

ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT



DECISION NO. 2014-11

HEARING DATE: June 2, 2014

DECISION DATE: June 3, 2014

FILE NO.: PCUP14-004

SUBJECT: A Conditional Use Permit to establish an ambulance service within a suite of an existing building on 4.69 acres of developed land located at the northwest corner of the 60-Fwy and Vineyard Ave, within the M2 (Industrial Park) zone, at 2324 South Vineyard Avenue, Unit D.

STAFF

RECOMMENDATION: Approval Approval, subject to conditions Denial

PART A: BACKGROUND & ANALYSIS

AMERICAN MEDICAL RESPONSE, herein after referred to as "the applicant," has filed an application requesting Conditional Use Permit approval, File No. *PCUP14-004*, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

- (a) Project Description: A Conditional Use Permit to establish an ambulance service within a suite of an existing building on 4.69 acres of developed land located at the northwest corner of the 60-Fwy and Vineyard Ave, within the M2 (Industrial Park) zone, at 2324 South Vineyard Avenue, Unit D.
- (b) TOP Policy Plan Land Use Map Designation: Office Commercial
- (c) Zoning Designation: M2 – Industrial Park
- (d) Surrounding Zoning and Land Uses:

	<i>Zoning</i>	<i>Existing Land Use</i>
North:	M2 – Industrial Park	Industrial Park with ancillary retail
South:	Freeway with C3 beyond	60 Freeway with Shopping Center beyond
East:	Kaiser Specific Plan	Kaiser Hospital
West:	M2 – Industrial Park	Warehousing

- (e) Site Area: Existing suite in existing building on 4.69 acres

Approved By: _____
Senior Planner

(f) Assessor's Parcel No.: 0113-286-10

(g) Project Analysis:

Proposed Use: American Medical Response (AMR) is proposing to utilize an existing 1,450 square foot suite in an existing building to operate an ambulance service satellite facility. The main AMR service hub in this area is located in Rancho Cucamonga. This proposed satellite office will be used as an ambulance deployment base and will be operated 24 hours per day, 7 days per week. The facility location is within a multi-tenant business park development on Vineyard Avenue, across the street from Kaiser Hospital.

The facility will operate with two 2 member crews on 12 hour shifts. Shift times are subject to change, but typically run from 6:00 am to 6:00 pm and from 6:00 pm to 6:00 am. This location will be furnished with recliners, television, refrigerator, microwave, table and chairs, and lockers in the office area. (See Exhibit C – Floor Plan) The warehouse will have storage racks for equipment and supply storage to be used for restocking of the ambulance. All controlled substances will be stored in compliance with State and Federal law.

The ambulance crew members will post at this location until called. While posted at this location, the crews will eat, rest, watch television, use the internet, etc., while maintaining readiness for departure. The ambulance will not be stored inside the building, but will be parked adjacent to the suite in the parking lot, ready for deployment.

Land Use Compatibility: The Conditional Use Permit review is required to ensure the compatibility between adjacent land uses, and limit exposure of nearby residents, businesses, and property owners to potential nuisance activities. The existing business park is located on the west side of Vineyard Avenue, within the M2 (Industrial Park) zone (See Exhibit A – Aerial Map). The properties to the north and east of the project site are within the M2 (Industrial Park) zone and are developed with industrial uses. The property to the east is developed with Kaiser Hospital, which lies within the Kaiser Permanente Specific Plan. To the south is the 60 Freeway, with a commercial shopping center beyond, in the C3 (General Commercial) zone.

The major potential impacts from an ambulance service include noise and possibly vehicular access.

The noise generated by the ambulance sirens will have minimal impact on the surrounding industrial uses and the hospital to the east. The nearest residences are located on the opposite side of the 60 Freeway, to the southwest of the subject site, and are separated by 8 lanes of freeway traffic and the on- and off-ramps for Vineyard Avenue. The owners of the 5 properties in the R2 (Medium Density Residential) zone that are located within a 500-foot radius of the exterior boundaries of the business park property received a public notice informing them of the request for a CUP for an

ambulance service at the subject location. No responses or concerns were received from the property owners.

The subject site takes access from Vineyard Avenue from both signalized and non-signalized driveways (See Exhibit B – Site Plan) It is not anticipated that the proposed ambulance satellite facility will have significant impacts on vehicular access to the site.

