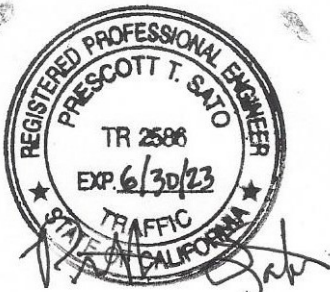
CONCLUSIONS

Based on the City's requirements, a total of 128 parking spaces would be required for the proposed 128 room hotel project. The City's parking code does not differentiate between the various hotel types nor where they are located. For example, a resort/family hotel may require more parking spaces than a suburban hotel located near a hotel since renting a passenger vehicle may be more economical/convenient for a family on vacation than using a ride hailing service.

As indicated in this study, a reduction in the number of parking spaces for a suburban hotel has been determined due to the close proximity to the Ontario Airport, the economic advantage and convenience of ride hailing services, and the availability of public transit services. The analysis indicates that a total of 94 parking spaces on a weekday and 104 parking spaces on a weekend would be the peak parking demands of the proposed hotel due to the factors described above. Since the project is proposed to provide 118 spaces for the hotel, a surplus of 14 parking spaces would be provided for the hotel during the peak demand timeframe.

If there are any questions regarding this evaluation, please do not hesitate to call me at (949) 244-2436.

Respectfully submitted,
Trames Solutions Inc.



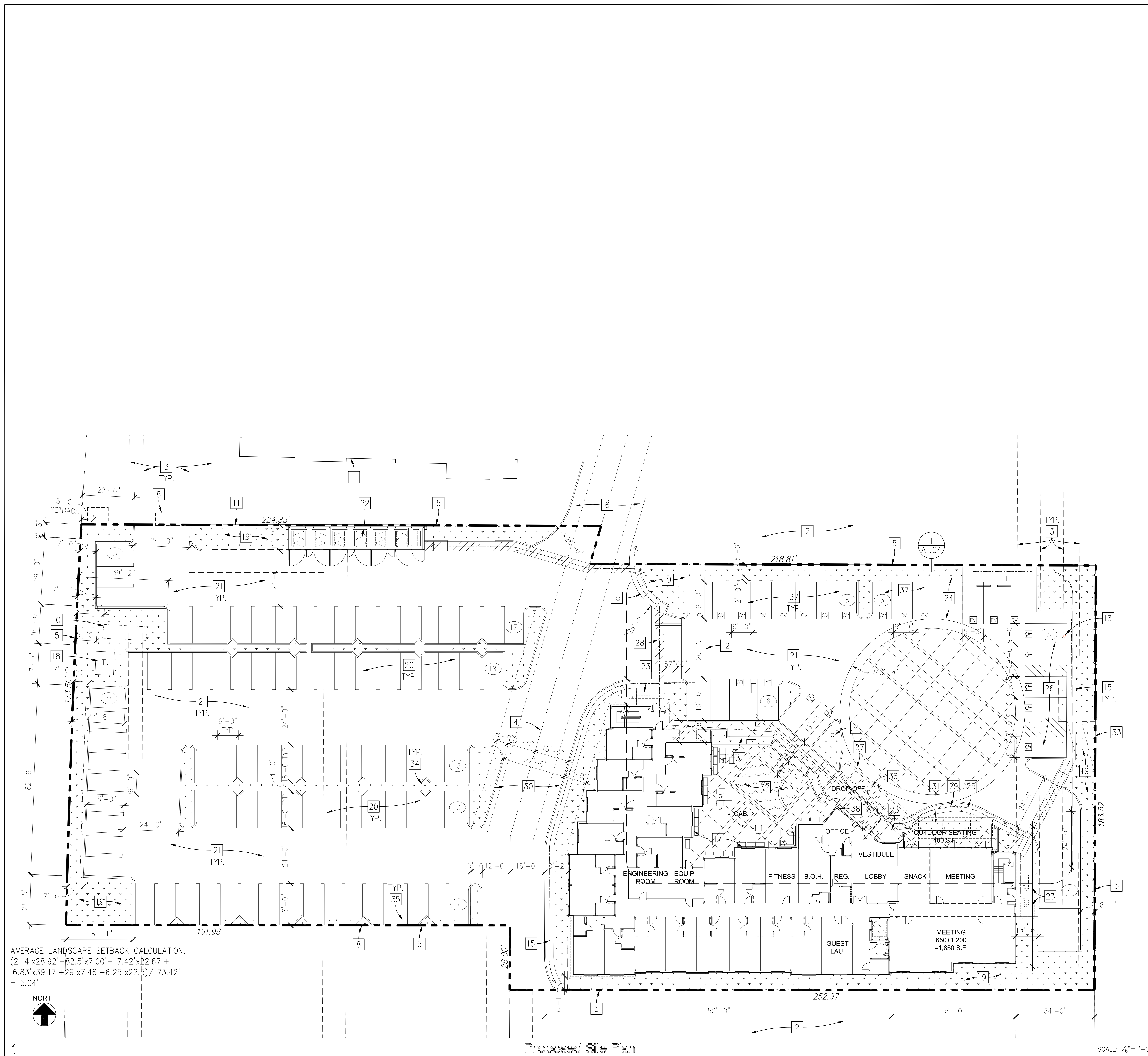
Scott Sato, P.E.
Vice President

Attachment A – Site Plan
Attachment B - Shared Parking Summary

Trames 0365-0001

ATTACHMENT A

SITE PLAN



Reference Notes

- (E) COMMERCIAL BUILDING, NOT A PART.
- (E) VACANT LAND, NOT A PART.
- (E) UTILITY EASEMENT, SEE CIVIL PLAN.
- (E) CENTER LINE OF STREET.
- (E) PROPERTY LINE.
- (E) 30'-0" WIDE ASPHALT PAVED ROAD TO REMAIN.
- (E) POWER POLE & GUY WIRE TO REMAIN.
- (E) SITE DRAINAGE SYSTEM, SEE CIVIL PLAN.
- (E) METAL FENCE TO REMAIN, NOT A PART.
- (E) PYLON SIGN TO REMAIN.
- REMOVE & DISPOSE (E) METAL FENCE.
- 26'-0" FIRE LANE.
- (E) FIRE HYDRANT TO RELOCATE.
- (N) FIRE HYDRANT.
- (N) SIDEWALK.
- REMOVE & DISPOSE (E) CURB & GUTTER, SEE CIVIL PLAN.
- PROPOSED NEW HOTEL BUILDING, SEE A2.01 FLOOR PLAN.
- PROPOSED TRANSF. PAD (8'x10').
- PROPOSED LANDSCAPE AREA.
- PROPOSED ASPHALT PAVED PARKING AREA.
- PROPOSED ASPHALT PAVED DRIVEWAY.
- PROPOSED TRASH ENCLOSURE PER CITY STD, SEE A1.03.
- PROPOSED BIKE PARKING/STORAGE AT 12 LOCATIONS. (5% LONG-TERM + 5% SHORT-TERM)
- PROPOSED LOADING/UNLOADING (12'-0"x18'-0").
- 4' WIDE POURED IN PLACE CONC. WALKWAY, SCORE EVERY 4' TO 6', BROOM-SWEPT FINISH, SEE HARDSCAPE PLAN.
- PROPOSED ADA PARKING & LOADING AT FIVE LOCATIONS.
- PROPOSED ENTRY CANOPY, SEE FLOOR PLAN.
- PROPOSED CROSS WALKWAY TO PUBLIC RIGHT OF WAY.
- PROPOSED PATH OF TRAVEL.
- PROPOSED 27'-0" DRIVEWAY.
- PROPOSED 2'-0" HT. PLANTER W/ 4'-0" HT. GLASS PANEL.
- PROPOSED POOL AND WHIRLPOOL/SPA.
- PROPOSED 6'-0" HT. DECORATIVE W.I. FENCE.
- PROPOSED 5'-0"x5'-0" TREE WELL.
- WHEEL STOP.
- PROPOSED PASSENGER LOADING/UNLOADING AREA.
- PROPOSED CV/VAN POOL SPACE AT 11 LOCATIONS.
- PROPOSED LOCATION FOR RECESSED MAILBOX, SIZE DETERMINED BY POST OFFICE.

