



CITY OF ONTARIO  
**ZONING ADMINISTRATOR**  
AGENDA

June 18, 2018

Ontario City Council Chambers, 2 PM  
303 East "B" Street, Ontario

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All documents for public review are on file with the Planning Department located at  
City Hall, 303 East "B" Street, Ontario, CA 91764

**PUBLIC HEARINGS**

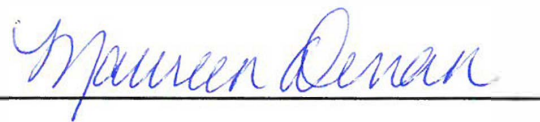
- A. **ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP18-006:** A Conditional Use Permit request to establish alcoholic beverage sales, for a Type 41 ABC license (On-Sale Beer & Wine) in conjunction with a 2,040 square foot restaurant (Tacos La Bufadora Baja Grill) on 1.03 acres of land, located at 4880 East Motor Lane, Suites D and E, within the Light Industrial land use district of the California Commerce Center Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section §15301 (Class 1-Existing Facilities) of the CEQA guidelines. The project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP); (APN: 0283-121-71); **submitted by Mr. Rigo Espinoza**
- B. **ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP18-011:** A Conditional Use Permit request to expand an existing religious assembly use (New Creation Christian Fellowship) by 2,184 square feet, on property located on 1.8 acres of land, at 1235 East Francis Street, Unit K, within the Business Park land use designation of the Grove Avenue Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section §15301 (Class 1-Existing Facilities) of the CEQA guidelines. The project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP); (APN: 0113-361-33); **submitted by Pastor Predella McGuire.**

- C. **ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP18-014:** A Conditional Use Permit request to establish a religious assembly use within an existing 2,000 square foot tenant space of a 5,300 square foot multi-tenant commercial/office building located at 517 North Euclid Avenue, within the MU-1 (Downtown Mixed Use) 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 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1048-355-08) **submitted by Antonio J. Lopez.**

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

If you challenge any action of the Zoning Administrator 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 written correspondence delivered to the Zoning Administrator at, or prior to, the public hearing.

I, Maureen Duran, Office Specialist of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **June 14, 2018**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

  
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# ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT

June 18, 2018

**DECISION NO:** [Insert ZA Decision No.]

**FILE NO:** PCUP18-006

**DESCRIPTION:** A Conditional Use Permit request to establish alcoholic beverage sales, for a Type 41 ABC license (On-Sale Beer & Wine) in conjunction with a 2,040 square foot restaurant (Tacos La Bufadora Baja Grill) on 1.03 acres of land, located at 4880 East Motor Lane, Suites D and E, within the Light Industrial land use district of the California Commerce Center Specific Plan (APN: 0283-121-71); **submitted by Mr. Rigo Espinoza**

## ***PART I: BACKGROUND & ANALYSIS***

MR. RIGO ESPINOZA, (herein after referred to as "Applicant") has filed an application requesting Conditional Use Permit approval for File No. PCUP18-006, as "Project").

**(1) Project Setting:** The project site is located on 1.03 acres of land generally located on the southeast corner of Jurupa Street and the I-15 Freeway, within an existing retail/commercial center at 4880 East Motor Lane, as depicted in ***Exhibit A: Aerial Photograph***, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Mexican Restaurant	GC (General Commercial)	SP (California Commerce Center) Specific Plan	Light Industrial
<i>North</i>	Chevron Gas Station	GC (General Commercial )	SP (California Commerce Center) Specific Plan	Light Industrial
<i>South</i>	Undeveloped Land	GC (General Commercial)	SP (California Commerce Center) Specific Plan	Light Industrial
<i>East</i>	SCE Easement / Vacant Land	BP (Business Park)	SP (California Commerce Center) Specific Plan	Light Industrial
<i>West</i>	I-15 Freeway	Freeway	Freeway	N/A

<i>Prepared:</i> DC 06/06/2018	<i>Reviewed:</i> RZ 06/07/2018	<i>Decision:</i>
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**(2) Project Analysis:**

**(a) Background** — On February 7, 2018, the applicant submitted a Conditional Use Permit (CUP) application, requesting approval to establish alcohol beverage sales for a Type 41 ABC license (On-Sale Beer & Wine for Bona Fide Public Eating Place) at the subject location.