Parking: The project is located within a multi-tenant business park. The business park consists of 7 buildings totaling 91,660 square feet, and at a rate of one space for each 500 square feet of gross floor area, the business park is required to have 183 parking spaces. 194 spaces have been provided overall, exceeding the minimum parking requirement by 9 spaces, and the 1,450 square foot suite proposed for the ambulance service satellite facility has at least 3 parking spaces allocated for the space.

The required parking for an ambulance service is one space for each 250 square feet of gross floor area. The office space occupied by the use is 680 square feet, which requires 3 parking spaces. The warehouse space is unmanned and will only be used for storage of supplies and, therefore, does not require additional parking. With 2 crew members on each shift and one parking space for the ambulance, the allocated parking spaces for the suite are adequate for the use. The additional parking needed for the few minutes at shift change when 2 crews are on site at the same time can easily be accommodated within the overall business park parking area.

Staff believes the proposed use of the 1,450 square foot suite as an ambulance service satellite facility to be consistent with the surrounding land uses, and the potential adverse impacts have been adequately addressed and mitigated.

(h) Airport Land Use Compatibility Plan: This 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. Any special conditions of approval associated with uses in close proximity to the airport are attached to this report.

(i) Departmental Review: Each City department has been provided the opportunity to review and comment on the subject application and recommend conditions of approval to be imposed upon the application. At the time of the Decision preparation, recommended conditions of approval were provided and are attached to this report.

(j) Public Notification: The subject application was advertised as a public hearing in at least one newspaper of general circulation in the City of Ontario (the Inland Valley Daily Bulletin newspaper). In addition, notices were mailed to all owners of real property located within 500 feet of the exterior boundaries of the property that is the subject of the hearing, as shown on the records of the County Assessor.

(k) Correspondence: As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of

properties surrounding the project site or from the public in general, regarding the subject application.

PART B: RECITALS

WHEREAS, the City of Ontario has received a request for Conditional Use Permit approval as described in Part A, above; and

WHEREAS, Ontario Municipal Code § 9-1.0405(f) provides that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

WHEREAS, all members of the Development Advisory Board of the City of Ontario were provided the opportunity to review and comment on the requested Conditional Use Permit, and no comments were received opposing the proposed use; and

WHEREAS, on the 2nd day of June, 2014, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

- (a) Clarice Burden, Associate Planner, presented the staff report on the proposed use, indicating the staff recommendation of approval subject to conditions. Following staff's presentation, the Zoning Administrator opened the public hearing.
- (b) Michael Johnson, representing the applicant, explained the business operation and spoke in favor of the application.
- (c) There being no one else to offer testimony regarding the application, the Zoning Administrator closed the public hearing.

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

PART C: THE DECISION

NOW, THEREFORE, it is hereby found, determined and resolved by the Zoning Administrator of the City of Ontario as follows:

- (a) All facts set forth in this Zoning Administrator Report and Decision are true and correct.
- (b) Based upon the evidence presented to the Zoning Administrator during the above-referenced public hearing, the Zoning Administrator hereby makes the following Conditional Use Permit findings:

(1) The proposed location of the Conditional Use Permit and the proposed conditions under which it will be operated or maintained will be consistent with the General Plan and will not be detrimental to the public health, safety, or welfare or

materially injurious to properties or improvements in the vicinity. The ambulance service lies within the M2 – Industrial Park land use designation.

(2) Ambulance services are allowed upon approval of a Conditional Use Permit. The project has been conditioned so that the facility and use are operated in a manner that will not be detrimental to the health and safety of the surrounding community.

(3) The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the Ontario Development Code and zoning designation within which the site is located. The site is directly across the street from Kaiser Hospital which would be utilizing the ambulance service for medical transportation. This is an appropriate location for the proposed use.

(4) Traffic generated by the proposed Conditional Use Permit will not overload the capacity of the surrounding street system and will not create a hazard to public safety. Access to the site is provided by both signalized and non-signalized intersections and the use will not overload the capacity of the surrounding street system.

(5) The proposed Conditional Use Permit will comply with each of the applicable provisions of the Ontario Development Code and applicable municipal codes.

(c) The Zoning Administrator hereby finds and determines that the project identified in this Decision is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to § 15301 (Existing Facilities) of the State CEQA Guidelines.

(d) The Zoning Administrator hereby finds and determines that 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.