Legend

- PATH OF TRAVEL
- (E) FIRE HYDRANT
- FIRE DEPT. CONNECTION
- (N) FIRE HYDRANT & CONNECTION
- (E) CHAIN LINK FENCE
- LANDSCAPE AREA

Reference Notes

1 (E) COMMERCIAL BUILDING, NOT A PART.
 2 (E) VACANT LAND, NOT A PART.
 3 (E) UTILITY EASEMENT, SEE CIVIL PLAN.
 4 (E) CENTER LINE OF STREET.
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 6 (E) 30'-0" WIDE ASPHALT PAVED ROAD TO REMAIN.
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 35 WHEEL STOP.
 36 PROPOSED PASSENGER LOADING/UNLOADING AREA.
 37 PROPOSED CV/VAN POOL SPACE AT 11 LOCATIONS.
 38 PROPOSED LOCATION FOR RECESSED MAILBOX, SIZE DETERMINED BY POST OFFICE.

Proposed Site Plan (Option A)

KEY MAP:

SEAL/STAMP

REVISIONS

NO.	DESCRIPTION	DATE
1	PLANNING SUBMITTAL	JUN 4, 2021
2	PLANNING MEETINGS	JUL 27, 2021
3	PLANNING OFF-SITE	AUG 12, 2021
4	OWNER REVIEW	AUG 20, 2021
5	PLANNING REVIEW	SEP 10, 2021
6	PLANNING RE-SUBMITTAL	SEP 22, 2021

SHEET NO: **A1.01**

OF SHEETS

SHEET

W&W LAND DESIGN CONSULTANTS INC. ARCHITECTURE, CIVIL ENGINEERING & INTERIOR

2335 W. FOOTHILL BLVD., STE 1, LIPLAND, CA 91788
 PHONE: (909) 938-7118 FAX: (909) 946-1137

PROJECT: NEW DEVELOPMENT OF 4-STORY BRANDED EXTENDED STAY RESIDENCE INN HOTEL (128 ROOMS)

ADDRESS: 5060 E. 4TH ST., ONTARIO, CA 91764

CLIENT: ROGER BARBOSA (PRINCIPAL)
 INVESTOR MANAGEMENT
 9891 IRVINE CENTER DR., SUITE #200
 IRVINE, CA 92618
 TEL: (714) 924-8557