Tacos La Bufadora Baja Grill is a full-service restaurant that serves traditional, simple Mexican dishes, such as tacos, burritos, tostadas, tortas (Mexican Sandwich), soups and salads. This restaurant is located within a multi-tenant building, within Suites D & E. There are currently multiple Tacos La Bufadora Baja Grill restaurants in operation in Southern California, including the cities of El Monte, Irwindale, Perris, Riverside, Murrieta, Riverside and Hemet. To the north of the project site is an existing Chevron Gas Station with a convenience store. To the south of the project site is vacant land. To the east of the project site is the existing SCE (Edison) easement and to the west of the project site is the I-15 freeway.

**(b) Restaurant Operations** – The existing restaurant is 2,040 square feet in size and contains a dining area with tables and booth seating, a kitchen area, a walk-in freezer, and two restrooms. Tacos La Bufadora Baja Grill has 20 full-time employees. The restaurant operates Monday through Friday, from 7:00 a.m. to 9:00 p.m., Saturday from 7:00 a.m. to 10:00 p.m., and Sunday from 9:00 a.m. to 5:00 p.m.

The existing commercial/retail shopping center is comprised of three separate buildings totaling 15,120-square feet of retail and restaurant uses. Currently, the restaurant is required to provide 20 parking spaces, at a rate of 10 spaces per 1,000 square feet of GFA (Gross Floor Area). There are 45 shared parking spaces provided along the north & east side of the building (**Exhibit B: Site Plan**). Additionally, the restaurant and all the tenants within the building, have a reciprocal shared parking agreement with the commercial center, which is required to provide 121 parking spaces. There are a total of 138 parking spaces provided within the commercial center, with a surplus of 17 parking spaces. Therefore, no parking issues are anticipated. (**Table 1 - Parking Analysis**)

<b>Table 1: Parking Analysis</b>			
<b>Existing Buildings Within Kmart Shopping Center</b>	<b>Square Footage</b>	<b>Parking Ratio</b>	<b>Required Parking</b>
4850 East Motor Lane	2,600	10/1,000 SF of GFA	26
4860 East Motor Lane	0	Vacant Lot	0
4880 East Motor Lane	7,560	10/1,000 SF of GFA	75
4880A East Motor Lane	4,960	4/1,000 SF of GFA	20
	15,120		
<b>Total Parking Required</b>			<b>121</b>
<b>Total Parking Provided</b>			<b>138</b>
<b>Total Parking Surplus</b>			<b>+17</b>

(c) ABC License Concentration - The California Department of Alcoholic Beverage Control (ABC) is the controlling State entity which grants, renews, and revokes all ABC licenses. ABC determines how many On-sale and Off-sale alcoholic beverage license types should be issued per census tract, based upon their population. Tacos La Bufadora Baja Grill is located within Census Tract 127, which is one of the larger census tracts and is bounded to the north by the I-10 freeway, to the south by portions of the 60-freeway, Riverside Drive, and the San Bernardino/Riverside County line, to the east by Etiwanda Avenue, and to the west by portions of Archibald and Haven Avenue.

ABC has determined that Census Tract 127 can support 3 On-Sale license types. The latest ABC report shows Census Tract 127 (**Exhibit E: ABC Report**) as having 6 active On-Sale licenses. Therefore, the census tract currently has an overconcentration of On-Sale licenses. When considering the establishment of additional alcoholic beverage licenses within an over-concentrated census tract, ABC generally defers the decision to approve or deny the license to the affected local jurisdiction; however, ABC can override the approval by the local jurisdiction.

The City of Ontario utilizes the Conditional Use Permit to establish a process for considering the issuance of alcoholic beverage licenses. Additionally, a Conditional Use Permit for alcoholic beverage sales cannot be issued for a business located within a census tract that has been determined to contain an overconcentration of alcoholic beverage licenses, unless a determination that Public Convenience or Necessity ("PCN") would be served by license issuance is clearly established by the local jurisdiction.