(e) Based upon the findings and conclusions set forth in Parts A, B and C above, the Zoning Administrator hereby approves File No. PCUP14-004, subject to the conditions of approval attached hereto and incorporated herein by this reference.



APPROVED by the Zoning Administrator of the City of Ontario on this 3rd day of June, 2014.



Barbara Millman
Zoning Administrator

EXHIBITS

Exhibit A: Aerial Map

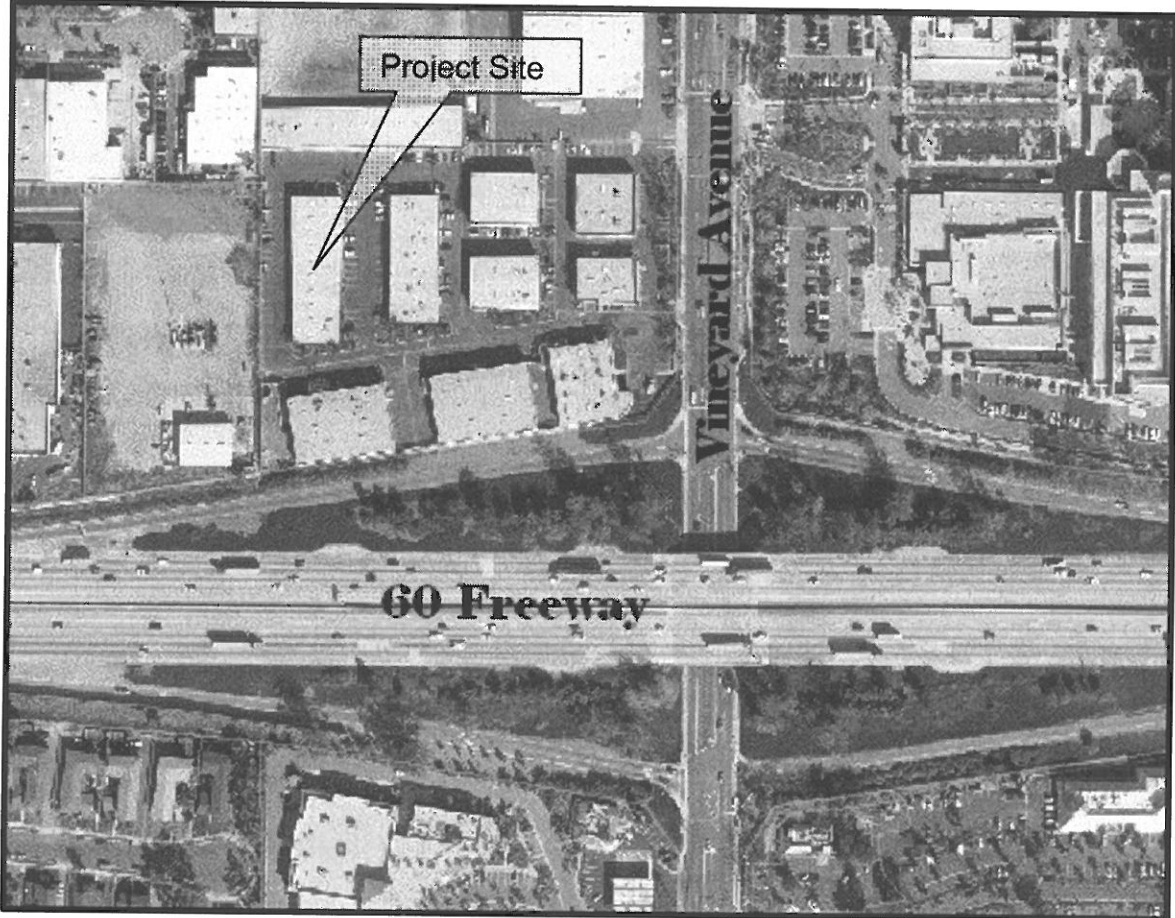


Exhibit B: Site Plan

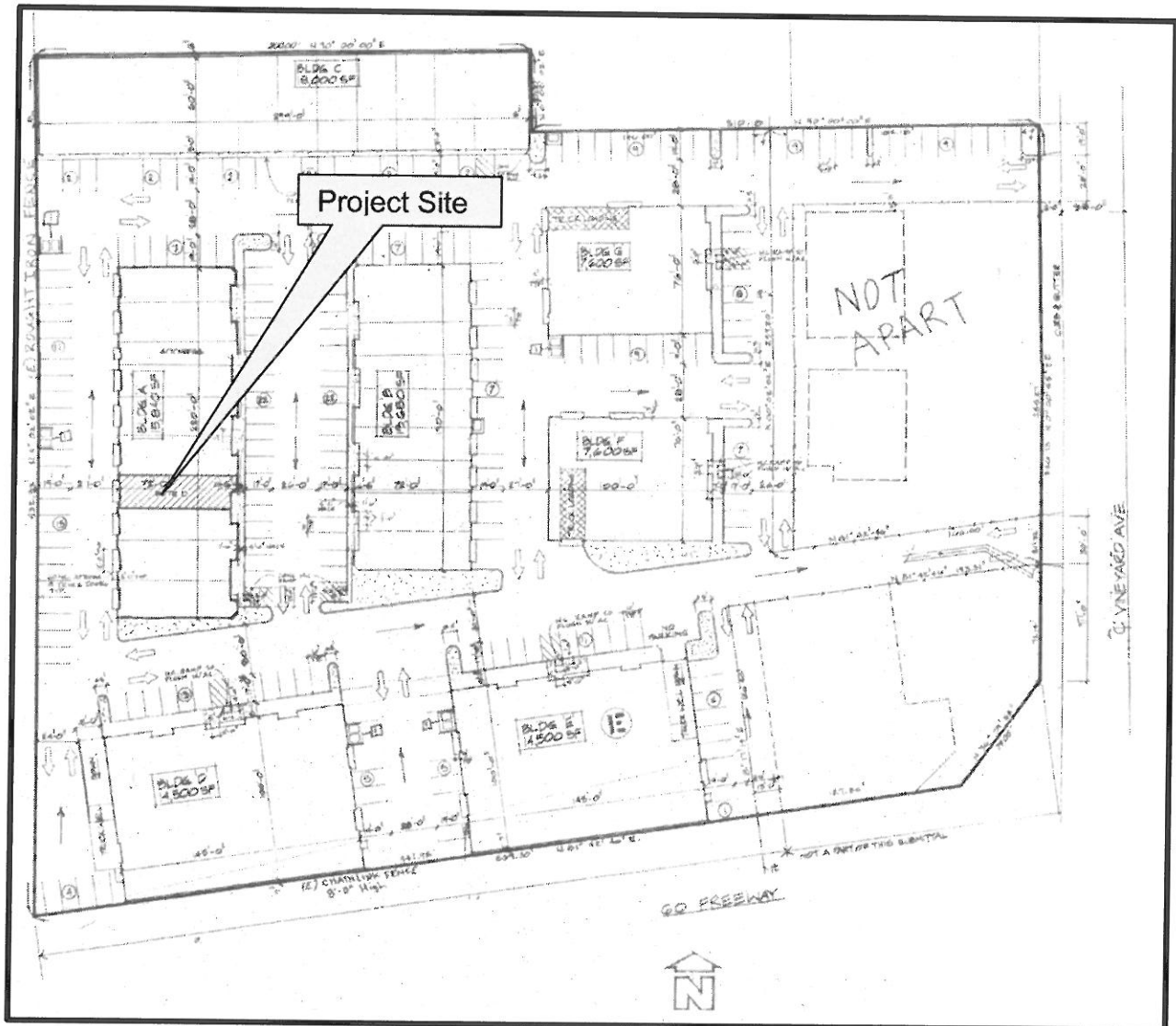
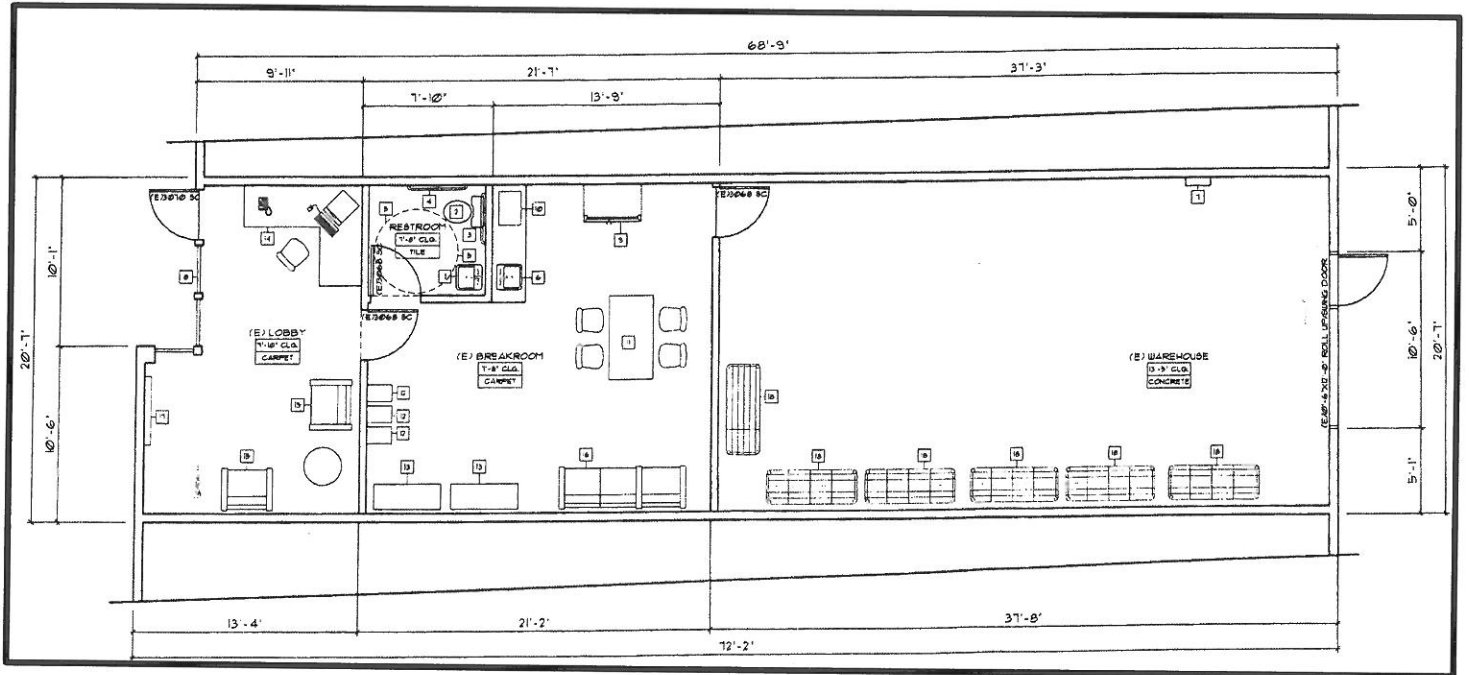