ATTACHMENT B

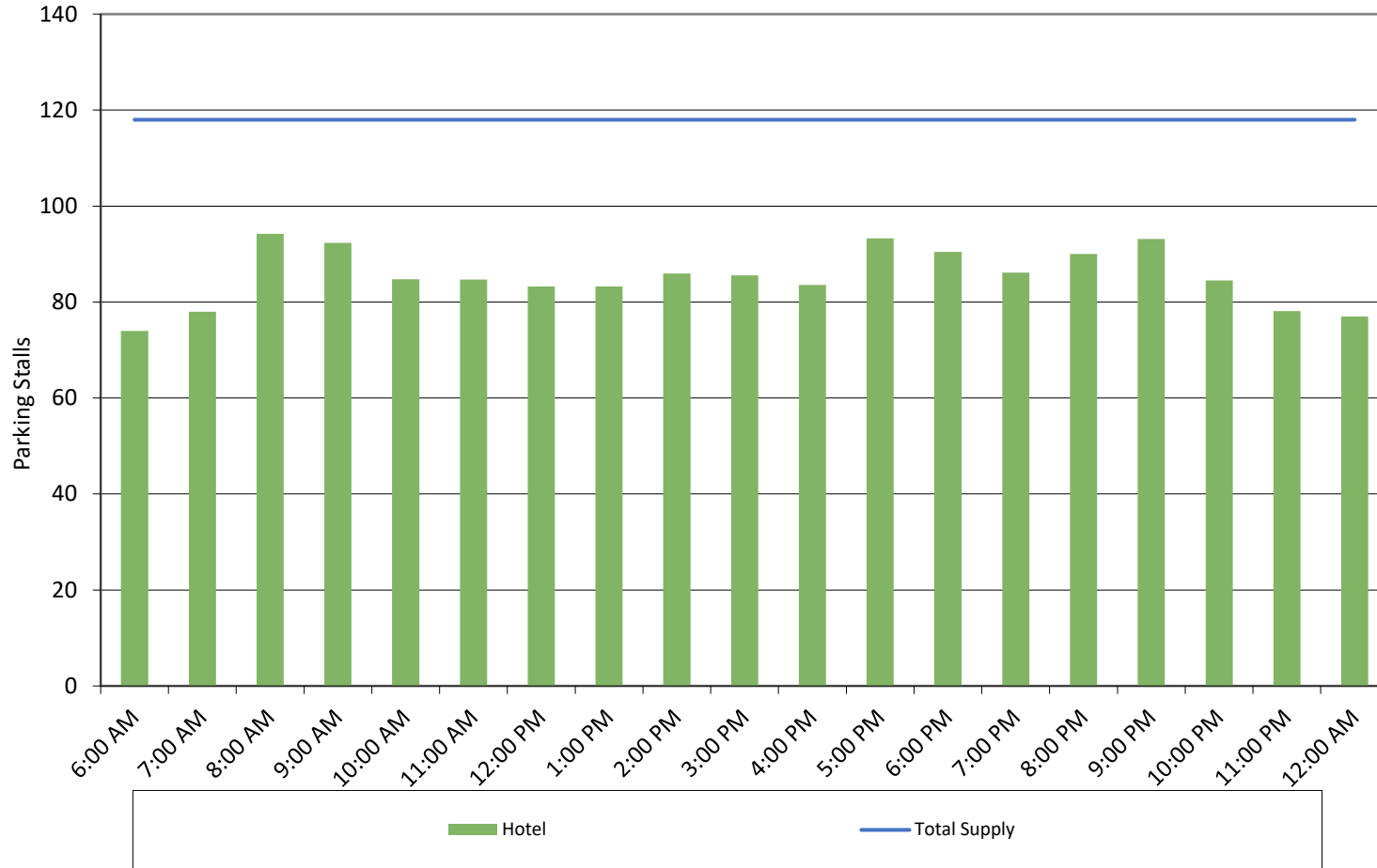
ULI PEAK PARKING DEMAND SUMMARY

Project: Extended Stay
 Description: 128 room hotel

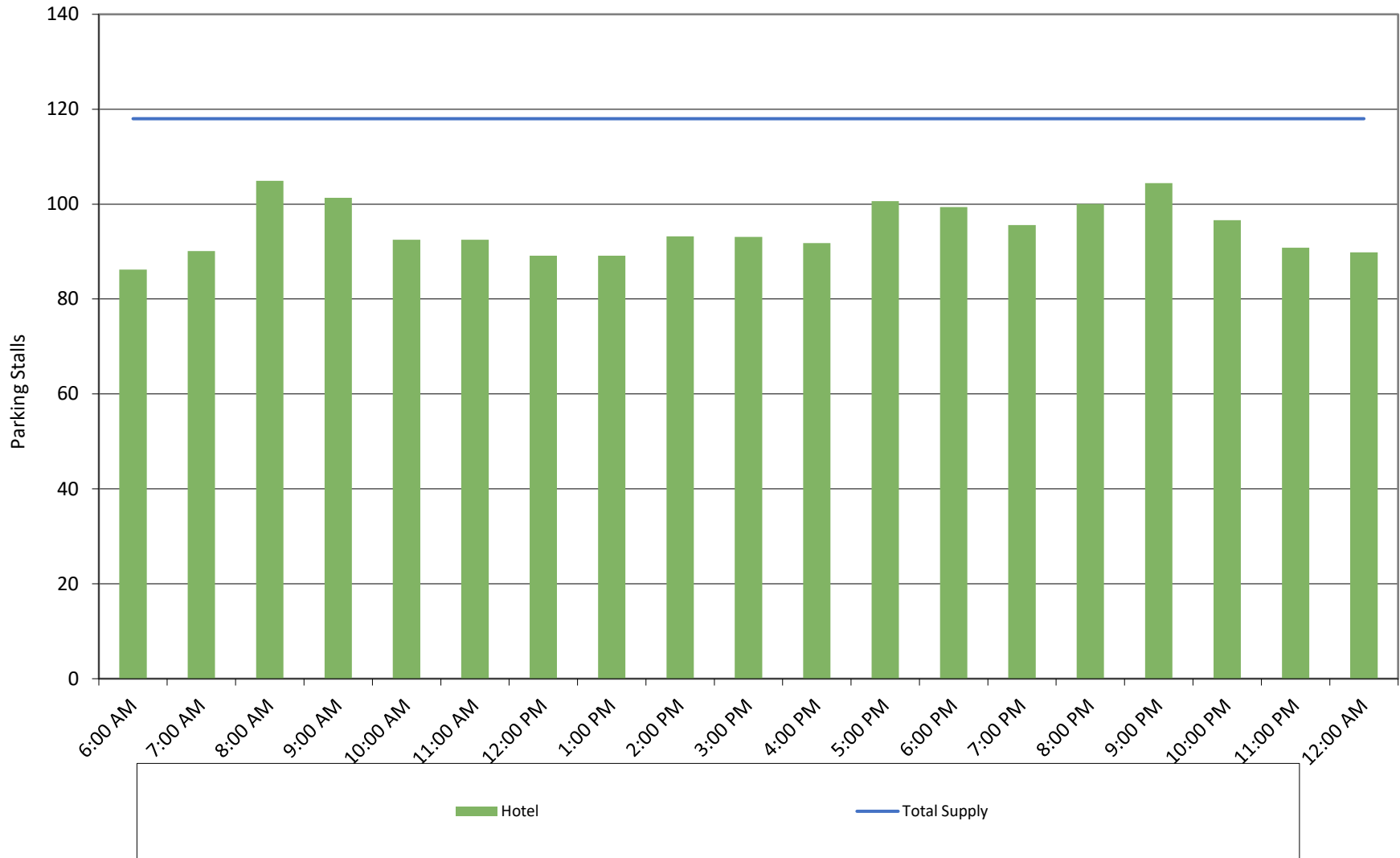
Shared Parking Demand Summary																		
Peak Month: MARCH -- Peak Period: 8 AM, WEEKEND																		
Land Use	Project Data		Weekday					Weekend					Weekday			Weekend		
			Base Ratio	Driving Adj	Non-Captive Ratio	Project Ratio	Unit For Ratio	Base Ratio	Driving Adj	Non-Captive Ratio	Project Ratio	Unit For Ratio	Peak Hr Adj	Peak Mo Adj	Estimated Parking	Peak Hr Adj	Peak Mo Adj	Estimated Parking
	Quantity	Unit										8 AM	March	Demand	8 AM	March	Demand	
Retail																		
Food and Beverage																		
Entertainment and Institutions																		
Hotel and Residential																		
Hotel-Business		keys	1.00	59%	100%	0.59	key	1.00	69%	100%	0.69	key	80%	90%	-	80%	90%	-
Hotel-Leisure	128	keys	1.00	59%	100%	0.59	key	1.00	69%	100%	0.69	key	90%	100%	68	90%	100%	79
Hotel Employees	128	keys	0.15	100%	100%	0.15	key	0.15	100%	100%	0.15	key	100%	100%	19	100%	100%	19
Restaurant/Lounge	331	sf GLA	6.67	63%	90%	3.78	ksf GLA	7.67	54%	30%	1.24	ksf GLA	30%	95%	-	30%	95%	-
Meeting/Banquet (0 to 20 sq ft/key)	1,824	sf GLA	21.38	68%	60%	8.72	ksf GLA	14.25	68%	70%	6.78	ksf GLA	30%	100%	5	30%	100%	4
Meeting/Banquet (20 to 50 sq ft/key)		sf GLA	0.00	68%	60%	0.00	ksf GLA	0.00	68%	70%	0.00	ksf GLA	30%	100%	-	30%	100%	-
Meeting/Banquet (50 to 100 sq ft/key)		sf GLA	0.00	68%	60%	0.00	ksf GLA	0.00	68%	70%	0.00	ksf GLA	30%	100%	-	30%	100%	-
Convention (100 to 200 sq ft/key)		sf GLA	0.00	68%	60%	0.00	ksf GLA	5.50	68%	70%	2.62	ksf GLA	50%	90%	-	50%	90%	-
Convention (> 200 sq ft/key)		sf GLA	5.50	68%	60%	2.24	ksf GLA	5.50	68%	70%	2.62	ksf GLA	50%	90%	-	50%	90%	-
Restaurant/Meeting Employees	2,155	sf GLA	1.39	100%	100%	1.39	ksf GLA	1.41	100%	100%	1.41	ksf GLA	60%	100%	2	60%	100%	2
Office																		
Additional Land Uses																		
														Customer/Visitor	73	Customer	83	
														Employee/Resident	21	Employee/Resident	21	
														Reserved	-	Reserved	-	
														Total	94	Total	104	

September 2018 Program (Un-Nested Residential)

Peak Month Daily Parking Demand by Hour (Weekday)



Peak Month Daily Parking Demand by Hour (Weekend)



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING APPROVAL TO CITY COUNCIL FOR FILE NO. PCUP21-009, A CONDITIONAL USE PERMIT TO ESTABLISH AND OPERATE A LIMITED-SERVICE HOTEL ON 1.83 ACRES OF LAND LOCATED AT 5060 EAST FOURTH STREET, WITHIN THE FREEWAY COMMERCIAL LAND USE DISTRICT OF THE EXCHANGE SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0238-012-30.

WHEREAS, ROGER BARBOSA ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. PCUP21-009, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan, and the site is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Freeway Commercial land use district of The Exchange Specific Plan and is developed with a multi-tenant retail building. The property to the east is within the Open Space zoning district and is developed with Southern California Edison transmission lines. The property to the south is within the Freeway Commercial land use district of The Exchange Specific Plan and is currently vacant. The property to the west is Interstate 15; and

WHEREAS, on June 4, 2021, the Applicant submitted File No. PCUP21-009, a Conditional Use Permit application requesting approval to establish and operate a limited-service hotel land use on the Project site; and

WHEREAS, the proposed Conditional Use Permit was submitted for concurrent processing with File No. PDEV21-021, a Development Plan to construct a 4-story, 128-room Extended Stay Hotel on the Project site; and

WHEREAS, in 2003, the City approved The Exchange Specific Plan, a 23.60-acre master plan for the project area. The Exchange Specific Plan is composed of two land use districts, including the Freeway Commercial land use district, which comprises the northerly 12.03 acres of the Specific Plan, and the Industrial Park land use district, which comprises the southerly 11.57 acres of the Specific Plan; and

WHEREAS, the City's Development Code requires that all new hotels must be reviewed under concurrently filed Conditional Use Permit and Development Plan applications. The purpose of the Conditional Use Permit application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure the use will not be detrimental to the public health, safety, or

welfare, or materially injurious to uses, properties or improvements in the vicinity. More specifically, in the case of hotels, the Conditional Use Permit is required to establish the project's market feasibility and ensure on-going compliance with the minimum amenity package required by the Development Code; and

WHEREAS, in fulfillment of the requirements of Development Code Section 5.03.250.C (Market Feasibility Report Required), the Applicant has submitted a Market Feasibility Study, which demonstrates that the local market can support the development of a new hotel. The Study, prepared by Veritas Development Advisors (dated October 21, 2021), includes analysis and market research related to the proposed project. The Study found that the local market can support a limited-service hotel on the Project site. The study's conclusions are based primarily upon the growth in the Inland Empire, the area's proximity to the Los Angeles area, the Ontario Convention Center, the Ontario International Airport, California Speedway in Fontana, and the Project's proximity to the Ontario Mills Mall. The report includes an analysis of other similar hotels in the area, long-term viability, and overall demand due to new businesses and activities in and around the City; and

WHEREAS, the proposed Project has met or exceeded the minimum amenity package requirements, as stipulated by Section 5.03.250.D (Minimum Amenity Package) of the City's Development Code; 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 (“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 February 7, 2022, 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. DAB22-007, recommending that the Planning Commission recommend the City Council approve the Application; and

WHEREAS, on February 22, 2022, 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:

SECTION 1: 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 has 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, which consists of: (a) 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; (b) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (c) the Project site

has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the Project 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 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.

SECTION 4: *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 Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and The Exchange Specific Plan, and the scale and intensity of land uses intended for the Freeway Commercial land use district in which the use is proposed to be located. Furthermore, the proposed 128-room, hotel land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines of the Freeway Commercial land use designation of The Exchange Specific Plan; and

(2) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed 128-room hotel land use will be located within the Planned Commercial land use district of the Policy Plan Land Use Map, and the Freeway Commercial land use district of The Exchange Specific Plan. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan; and

(3) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.*** The proposed 128-room hotel land use is located with the Freeway Commercial land use district of The Exchange Specific Plan and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and The Exchange Specific Plan; and

(4) ***The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of The Exchange Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located.