(d) Land Use Compatibility - The intent of a Conditional Use Permit application is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure that the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. The City of Ontario's Development Code describes a Conditional Use Permit (CUP) as the following: "A zoning instrument used primarily to review the location, site development or operation of certain land uses. A CUP is granted at the discretion of the Planning Commission or Zoning Administrator, and is not the automatic right of the applicant or landowner." Conditional Use Permits are required for land use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses in the surrounding area.

The project site is located within the Light Industrial land use designation of the California Commerce Center (CCC) specific plan. The restaurant is located within a multi-tenant building, with other existing restaurants, such as Starbucks, Flame Broiler, and Subway. Within Light Industrial land use zoning district, alcoholic beverage sales is a conditionally permitted use. Although the census tract is over-concentrated with On-Sale ABC licenses, the attached conditions of approval will sufficiently mitigate any potential impacts associated with the proposed use.

(e) Police Department Review – The Police Department has reviewed this application and has indicated that the surrounding area is not located within a high call area for alcohol related issues. According to the Police Department, they have not had any issues with the establishment since it was established in 2016. As a result, the Police Department is in support of the application, subject to the attached conditions of approval.

(3) **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.

(4) **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.

(5) **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 300 feet of the exterior boundaries of the property that is the subject of the hearing, as shown on the records of the County Assessor.

(6) **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 II: RECITALS***

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

WHEREAS, 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; and

WHEREAS, on Monday, June 18, 2018 the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(1) Denny D. Chen, Associate Planner, presented the staff report on the proposed use, indicating the staff recommendation of approving the project, subject to conditions. Following staff's presentation, the Zoning Administrator opened the public hearing.

(2) [insert speaker's name], the applicant, explained the business operation and spoke in favor of the application.

(3) [insert speaker's name], additional speaker.

(4) 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 III: THE DECISION**

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

(1) All facts set forth in this Zoning Administrator Report and Decision are true and correct.

(2) Based upon the evidence presented to the Zoning Administrator during the above-referenced public hearing, the Zoning Administrator hereby finds as follows:

(a) *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 (CUP) is in accord with the objectives and purposes of the Development Code and zoning district within which the site is located. The proposed Conditional Use Permit request of establish a Type 41 ABC License (On-Sale Beer & Wine-Eating Place) is a conditionally permitted use within the Light Industrial land use designation of the CCC (California Commerce Center Specific Plan) zone. The proposed use will be established consistent with the City of Ontario

Development Code, and the objectives and purposes of the Light Industrial zoning district of the CCC Specific Plan.

(b) *The proposed use at this 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 applicant is requesting a Type 41 (On-Sale Beer & Wine-Eating Place) ABC license, along with an existing restaurant, which is a conditionally permitted use at this location. The existing Policy Plan land use designation of GC (General Commercial) for the subject property, 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 aims to provide added convenience to the already well-established restaurant use.

(c) *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 subject property is located within the Light Industrial land use designation of the California Center Commerce Specific Plan, and the use is a permitted use subject to a Conditional Use Permit. Furthermore, the restaurant is located within an existing multi-tenant retail center, with a gas station. Therefore, if approved, the site will be in compliance with the underlying zone.

(d) *The proposed use at the proposed location will be consistent with the provisions of the Airport Land Use Compatibility Plan.* This project is located within the Airport influence Area of the 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) *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 project has been conditioned so that the restaurant use will be operated in a manner that will not be detrimental to the health and safety of the surrounding community. In addition, the Police Department has reviewed the proposed application and they are in support of the application, subject to the attached conditions of approval.

(f) *For On-Sale alcoholic beverage license types located within over concentrated census tracts (high density of alcoholic beverage sales locations as defined by the Alcoholic Beverage Control Act (commencing with Business and Professions Code Section 23000 et Seq.), the Zoning Administrator hereby makes the following Public Convenience and Necessity ("PCN") findings:*



▪ The proposed on-sale alcohol license is not located within a high crime area, defined as an area characterized by a high ratio of Police Department calls for service to alcohol-related incidences, not to exceed 20 percent greater than the average number of alcohol-related incidences reported for the City as a whole. The Police Department has reviewed the application and is recommending approval subject to the attached conditions of approval. The project site is not located within a high crime area as it relates to alcohol related incidents. The proposed use is consistent with the California Commerce Center (CCC) Specific Plan and other similar restaurant uses in the area. The use will be providing a convenience for restaurant patrons that would like to purchase alcoholic beverages with their meal(s).