Exhibit C: Floor Plan



**DEPARTMENT ADVISORY BOARD
COMMENTS, CONDITIONS AND RECOMMENDATIONS**

DATE: June 2, 2014

FILE NO.: PCUP14-004

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The subject application has been reviewed by each agency/department listed below. A copy of each agency/department recommendation and comments are available for review in the Planning Department project file. Conditions of approval have been recommended by those agencies/departments marked below and are attached.

- | | |
|--|---|
| <input checked="" type="checkbox"/> PLANNING | <input type="checkbox"/> ECONOMIC DEVELOPMENT |
| <input type="checkbox"/> LANDSCAPING DIVISION | <input type="checkbox"/> HOUSING |
| <input type="checkbox"/> ENGINEERING | <input type="checkbox"/> FIRE |
| <input type="checkbox"/> UTILITIES/SOLID WASTE | <input checked="" type="checkbox"/> POLICE |
| <input checked="" type="checkbox"/> BUILDING | |



CONDITIONS OF APPROVAL

DATE: June 2, 2014

FILE NO.: PCUP14-004

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1.0 GENERAL REQUIREMENTS

- 1.1 Failure to maintain compliance with the herein-listed conditions of approval shall be deemed just cause for revocation of conditional use permit approval.
- 1.2 The use shall be operated in full conformance with the description and requirements of the Conditional Use Permit on file with the City. Any variations from, or changes in, the approved use (i.e., increase in hours/days of operation, expansion or intensification of use, etc.), must first be reviewed and approved by the Zoning Administrator prior to commencement of the change.
- 1.3 The approved use is subject to all conditions, requirements and recommendations from all other affected departments/agencies, provided on the attached reports/memorandums.
- 1.4 A copy of the herein-listed conditions of approval shall be maintained on the subject premises at all times.
- 1.5 The Planning Department may, from time to time, conduct a review of the approved use to ascertain compliance with the herein-stated conditions of approval. Any noncompliance with the conditions of approval shall be immediately referred to the Zoning Administrator for possible action.