SECTION 5: *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.

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.

SECTION 8: *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 22nd day of February 2022, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on February 22, 2022, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PCUP21-009
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)

Date Prepared: 1/24/2022

File No: PCUP21-009

Related Files: N/A

Project Description: A Conditional Use Permit (File No. PCUP21-009) to establish and operate a limited-service hotel use on 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan. (APN: 0238-012-30); **submitted by Roger Barbosa.**

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

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

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape

and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

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

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

(d) The project shall provide a total of 118 parking spaces. In the future, if it is determined by the Planning Department as a result of complaints received that additional parking is necessary, the Applicant shall enter into a reciprocal parking agreement with adjacent developments to provide the additional parking (additional 10 parking spaces).

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV21-021, A DEVELOPMENT PLAN TO CONSTRUCT A 4-STORY, 128-ROOM EXTENDED STAY HOTEL ON 1.83 ACRES OF LAND LOCATED AT 5060 EAST FOURTH STREET, WITHIN THE FREEWAY COMMERCIAL LAND USE DISTRICT OF THE EXCHANGE SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0238-012-30.

WHEREAS, ROGER BARBOSA ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV21-021, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan, and the site is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Freeway Commercial land use district of The Exchange Specific Plan and is developed with a multi-tenant retail building. The property to the east is within the Open Space zoning district and is developed with Southern California Edison transmission lines. The property to the south is within the Freeway Commercial land use district of The Exchange Specific Plan and is currently vacant. The property to the west is the I-15 Freeway; and

WHEREAS, on June 4, 2021, the Applicant submitted File No. PDEV21-021, a Development Plan application requesting approval to construct a 4-story, 128-room Extended Stay hotel on the Project site; and

WHEREAS, the proposed Development Plan was submitted for concurrent processing with File No. PCUP21-009, a Conditional Use Permit to establish and operate a limited-service hotel on the Project site; and

WHEREAS, in 2003, the City approved The Exchange Specific Plan, a 23.60-acre master plan for the project area. The Exchange Specific Plan is composed of two land use districts, including the Freeway Commercial land use district, which comprises the northerly 12.03 acres of the Specific Plan, and the Industrial Park land use district, which comprises the southerly 11.57 acres of the Specific Plan; and

WHEREAS, the proposed hotel is located approximately 1,000 feet south of Fourth Street, with the building's primary entrance facing north. The building is in a L-shaped configuration, which wraps around an outdoor amenity area containing the pool/spa and outdoor gathering/seating areas. Guest amenities proposed for the Project include:

- Swimming pool with an accompanying pool side cabana;

- Outdoor seating area;
- Porte-cochere for arriving guests;
- Meeting rooms (two rooms totaling 1,850 square feet) and adjacent outdoor gathering area (400 square feet);
- Fitness room (331 square feet);
- Café/Snack room (331 square feet);
- Guest laundry facilities (437 square feet); and
- On-site business center, including office equipment (copying, printer, and scanner) and supplies

WHEREAS, primary vehicular access to the hotel is provided from an existing common drive aisle that intersects Fourth Street at a fully signalized intersection that is common with the Interstate 15 southbound exit to Fourth Street. Secondary access is provided from Ontario Mills Parkway via a common drive aisle through the industrial park to the south; and

WHEREAS, off-street parking is distributed along the north and west sides of the building and a guest drop-off area under a porte-cochere has been provided at the front of the building; and

WHEREAS, the hotel is four stories in height and contains a total of 128 guestrooms. Guestrooms range from 277 square feet (Queen Suites) to 432 square feet (Double Queen Suites) in area; and

WHEREAS, the Project is required to provide a total of 128 off-street parking spaces, at the rate of one space per guestroom, and the Project is proposing a total of 118 spaces. The Exchange Specific Plan and the Ontario Development Code allow the Planning Commission to approve a reduction in parking, if the reduction is validated by a parking study. To support the requested reduction in parking, a parking study was prepared by Trames Solutions Inc. The parking study concluded that the number of parking spaces provided is adequate. The study found that the hotel will have a peak demand of 94 spaces at 8 AM on a weekday and 105 spaces at 8 AM on a weekend. In addition, the City's Traffic Manager has reviewed the parking study and is in support of the study's findings. However, to mitigate any potential parking shortages in the future, The Project has been conditioned so that if additional parking is found to be necessary, the Applicant must enter into a reciprocal parking agreement with adjacent developments to provide additional parking spaces; and

WHEREAS, the will feature a contemporary architecture style that exemplifies the high-quality architecture promoted by The Exchange Specific Plan and the Ontario Plan. Since the project will be visible from all four sides, staff has worked closely with the architect to provide 360-degree architecture. Special attention has been given to the use of color, massing, building form, materials, and architectural details; and

WHEREAS, the Exchange Specific Plan requires 15 percent of the site to be landscaped and the project proposes to landscape 15.5 percent; 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 ("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 February 7, 2022, 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. DAB22-008, recommending that the Planning Commission approve the Application; and

WHEREAS, on February 22, 2022, 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:

SECTION 1: 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 has 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, which consists of: (a) 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; (b) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the Project 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.

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.

SECTION 4: *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 Sections 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 Planned Commercial land use district of the Policy Plan Land Use Map, and the Freeway Commercial land use district of The Exchange 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 proposed development is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to the establishment of a dynamic, progressive city containing distinct neighborhoods and districts that foster a positive sense of identity and belonging among residents, visitors, and businesses (Goal CD1). Furthermore, the Project will promote the City’s policy to take actions that are consistent

with the City being a leading urban center in Southern California, while recognizing the diverse character of our existing viable neighborhoods (Policy CD1-1); 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 Freeway Commercial land use district of The Exchange Specific Plan, including standards relative to the particular land use proposed (128-room, hotel), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of The Exchange 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 Exchange Specific Plan; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Ontario Development Code & the Freeway Commercial land use designation of The Exchange Specific Plan, that are applicable to the Project. They include 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 (128-room, hotel). 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 Ontario Development Code & the Freeway Commercial land use designation of The Exchange Specific Plan.

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.

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.

SECTION 8: *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 22nd day of February 2022, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on February 22, 2022, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV21-021
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)




LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Date Prepared: 1/24/2022
File No: PDEV21-021 & PCUP21-009
Related Files: N/A

Project Description: A Development Plan (File No. PDEV21-021) to construct a 4-story, 128-room Extended Stay/Residence Inn Hotel, in conjunction with a Conditional Use Permit (File No. PCUP21-009) to establish and operate the hotel use on 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan. (APN: 0238-012-30); **submitted by Roger Barbosa.**

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 (<https://www.ontarioca.gov/Planning/Applications>) or from the Planning Department/City Clerk/Records Management Department.

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

2.1 Time Limits.

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

(b) Conditional Use Permit approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Conditional Use Permit approved in conjunction with a Development Plan shall have the same time limits as said Development Plan.

This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

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

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

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

2.6 Outdoor Loading and Storage Areas.

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

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

(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.

2.7 Site Lighting.

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

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

2.8 Mechanical and Rooftop Equipment.

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

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view

from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

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

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

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

2.12 Environmental Review.

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

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

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

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

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

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

2.14 Additional Fees.

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

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

2.15 Additional Requirements.

(a) Applicant shall work with our Landscape Division to attach guiding wires to the east and south sides of the trash enclosure walls so that plants/vines grow on them.

(b) Where conditions exist that would allow the public to view the back (interior) of parapet walls, resulting from changes in parapet heights, the raised parapet area shall be constructed so as to be a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director.

(c) The Applicant shall work with staff during the plan check process to design/utilize exterior AC vents/louvers that match or complement the architectural areas where they are being located/used.

(d) The project shall provide a total of 118 parking spaces. In the future, if it is determined by the Planning Department as a result of complaints received that additional parking is necessary, the Applicant shall enter into a reciprocal parking agreement with adjacent developments to provide the additional parking (additional 10 parking spaces).