▪ The property has no outstanding Building or Health Code violations or Code Enforcement activity. Tacos La Bufadora Baja Grill is in good operating condition and has no outstanding code enforcement violations.

▪ The project site is properly maintained, including building improvements, landscaping, and lighting. The existing commercial/retail center, including Tacos La Bufadora Baja Grill, is properly maintained and serviced on a regular basis.

(g) 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 of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to Section 15301 (Class 1 - Existing Facilities) of the State CEQA Guidelines.

(h) 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.

(i) Based upon the findings and conclusions set forth in Parts I, II and III above, the Zoning Administrator hereby APPROVES File No. PCUP18-006, subject to the conditions of approval attached hereto and incorporated herein by this reference.

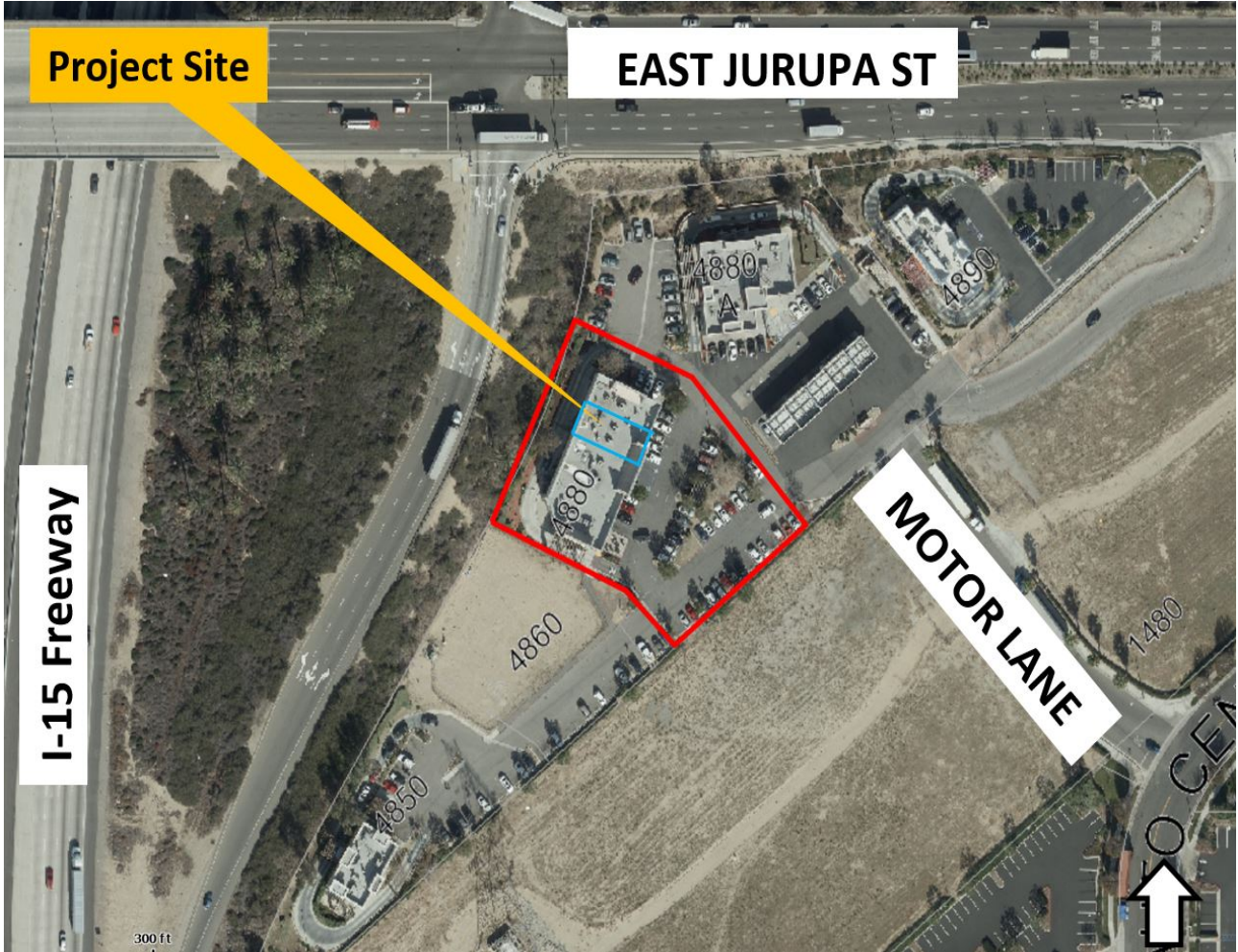
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APPROVED AND ADOPTED this **day**, of **month and year**