2.0 SIGNAGE

- 2.1 The location, quantity, size, and design of all signage shall comply with the Ontario Development Code, Specific Plan, or applicable sign program, pursuant to the zoning district for which the project site is located within.
- 2.2 No more than 25% of the total window area shall bear advertising or signs of any sort. Window signs shall be placed and maintained in a manner so

that there is clear and unobstructed view of the interior of the premises from the building exterior.

- 2.3 View obscuring material that is applied to any window, preventing direct view into or outside of the building is prohibited. Additionally, any furniture, shelving system, or product stacked in front of a window which prevents an unobstructed view into or outside of the building is prohibited.

3.0 PARKING AND CIRCULATION

- 3.1 The project shall provide off-street parking spaces pursuant to the requirements of Ontario Municipal Code § 9-1.3010. Parking shall be calculated and continuously maintained in accordance with established standards, as follows:

<i>Use</i>	<i>Area (in SF)</i>	<i>Parking Ratio</i>	<i>Parking Spaces Required</i>
Ambulance Service	680 sf office	1 space per 250 square feet	3
	770 sf warehouse	Unmanned storage area– no additional parking required	0
TOTAL			3

4.0 GRAFFITI REMOVAL

- 4.1 Use of anti-graffiti material. Anti-graffiti material of a type and nature that is acceptable to the Director of Public Works, shall be applied to each of the publicly viewable surfaces on the improvements to be constructed on the site, which are deemed by the Director of Public Works to be likely to attract graffiti (“graffiti attracting surfaces”).
- 4.2 Right of access to remove graffiti. The City shall be granted the right of entry over and access to parcels, upon 48-hours of posting of notice by authorized City employees or agents, for the purpose of removing or “painting over” graffiti from graffiti attracting surfaces previously designated by the Director of Public Works, and the right to remove such graffiti.
- 4.3 Supply City with graffiti removal material. The City shall be provided sufficient matching paint and/or anti-graffiti material on demand, for a period of two (2) years after imposing this condition, for use in the painting over or removal of designated graffiti attracting surfaces.

5.0 SITE LIGHTING

- 5.1 Site lighting shall be reviewed and approved by the Planning Department and Police Department prior to the issuance of building/electrical permits.

- 5.2 Exterior lighting shall be arranged or shielded in such a manner as to contain direct illumination on the parking area and avoid glare on any adjoining site.

6.0 ENVIRONMENTAL REVIEW

- 6.1 The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to § 15301 (Existing Facilities) of the State CEQA Guidelines.
- 6.2 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.

7.0 ADDITIONAL REQUIREMENTS

- 7.1 All controlled substances shall be stored and secured as required by State and Federal law.
- 7.2 Upon approval the applicant shall obtain a business license prior to commencement as an ambulance service.
- 7.3 Sign permits shall be obtained for any signage prior to installation.
- 7.4 The comments and conditions from all other departments shall apply.

**CITY OF ONTARIO
MEMORANDUM**

TO: PLANNING DEPARTMENT, Clarice Burden
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: March 14, 2014
SUBJECT: PCUP14-004

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

Conditions of Approval

1. No parking of trucks in the building.

KS:kc



CITY OF ONTARIO

MEMORANDUM

“Excellence Through Teamwork”

TO: Clarice Burden, Planning Department

FROM: Scott Melendrez, Police Department

DATE: May 22, 2014

SUBJECT: FILE NUMBER PCUP14-004 - A Conditional Use Permit to establish ambulance services for an existing building located at 2324 South Vineyard Avenue, Unit D.

All Police “Standard Conditions of Approval” contained in Resolution No. 2010-021 apply. Also, the following additional conditions are required for this project.

1. If controlled substances will be stored at this facility, they shall be appropriately stored and locked. Compliance with all local, state and federal laws is required at all times. Additionally, building shall be alarmed. Furthermore, it is recommended that Project shall have sufficient security cameras to adequately cover entrance/exit points and record clear images. Images shall be retained for a minimum of sixty (60) days.
2. No controlled substances may be stored in ambulance when not in service.

The Applicant is invited to call Scott Melendrez at (909) 395-2292 regarding any questions or concerns.