(e) The approval of the Development Plan, File No. PDEV21-021, shall not be final and complete until the related Conditional Use Permit, File No. PCUP21-009, has been approved by 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 Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV21-021 RELATED FILE NO(S). PCUP21-009, PVAR21-004	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

CITY PROJECT PLANNER & PHONE NO: Luis Batres (909) 395-2431

DAB MEETING DATE: February 7, 2022

PROJECT NAME / DESCRIPTION: PDEV21-021, a Development Plan to construct a 57,060-square-foot, 4-story, 138-room hotel on 1.83 acres of land within the Freeway Commercial land use district of The Exchange Specific Plan

LOCATION: 5060 East Fourth Street

APPLICANT: MileStonie Management

REVIEWED BY: Raymond Lee 1/20/22
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: [Signature] 1-20-22
 Khol Do, P.E. Date
 City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s):
 A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
- 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 Financial 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 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 Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 Ontario Ranch Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per Parcel 5 of Parcel Map No. 15953.
- 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 March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);
 - 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.

- 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:
 - Southern California Edison (SCE) – for any improvements encroaching into their easements/property

- 2.10 Dedicate to the City of Ontario the right-of-way described below:

_____ feet on _____

Property line corner 'cut-back' required at the intersection of _____ and _____.

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

- 2.12 Vacate the following street(s) and/or easement(s):
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

- 2.13 Ontario Ranch 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).

- 2.14 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.15 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.16 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.17 Other conditions: _____



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

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

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



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

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

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.



2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and the applicant/developer shall provide documentation to the City verifying that all required CVWD fees have been paid. Additionally, plans will be required to be submitted to CVWD for approval on the proposed sewer and water connections. A copy of the CVWD approved plans shall be provided to the Engineering Department.

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 7-7.302.e of the City's Municipal Code.

2.22 Other conditions: _____

C. SEWER

2.23 A _____ inch sewer main is available for connection by this project in _____. (Ref: Sewer plan bar code: _____)

2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.

2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.

2.26 Other conditions: _____

D. WATER

2.27 A _____ inch water main is available for connection by this project in _____. (Ref: Water plan bar code: _____)

2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.

2.29 Other conditions: _____

E. RECYCLED WATER

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

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

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

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

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

2.34 Other conditions: _____



F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
 - A. Provide/maintain existing reciprocal access between the proposed project site and all other existing adjacent properties.
 - B. Replace existing, signing, striping, crosswalk limit lines and pavement markings along the south leg of the signalized intersection at Fourth Street and the project driveway.

G. DRAINAGE / HYDROLOGY

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

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

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



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

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial 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 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 Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 A _____ fiber optic line is available for connection by this project in _____. (Ref: Fiber Optic plan bar code: _____)
- 2.51 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located _____, see Fiber Optic Exhibit herein
- 2.52 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. INTEGRATED WASTE

- 2.53 **Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at: <https://www.ontarioca.gov/OMUC/IntegratedWaste>**
- 2.54 **Other conditions:**
 - A. **Final Solid Waste Handling Plan (SWHP):** Prior to approval of any building permits, submit a final SWHP with the Precise Grading Plan for review and approval of the Integrated Waste Department (Public Works).
 - B. **Integrated Waste Management Report (IWMR):** Prior to approval of any building permits, submit an Integrated Waste Management Report (IWMR) that complies with the IWMR Requirements to the Integrate Waste Department for review and approval.



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

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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 **Complete all Conditions of Approval listed under Sections 1-3 above.**
- 4.02 **Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**
- 4.03 **The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**
- 4.04 **Submit record drawings (PDF) for all public Improvements identified within Section 2 of these Conditions of Approval.**



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV21-021 and/or PCUP21-009, PVAR21-004

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



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



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

FROM: Mike Gerken, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: June 28, 2021

SUBJECT: PDEV21-021 - A Development Plan to construct a 57,060-square foot 4-story 138-room hotel on 1.837 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan (APN(s): 0238-012-30). Related File(s): PCUP21-009 & PVAR21-004.

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: Type VA
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 14,460 Sq. Ft.
- D. Number of Stories: 4
- E. Total Square Footage: 57,060 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): R-1

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

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2019 California Fire Code, Appendix B, is 3250 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finished) before the building is enclosed.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003. .
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-021, PCUP21-009 & PVAR21-004

Address: 5060 East Fourth Street

APN: 0238-012-30

Existing Land Use: Vacant

Proposed Land Use: Development Plan, CUP and Variance to construct a 57,060 SF hotel

Site Acreage: 1.8 Proposed Structure Height: N/A

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Luis Batres

Date: 8/17/2021

CD No.: 2021-033

PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

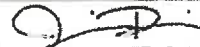
The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: 

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

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

12/2/2021

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV21-021

Case Planner:

Luis Batres

Project Name and Location:

Hotel

5060 E Fourth Street

Applicant/Representative:

W&W Land Design Consultants

2335 W Foothill Blvd., Suite 1

Upland, CA 91786



Preliminary Plans (dated 11/18/2021) meets the Standard Conditions for New Development and have been approved considering that the following conditions below be met upon submittal of the landscape construction documents.



Preliminary Plans (dated) have not been approved. Corrections noted below are required before 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

Previous Civil/ Site Plan Comments

1. Show backflow devices set back 4' from paving all sides. Locate on level grade.
2. Locate utilities including light standards, fire hydrants, water, drain, and sewer lines to not conflict with required tree locations—coordinate civil plans with landscape plans. Adjust the water service lines out of the island planter to allow for required tree locations.
3. 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.
4. 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.

Previous Landscape Plan Comments

5. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening. Do not encircle utility, show as masses, and duplicate masses in other locations at regular intervals.
6. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans. Adjust the water service lines out of the island planter to allow for required tree locations.
7. Show all utilities on the landscape plans. Coordinate, so utilities are clear of tree locations. See above.
8. Show all easements and identify. Identify height restrictions (if any) and propose appropriate tree species within easements.
9. Dimension all planters (including diamond planters) to have a minimum 5' wide inside

- dimension with 6" curbs and 12" wide curbs where parking spaces are adjacent to planters.
10. Show appropriate parking lot shade trees with min 30' canopy at maturity; change Geijera to Quercus ilex.
 11. Add a parking lot tree to the island adjacent to the EV charging spaces.
 12. Add missing trees throughout the site; project perimeters (space 30' on center), parking lot island and end island planters, etc.
 13. Add trees along the west property line behind the transformer.
 14. Change flats to 1-gallon containers.
 15. Change Quercus agrifolia to ilex in landscape planters that are less than 8'.
 16. Replace invasive, high water use, short-lived, high maintenance, or poor performing plants; Bougainvillea (Sensitive to frost) consider Salvia greggii, Phormium (poor performer) consider Dianella. Limit the use of Aloes and Agaves to protect accent areas.
 17. Show 8' diameter of mulch only at new trees—detail irrigation dripline outside of mulched root zone.
 18. Call out all fences and walls, materials proposed, and heights.
 19. Show concrete mowstrips to identify property lines along open areas or to separate ownership or between maintenance areas.
 20. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections.



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner

FROM: Officer Bill Lee, Police Department

DATE: June 16, 2021

SUBJECT: PDEV21-021 and PCUP21-009: A DEVELOPMENT PLAN AND
CONDITIONAL USE PERMIT TO CONSTRUCT A 57,060 SQUARE
FOOT FOUR STORY HOTEL LOCATED AT 5060 EAST FOURTH
STREET. RELATED FILE: PVAR21-004

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

- Required lighting for walkways, driveways, doorways, parking lots, hallways, stairwells, and other areas used by the public shall be provided. Lights shall operate via photosensor. Updated photometrics demonstrating required lighting levels for the project area, including the rear parking lot and pool area, shall be provided to the Police Department. The photometric plans shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- First floor stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.

Refer to ABC conditions for additional conditions of approval. The approval of this Conditional Use Permit shall not be construed so as to permit the sale of alcohol on the premises. The Applicant shall apply for a modification to this Conditional Use Permit should they desire to sell alcohol.

The Applicant is invited to contact Officer Bill Lee at (909) 408-1672 with any questions or concerns regarding these conditions.



PLANNING DEPARTMENT MONTHLY ACTIVITY REPORT

Month of January 2022

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

TO: Chairman and Members of the Planning Commission
FROM: Rudy Zeledon, Planning Director *RZ*
DATE: February 22, 2022

Attached, you will find the Planning Department Monthly Activity Report for the month of January 2022. 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 at: <https://www.ontarioca.gov/Planning/Reports/MonthlyActivity>.