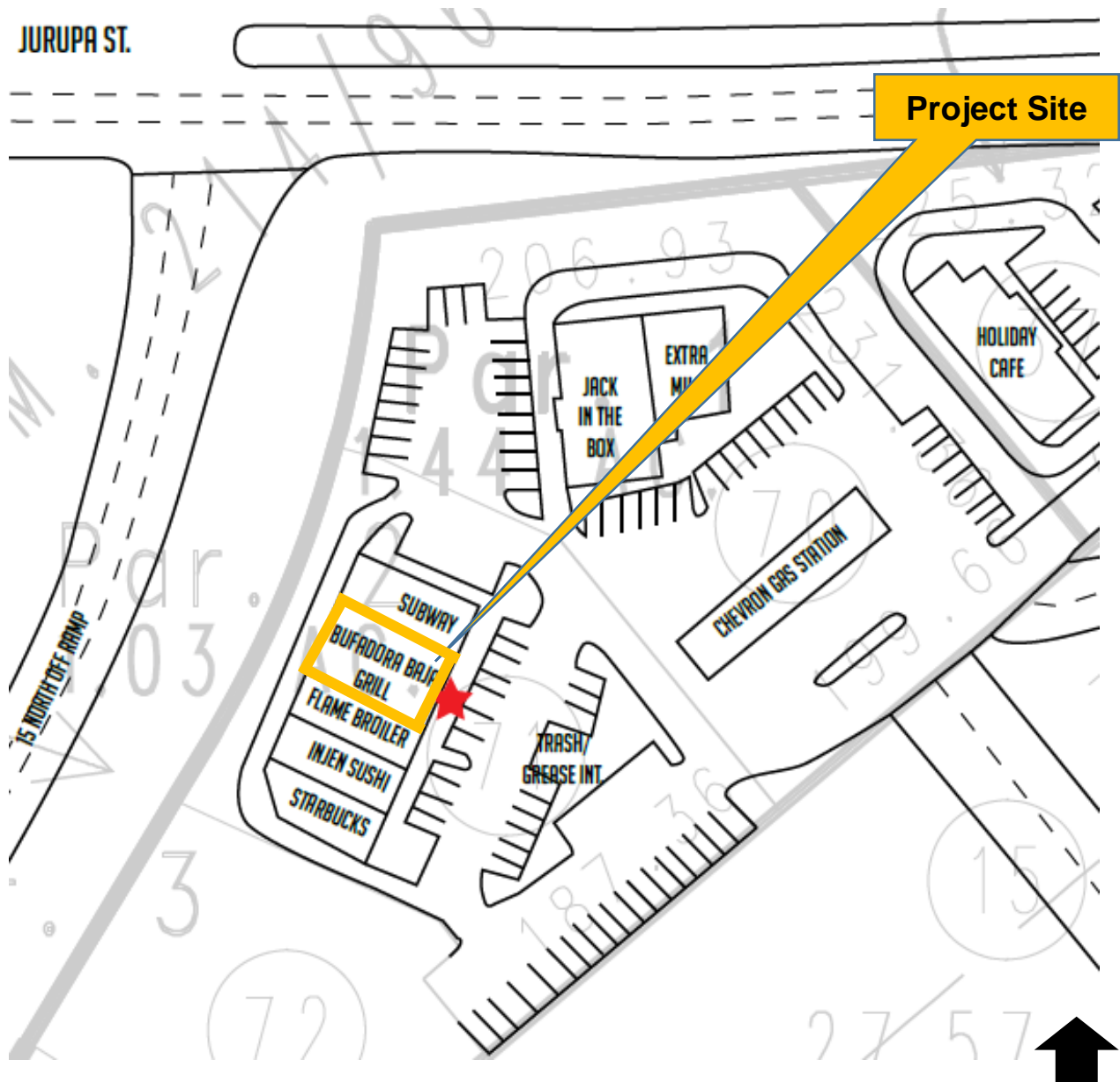
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Cathy Wahlstrom  
Zoning Administrator

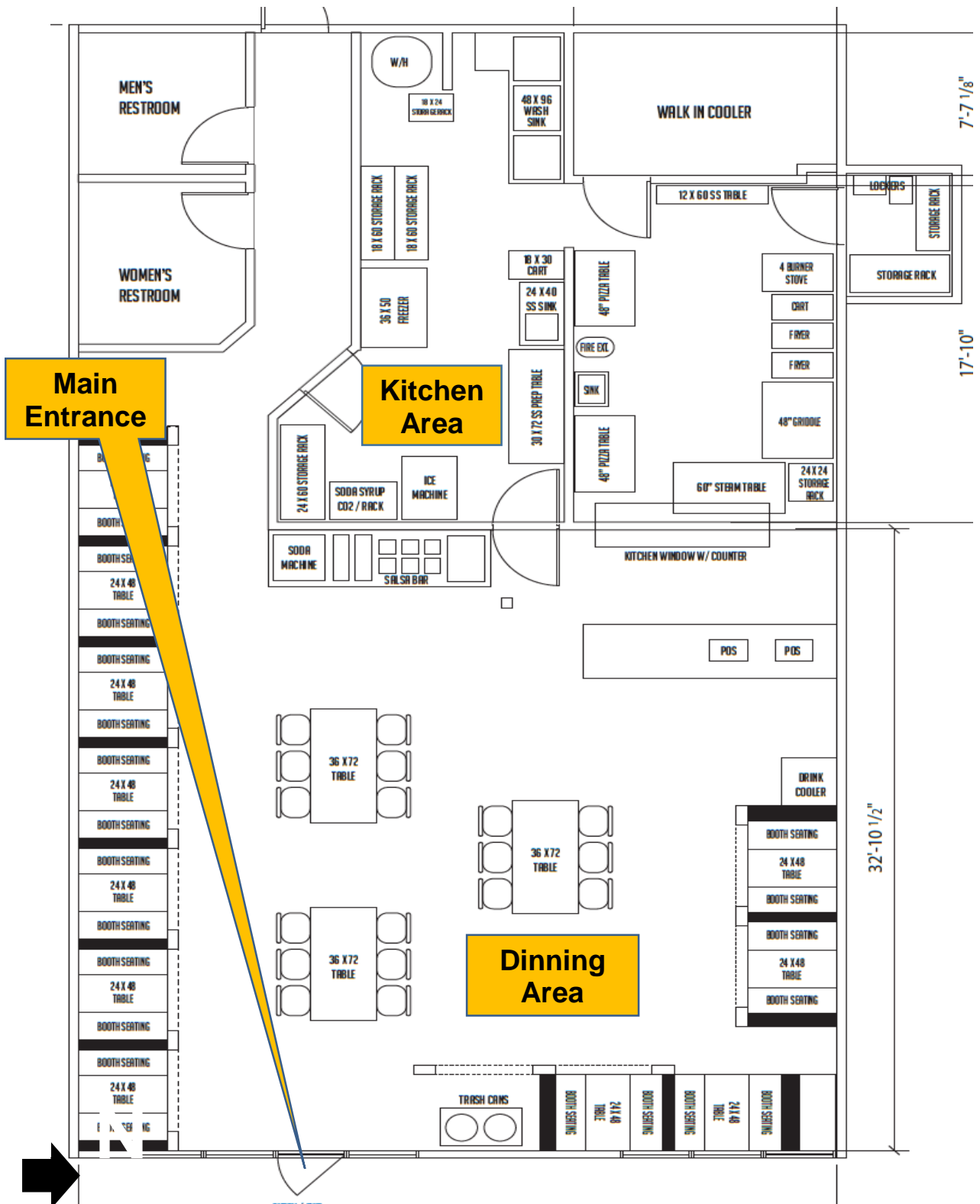
**Exhibit A: Aerial Photograph**



**Exhibit B: Site Plan**



**Exhibit C: Floor Plan**



**Exhibit D: Site Photos**



**Northwest View of the Multi-Tenant Building**



**Northeast View of the Bufadora Restaurant Front Entrance**

***Exhibit D: Site Photos (Continued)***



**North View of Building & Parking Area**



**South View of the Building & Parking Area**

**Exhibit E: ABC Report**

5/31/2018

<https://www.abc.ca.gov/datport/lqs.html?value=UEFHURU5VTUJFUj0xJINDUKVFTkiEPTgmUIBUR1JPVVA9QURIT0MmQ09VTIRZX0RFU...>



**California Department of Alcoholic Beverage Control**

Save As CSV

**Active On-Sale Retail Licenses**

For the County of SAN BERNARDINO and the Census Tract of 127

Report as of: 05/30/2018

Rows Per Page: 25

Reload

Total Licenses: 6

Page 1 of 1

Click on column header to sort

	License Number	Status	License Type	Orig. Iss. Date	Expir. Date	Primary Owner	Business Name	Premises Addr.	Mailing Address	Geo Code
1	<a href="#">299282</a>	ACTIVE	47	09/28/1994	08/31/2018	PANDA INN INC	PANDA INN	3223 CENTRE LAKE DR ONTARIO, CA 91761-1214 Census Tract: 0127.00	1683 WALNUT GROVE AVE ROSEMEAD, CA 91770-3711	3607