Monthly Activity Report: Actions

Month of January 2022

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

DEVELOPMENT ADVISORY BOARD MEETING January 3, 2021

Meeting Cancelled

ZONING ADMINISTRATOR MEETING January 3, 2021

Meeting Cancelled

CITY COUNCIL/HOUSING AUTHORITY MEETING January 4, 2021

Meeting Cancelled

DEVELOPMENT ADVISORY BOARD MEETING January 17, 2021

ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMIT20-005: A Tentative Parcel Map (TPM 20253) to subdivide 53.53-acres of land into 27 numbered lots and 3 "common" lettered lots generally bordered by Guasti Road to the north, Old Guasti Road to the south, Turner Avenue to the east and Archibald Avenue to the west, within Planning Areas 2 and 3 of the Guasti Plaza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Guasti Plaza Specific Plan, File No. 4413-SP, for which an Environmental Impact Report (FEIR No. 90-4/State Clearinghouse No. 91-122-009) was certified by the City Council on August 20, 1996 and in conjunction with an amendment to the Guasti Plaza Specific Plan, File No. PSPA08-006, for which a Supplemental Environmental Impact Report (State Clearinghouse No. 2008111072) was certified by the City Council on May 3, 2011. 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); (APNs: 0210-192-11 and 0211-201-15) **submitted by Ontario Airport Venture, LLC. Planning Commission action is required.**

Action: The Development Advisory Board adopted a decision recommending the Planning Commission approve the Tentative Parcel Map, subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-013: A modification to a previously approved Development Plan (File No. PDEV17-016) to increase the



Monthly Activity Report: Actions

Month of January 2022

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

overall building footprint from 85,583 square feet to 101,163 square feet, to facilitate the construction of a neighborhood shopping center consisting of six buildings and establish a restaurant pad with drive-thru for future construction on 13.4 acres of land located at the southeast corner of Haven Avenue and Fourth Street, within the Commercial land use district of the Piemonte Overlay Area of the Ontario Center Specific Plan. The environmental impacts of this project were analyzed in a previous Mitigated Negative Declaration ("MND") adopted by the City Council on May 16, 2017, in conjunction with File No. PSPA16-003. 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); (APNs: 0210-531-06, 0210-531-07, 0210-531-08, 0210-531-09, 0210-531-10, 0210-531-11, 0210-531-12, 0210-531-13, and 0210-531-14)) **submitted by Lewis Retail Centers.**

Action: The Development Advisory Board adopted a decision approving the Development Plan, subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-016: A Development Plan to construct a 37,309-square-foot industrial building on 1.60 acres of land located at the southeast corner of the Sunkist Street and Taylor Avenue, within the IG (General Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-212-05, 1049-212-06, 1049-212-07, 1049-212-08, 1049-212-09, 1049-212-10, 1049-212-11, and 1049-212-12) **submitted by OC Engineering. Planning Commission action is required.**

Action: The Development Advisory Board adopted a decision recommending the Planning Commission approve the Development Plan, subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-026: A Development Plan to construct a 44,885-square-foot industrial building on 2.03 acres of land located at 1030 and 1042 East Holt Boulevard, within the IP (Industrial Park) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-131-13 and 1049-131-14) **submitted by Holt LPIV 8 LLC. Planning Commission action is required.**

Action: The Development Advisory Board adopted a decision recommending the Planning Commission approve the Development Plan, subject to conditions.



Monthly Activity Report: Actions

Month of January 2022

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

ZONING ADMINISTRATOR MEETING January 17, 2021

Meeting Cancelled

CITY COUNCIL/HOUSING AUTHORITY MEETING January 18, 2021

ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE REVIEW FOR FILE NO. PZC21-001: A Zone Change (File No. PZC21-001) amending the zoning designation on 2.77 acres located at 1948 South Bon View Avenue, from IL (Light Industrial) to IG (General Industrial). Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by the City Council on January 27, 2010. 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: 1050-441-05) **submitted by Bon View Land 10, LLC & BV Investments 10, LLC. Planning Commission recommended approval of this project on December 20, 2021 with a 6 – 0 vote.**

Action: The City Council introduced and waived further reading of the ordinance approving the Zone Change.

PLANNING/HISTORIC PRESERVATION COMMISSION MEETING January 25, 2021

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-016: A Development Plan to construct a 37,309-square-foot industrial building on 1.60 acres of land located at the southeast corner of the Sunkist Street and Taylor Avenue, within the IG (General Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-212-05, 1049-212-06, 1049-212-07, 1049-212-08, 1049-212-09, 1049-212-10, 1049-212-11, and 1049-212-12) **submitted by OC Engineering.**

Action: The Planning Commission adopted a resolution approving the Development Plan, subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-026: A Development Plan to construct a 44,885-square-foot industrial building on 2.03 acres of land located at 1030 and 1042 East Holt Boulevard, within the IP (Industrial Park) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act

(CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-131-13 and 1049-131-14) **submitted by Holt LPIV 8 LLC.**

Action: The Planning Commission adopted a resolution approving the Development Plan, subject to conditions.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMT20-005: A Tentative Parcel Map (TPM 20253) to subdivide 53.53-acres of land into 27 numbered lots and 3 "common" lettered lots generally bordered by Guasti Road to the north, Old Guasti Road to the south, Turner Avenue to the east and Archibald Avenue to the west, within Planning Areas 2 and 3 of the Guasti Plaza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Guasti Plaza Specific Plan, File No. 4413-SP, for which an Environmental Impact Report (FEIR No. 90-4/State Clearinghouse No. 91-122-009) was certified by the City Council on August 20, 1996 and in conjunction with an amendment to the Guasti Plaza Specific Plan, File No. PSPA08-006, for which a Supplemental Environmental Impact Report (State Clearinghouse No. 2008111072) was certified by the City Council on May 3, 2011. 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); (APNs: 0210-192-11 and 0211-201-15) **submitted by Ontario Airport Venture, LLC.**

Action: The Planning Commission adopted a resolution approving the Tentative Parcel Map, subject to conditions.

ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT, AND SPECIFIC PLAN REVIEW FOR FILE NOS. PGPA19-004 AND PSP19-001: A public hearing to consider certification of the Final Environmental Impact Report (State Clearinghouse No. 2021010318), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, in conjunction with the following: [1] A General Plan Amendment (File No. PGPA19-004) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01), changing the land use designation on 219.39 acres of land from 157.06 acres of Low-Medium Density Residential (5.1-11 dwelling units per acre) and 62.36 acres of Business Park (0.6 FAR) to 184.22 acres of Industrial (0.55 FAR) and 35.17 acres of Business Park (0.6 FAR), and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the proposed land use designation changes; and [2] A Specific Plan (File No. PSP19-001, South Ontario Logistics Center Specific Plan) to establish the land use districts, development standards, guidelines, and infrastructure improvements for the potential development of up to 5,333,518 square feet of Industrial and Business Park land uses on the project site, generally bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, existing right-of-way for the future Campus Avenue extension to the west, and Grove Avenue to the east. 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 (ONT 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



Monthly Activity Report: Actions

Month of January 2022

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Department of Transportation, Division of Aeronautics; (APNs: 1054-071-01, 1054-071-02, 1054-081-03, 1054-091-01, 1054-091-02, 1054-101-01, 1054-101-02, 1054-231-01, 1054-231-02, 1054-241-01, 1054-241-02, 1054-321-01, 1054-321-02, 1054-311-01, 1054-311-02, 1054-051-01, 1054-051-02, 1054-061-01, 1054-061-02, 1054-251-01, 1054-251-02, 1054-301-01, and 1054-301-02); **submitted by Grove Land Venture, LLC. City Council action is required.**

Action: The Planning Commission adopted resolutions recommending the City Council: (1) certify the Final Environmental Impact Report (State Clearinghouse No. 2021010318), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations; (2) approve the General Plan Amendment; (3) approve the Zone Change; and (4) approve the Development Code Amendment.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO.

PDCA22-001: A public hearing to consider a Development Code Amendment proposing the repeal of Division 6.07 (Public Art) of Chapter 6.0 (Development and Subdivision Regulations) and Reference I (Public Art Program) of the Development Code (Title 9 of the Ontario Municipal Code). This Amendment will facilitate the future establishment of a substantially revised Public Art Ordinance within Title 5 (Public Welfare, Morals, and Conduct) of the Ontario Municipal Code. The project 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 (general rule) that CEQA applies only to projects that have the potential for causing a significant effect on the environment; **City Initiated. City Council action is required.**

Action: Continued to an unspecified date. The time and date of the new public hearing will be advertised pursuant to State law.