2	<a href="#">450244</a>	ACTIVE	41	03/14/2007	02/28/2019	RUIZ, DANELIA	JUANCHOS	2802 S MILLIKEN AVE, STE B ONTARIO, CA 91761 Census Tract: 0127.00	2480 HIGHLAND RD UPLAND, CA 91784	3607
3	<a href="#">454797</a>	ACTIVE	47	01/18/2008	12/31/2018	BRIAD RESTAURANT GROUP LLC	TGI FRIDAYS	3351 CENTRE LAKE DR ONTARIO, CA 91761-1209 Census Tract: 0127.00	78 OKNER PKWY LIVINGSTON, NJ 07039-1604	3607
4	<a href="#">481197</a>	ACTIVE	47	05/31/2011	04/30/2019	ONTARIO LODGING ASSOCIATES LLC	EMBASSY SUITES ONTARIO	3663 E GUASTI RD ONTARIO, CA 91764-3706 Census Tract: 0127.00	5701 PROGRESS RD INDIANAPOLIS, IN 46241-4334	3607
5	<a href="#">548815</a>	ACTIVE	55	11/07/2014	10/31/2018	MESA AIRLINES INC	MESA AIRLINES	2900 E AIRPORT DR ONTARIO, CA 91761-2134 Census Tract: 0127.00	610 SMITHFIELD ST, STE 300 PITTSBURG, PA 15222-2512	3607
6	<a href="#">584937</a>	ACTIVE	41	12/20/2017	11/30/2018	PADDOCK LOUNGE (CALIFORNIA) INC	K1 SPEED ONTARIO	5350 E ONTARIO MILLS PKWY ONTARIO, CA 91764-5135 Census Tract: 0127.00	5861 EDISON PL CARLSBAD, CA 92008-6519	3607