Monthly Activity Report: New Applications

Month of January 2022

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

PCUP22-001: Submitted by **99 Cents Only Stores**

A Conditional Use Permit to establish alcoholic beverage sales, including beer, wine, and distilled spirits for off-premise consumption (Type 21 ABC License) in conjunction with an existing 20,528-square-foot grocery and consumer goods store on 2.23 acres of land located at 1714 South Euclid Ave, within the CN (Neighborhood Commercial) zoning district (APN: 1050-284-01). **Zoning Administrator action is required.**

PCUP22-002: Submitted by **Agromin**

A modification to a previously approved Conditional Use Permit (File No. PCUP21-007) to increase a compost area from 5 acres to 10 acres on 19 acres of land located at 8292 Edison Avenue, within the SP (Specific Plan) and AG (Agricultural Overlay) zoning districts. (APNs: 0216-311-08 and 0216-311-09). **Zoning Administrator action is required.**

PDCA22-001: Submitted by **City of Ontario**

A Development Code Amendment repealing Division 6.07 (Public Art) and Reference I (Public Art Program). **City Council action is required.**

PDEV22-001: Submitted by **Karsen Keever**

A Development Plan to construct a 1,003,440-square-foot industrial building on 53.06 acres of land and having a 0.43 floor area ratio (FAR), located at 13744 South Milliken Avenue, within the Light Industrial land use district (PA-7) of the Rich Haven Specific Plan (APN: 0218-211-31). **Development Advisory Board action is required.**

PDEV22-002: Submitted by **Prologis**

A Development Plan to construct two industrial buildings totaling 2,237,458 square feet on 119.94 acres of land and having a 0.43 floor area ratio (FAR), located at the northeast corner of Merrill Avenue and Grove Avenue, within PA-1 and PA-2 of the Industrial land use district of the Merrill Commerce Center Specific Plan (APN: 0218-211-31). **Development Advisory Board action is required.**

PDEV22-003: Submitted by **Marks Architects**

A Development Plan to construct a 2,668-square-foot drive-thru restaurant (Jack-in-the-Box) on 0.99-acre of land located at 2958 Milliken Avenue, within the CC (Community Commercial) zoning district (APN: 1083-361-21). **Development Advisory Board action is required.**

PDEV22-004: Submitted by **Coastal Business Group**

A Development Plan to construct a stealth wireless communications facility, with a 65-foot "monopine" antenna and ancillary ground-mounted equipment on 1.75 acres of land located at 1259 East D Street (Veteran's Memorial Park), within the OSR (Open Space Recreational) zoning district (APN: 0110-013-04). **Planning Commission action is required.**



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PDEV22-005:

Submitted by City of Ontario

A Development Plan for the design for Phase 1 of the 'Great' Park on approximately 130 acres of land bordered by Grand Park Street to the north, Eucalyptus Avenue to the south, Haven Avenue on the east, and Archibald Avenue on the west. **Planning Commission action is required.**

PDEV22-006:

Submitted by Coastal Business Group, Inc.

A Development Plan to construct an unmanned wireless communications facility with a 65-foot "monopine" antenna and ancillary ground-mounted equipment on 7.88 acres of land located at 4600 East Wall Street, within the Light Industrial land use district of the California Commerce Center Specific Plan (APN: 0238-221-36). **Development Advisory Board action is required.**

PDEV22-007:

Submitted by The Hale Corporation

A Development Plan to construct 28 multiple-family dwellings on 1.12 acres of land located at 1411 North Grove Avenue, within the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning district (APN: 1047-433-16). Related File: PMTT22-002. **Planning Commission action is required.**

PHP-22-002:

Submitted by San Bernardino County Transportation Authority (SBCTA)

A Certificate of Appropriateness to demolish a 5,565-square-foot commercial building, a Tier III "eligible" historic resource, on 0.21-acre of land located at 204 East Holt Boulevard, within the MU-1/LUA-3 (Downtown Mixed Use/Holt Boulevard District) zoning district (APN: 1049-063-01). **Historic Preservation Subcommittee action is required.**

PHP-22-003:

Submitted by San Bernardino County Transportation Authority (SBCTA)

A Certificate of Appropriateness to demolish an 11,400-square-foot mixed-use building, a Tier II designated historic resource (Local Landmark No. 8, Dietz Garage) on 0.31-acre of land located at 212-214 East Holt Boulevard, within the MU-1/LUA-3 (Downtown Mixed Use/Holt Boulevard District) zoning district (APN: 1049-063-02). **Historic Preservation Commission action is required.**

PHP-22-004:

Submitted by San Bernardino County Transportation Authority (SBCTA)

A Certificate of Appropriateness to demolish a 3,680-square-foot commercial building, a Tier III "eligible" historic resource, on 0.103-acre of land located at 220-222 East Holt Boulevard, within the MU-1/LUA-3 (Downtown Mixed Use/Holt Boulevard District) zoning district (APNs: 1049-063-03 and 1049-063-04). **Historic Preservation Subcommittee action is required.**

PHP-22-005:

Submitted by San Bernardino County Transportation Authority (SBCTA)

A Certificate of Appropriateness to a 17,043-square-foot commercial building, a Tier III "eligible" historic resource on 0.73-acres of land located at 444 East Holt Boulevard, within the MU-1/LUA-3 (Downtown Mixed Use/Holt Boulevard District) zoning district (APN: 1049-066-02). **Historic Preservation Subcommittee action is required**

PHP-22-006:

Submitted by San Bernardino County Transportation Authority (SBCTA)

A Certificate of Appropriateness to demolish a mixed-use building, a Tier III "eligible" historic resource on 0.13-acre of land located at 616 East Holt Boulevard, within the CN (Neighborhood



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Commercial) zoning district (APN: 1049-093-01). **Historic Preservation Subcommittee action is required**

PMTT22-002: **Submitted by The Hale Corporation**

A Tentative Tract Map (TTM 20522) for condominium purposes, subdividing 1.12 acres of land into a single lot to facilitate the establishment of 28 condominium dwelling units located at 1411 North Grove Avenue, within the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning district (APN: 1047-433-16). Related File: PDEV22-007. **Planning Commission action is required.**

PMTT22-003: **Submitted by SC Ontario Development Company**

A Tentative Tract Map (TTM 20509) for condominium purposes, subdividing 16.92 acres of land into 2 lots to facilitate the establishment of 246 condominium dwelling units (93 detached and 153 attached units) located at the northwest corner of Eucalyptus Avenue and Cucamonga Creek Channel, within the PA-5 and PA-6 land use districts of the Parkside Specific Plan (APNs: 0218-231-08). **Planning Commission action is required.**

PMTT22-004: **Submitted by Cedar Avenue Five, LLC, a California Limited Liability Company**

A Tentative Parcel Map (TPM 20490) for condominium purposes, subdividing 3.78 acres of land into a single lot to facilitate the establishment of six condominium industrial units located at 1477 East Cedar Street, within the IG (General Industrial) zoning district (APN: 0113-461-33). **Planning Commission action is required.**

PSGN22-001: **Submitted by Downtown Ontario Improvement Association**

A Sign Plan for a temporary sign to install 20 streetlight pole banners along Euclid Avenue, within the MU-1 (Downtown Mixed Use) zoning district, for the Downtown Ontario Improvement Association (DOIA). Banners will be up from 1/25/2022 to 12/15/2022. **Staff action is required.**

PSGN22-002: **Submitted by New Sign Solution Inc.**

A Sign Plan to install one illuminated wall-mounted sign for BENGEE SUSHI, located at 1953 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-441-05). **Staff action is required.**

PSGN22-003: **Submitted by The New Home Company**

A Sign Plan to install one monument sign for NUVO AT PARKSIDE, located at the Northeast corner of Millennium Paseo and Eucalyptus Avenue, within the Parkside Specific Plan (APN: 0218-221-11). **Staff action is required.**

PSGN22-004: **Submitted by Tyko Sign Group**

A Sign Plan to install one wall-mounted sign for ERNEST PACKAGING SOLUTIONS, located at 1630 East Holt Boulevard, within the BP (Business Park) zoning district (APN: 0110-111-13). **Staff action is required.**



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PSGN22-005:

Submitted by Corguz Signs Inc

A Sign Permit to install two illuminated wall-mounted signs and one illuminated blade sign for WING STOP, located at 3420 East Ontario Ranch Road, Ste 2, within The Avenue Specific Plan (APN: 0218-402-48). **Staff action is required.**

PSGN22-006:

Submitted by Nicky Chung

A Sign Plan to install one illuminated wall-mounted sign for ASIAN WAY, located at 2528 South Grove Avenue, within the CN (Neighborhood Commercial) zoning district (APN: 1051-321-51). **Staff action is required.**

PSGN22-007:

Submitted by Signarama

A Sign Plan to install two illuminated wall-mounted signs for DENU CONSULTING GROUP, INC., located at 3595 East Inland Empire Boulevard, Building 4, within the Ontario Center Specific Plan (APN: 0210-541-04). **Staff action is required.**

PSGN22-008:

Submitted by Signfastic

A Sign Plan to install one illuminated wall-mounted sign and one blade sign for RANCH NAILS SPA, located at 3480 East Ontario Ranch Road, within The Avenue Specific Plan (APN: 0218-402-45). **Staff action is required.**

PSGN22-009:

Submitted by Crystal Williams

A Sign Plan to install two illuminated wall-mounted signs for LESLIE'S POOL SUPPLIES, located at 1520 North Mountain Avenue, Suite 112, within the Mountain Village Specific Plan (APN: 1008-272-08). **Staff action is required.**

PSGN22-010:

Submitted by Visible Graphics

A Sign Plan to install three wall-mounted signs for DAVE'S HOT CHICKEN, located at 931 North Milliken Avenue, within the Ontario Center Specific Plan (APN: 0210-501-04). **Staff action is required.**

PSGN22-011:

Submitted by Eddie Hsieh

A Sign Plan to install one illuminated wall-mounted sign for KAPE REPUBLIC, located at 3410 East Ontario Ranch Road, Suite 3, within The Avenue Specific Plan (APN: 0218-402-48). **Staff action is required.**

PSGN22-012:

Submitted by Mike Heffernan

A Sign Plan for the installation of one non-illuminated wall-mounted sign for SHORR PACKAGING CORPORATION, located at 1150 South Etiwanda Avenue (APN: 0238-101-68). **Staff action is required.**

PSGN22-013:

Submitted by Nami Lash Art

A Sign Plan to install one illuminated wall-mounted sign for NAMI LASH ART, located at 2409 South Vineyard Avenue, Suite E, within the CC (Community Commercial) zoning district (APN: 0113-285-12). **Staff action is required.**



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PSGN22-014:

Submitted by Signex

A Sign Plan to install two illuminated wall-mounted signs for TAKE UR SEAT TOO, located at 4275 Concourse Street, Suite 130, within the Ontario Center Specific Plan (APN: 0210-204-34). **Staff action is required.**

PTUP22-001:

Submitted by Majestic Cycling

A Temporary Use Permit for a USA Cycling sanctioned event/race located at 1841 South Business Parkway, within the California Commerce Center South Specific Plan. Event to be held on 1/16/2022. **Staff action is required.**

PTUP22-002:

Submitted by Majestic Cycling

A Temporary Use Permit for a USA Cycling sanctioned event/race located at 1841 South Business Parkway, within the California Commerce Center South Specific Plan. Event to be held on 3/13/2022. **Staff action is required.**

PTUP22-003:

Submitted by Majestic Cycling

A Temporary Use Permit for a USA Cycling sanctioned event/race located at 1841 South Business Parkway, within the California Commerce Center South Specific Plan. Event to be held on 6/26/2022. **Staff action is required.**

PTUP22-004:

Submitted by Chaffey Community Museum of Art

A Temporary Use Permit for a VIP reception for Robert Lyn Nelson art exhibition, located at 217 South Lemon Avenue, within the MU-1/LUA-2N (Downtown Mixed Use/Arts District-North) zoning district (APN: 1049-064-13). Event to be held on 1/14/2022. **Staff action is required.**

PTUP22-005:

Submitted by Lampkin Foundation

A Temporary Use Permit for a mobile blood drive hosted by the D'Andre Lampkin Foundation, located at 2151 East Convention Center Way, Suite 210, within the CCS (Convention Center Support Commercial) zoning district (APN: 0110-321-43). Event to be held on 2/12/2022. **Staff action is required.**

PTUP22-006:

Submitted by Circo Caballero

A Temporary Use Permit for Circo Caballero to host circus performances at 1 Mills Parkway (Ontario Mills parking lot) from February 3rd to February 14th. **Staff action is required.**

PTUP22-007:

Submitted by City of Ontario - SB County Department of Public Health

A Special Event Permit to conduct a COVID-19 Vaccination Clinic located at 1240 West Fourth Street (Anthony Munoz Community Center), within the OS-R (Open Space – Recreation) zoning district (APN: 1008-541-01). **Staff action is required.**

PTUP22-008:

Submitted by City of Ontario - SB County Department of Public Health

A Special Event Permit to conduct a COVID-19 Vaccination Clinic located at 2455 East Riverside Drive. (Westwind Community Center), within the OS-R (Open Space – Recreation) zoning district (APN: 0113-282-17). **Staff action is required.**



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PTUP22-009: Submitted by Rotary Club of Ontario-Montclair

A Temporary Use Permit to conduct the Rotary Club of Ontario-Montclair Annual Car Show, located along Euclid Avenue, between Holt Boulevard and F Street. Event to be held on 5/14/2022 (setup on 5/13/2022). **Staff action is required.**

PTUP22-010: Submitted by IGLESIA DE DIOS DE LA PROFECIA

A Temporary Use Permit to conduct a Valentine's Day flower sale in conjunction with Iglesia de Dios De La Profecia Church, located at 1130 South Campus Avenue within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district (APN: 1049-503-33). Event to be held on 2/14/2022. **Staff action is required.**

PUD-22-001: Submitted by Tipping Development

A Planned Unit Development to establish development standards, design guidelines, and infrastructure requirements on 0.86-acre of land located at 125 West Emporia Street, within LAU-2N (Arts District - North) of the MU-1/LUA-2N (Downtown Mixed-Use/Arts District-North) and EA (Euclid Avenue Overlay) zoning districts (APN: 1049-059-14). Related Files: PMTT21-009 (TTM 20394) and PDEV21-017. **City Council action is required.**

PVER22-001: Submitted by Key Zoning Assessments, LLC

A Zoning Verification for property located at 5235 East Airport Drive, within the IH (Heavy Industrial) zoning district (APN: 0238-052-27). **Staff action is required.**

PVER22-002: Submitted by PZR

A Zoning Verification for property located at 627 South Bon View Avenue, within the IG (General Industrial) zoning district (APN: 1049-181-14). **Staff action is required.**

PVER22-003: Submitted by Rexford Industrial Realty, Inc.

A Zoning Verification for property located at 1550/1600 South Champagne Avenue, within the IH (Heavy Industrial) zoning district (APN: 0238-133-16). **Staff action is required.**

PVER22-004: Submitted by Partner ESI

A Zoning Verification for property located at 1512 South Bon View Avenue, within the IG (General Industrial) zoning district (APN: 1050-121-03). **Staff action is required.**

PVER22-005: Submitted by McDonald Property Group

A Zoning Verification for various properties located generally east of Haven, north of Jurupa, west of Dupont and south of Airport within the Light Industrial land use district of the California Commerce Center Specific Plan. **Staff action is required.**

PVER22-006: Submitted by Nita Carder

A Zoning Verification for property located at 2042 South Grove Avenue, within the Grove Avenue Specific Plan (APN: 1050-491-11). **Staff action is required.**



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PVER22-007:

Submitted by James Harley

A Zoning Verification for property located at 4221 thru 4487 East Ontario Mills Parkway, within the Ontario Mills Specific Plan (APN: 0238-614-10). **Staff action is required.**

PVER22-008:

Submitted by Erika Ackley

A Zoning Verification for property located at 1275 South Dupont Avenue, within the California Commerce Center Specific Plan (APN: 0211-232-33). **Staff action is required.**

PVER22-009:

A Zoning Verification for property located at 2500 South Francis Street, within the IG (General Industrial) zoning district (APN: 0211-242-38). **Staff action is required.**