**Exhibit E: ABC Report**

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
 NUMBER OF LICENSES AUTHORIZED  
 BY CENSUS TRACT

County Name	County Population	County Ratio On Sale	County Ratio Off Sale	Census Tract #	Census Tract Population	On Sale	Off Sale
SAN BERNARDINO	2,160,256	1249	1,424	109.02	3,714	2	2
SAN BERNARDINO	2,160,256	1249	1,424	110.01	2,390	1	1
SAN BERNARDINO	2,160,256	1249	1,424	110.02	1,673	1	1
SAN BERNARDINO	2,160,256	1249	1,424	111.01	3,771	3	2
SAN BERNARDINO	2,160,256	1249	1,424	111.02	2,031	1	1
SAN BERNARDINO	2,160,256	1249	1,424	112.03	1,593	1	1
SAN BERNARDINO	2,160,256	1249	1,424	112.04	1,271	1	0
SAN BERNARDINO	2,160,256	1249	1,424	112.05	1,239	0	0
SAN BERNARDINO	2,160,256	1249	1,424	112.06	995	0	0
SAN BERNARDINO	2,160,256	1249	1,424	113	1,408	1	0
SAN BERNARDINO	2,160,256	1249	1,424	114.01	4,394	3	3
SAN BERNARDINO	2,160,256	1249	1,424	114.03	3,350	2	2
SAN BERNARDINO	2,160,256	1249	1,424	114.04	3,692	2	2
SAN BERNARDINO	2,160,256	1249	1,424	115	1,890	1	1
SAN BERNARDINO	2,160,256	1249	1,424	116	7,444	5	5
SAN BERNARDINO	2,160,256	1249	1,424	117	1,768	1	1
SAN BERNARDINO	2,160,256	1249	1,424	118	7,000	5	4
SAN BERNARDINO	2,160,256	1249	1,424	119	3,567	2	2
SAN BERNARDINO	2,160,256	1249	1,424	120.01	5,612	4	3
SAN BERNARDINO	2,160,256	1249	1,424	120.02	5,366	4	3
SAN BERNARDINO	2,160,256	1249	1,424	121.01	5,565	4	3
SAN BERNARDINO	2,160,256	1249	1,424	121.03	3,828	3	2
SAN BERNARDINO	2,160,256	1249	1,424	121.04	5,110	4	3
SAN BERNARDINO	2,160,256	1249	1,424	122	6,076	4	4
SAN BERNARDINO	2,160,256	1249	1,424	123	1,513	1	1
SAN BERNARDINO	2,160,256	1249	1,424	124	3,617	2	2
SAN BERNARDINO	2,160,256	1249	1,424	125	4,268	3	2
SAN BERNARDINO	2,160,256	1249	1,424	127	4,052	3	2
SAN BERNARDINO	2,160,256	1249	1,424	250	8,850	7	6
SAN BERNARDINO	2,160,256	1249	1,424	251	1,688	1	1
SAN BERNARDINO	2,160,256	1249	1,424	9401	1,520	1	1
SAN BERNARDINO	2,160,256	1249	1,424	9801	0	0	0
SAN BERNARDINO	2,160,256	1249	1,424	9802	4,499	3	3
SAN DIEGO	3,316,192	771	1,605	1	3,029	3	1
SAN DIEGO	3,316,192	771	1,605	2.01	1,801	2	1
SAN DIEGO	3,316,192	771	1,605	2.02	4,208	5	2
SAN DIEGO	3,316,192	771	1,605	3	4,732	6	2
SAN DIEGO	3,316,192	771	1,605	4	3,669	4	2
SAN DIEGO	3,316,192	771	1,605	5	2,722	3	1
SAN DIEGO	3,316,192	771	1,605	6	3,108	4	1
SAN DIEGO	3,316,192	771	1,605	7	3,754	4	2
SAN DIEGO	3,316,192	771	1,605	8	4,280	5	2
SAN DIEGO	3,316,192	771	1,605	9	5,178	6	3
SAN DIEGO	3,316,192	771	1,605	10	4,733	6	2
SAN DIEGO	3,316,192	771	1,605	11	3,098	4	1





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

*Planning Department  
Land Development Division  
Conditions of Approval*

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**Meeting Date:** June 18, 2018

**File No:** PCUP18-006

**Related Files:** None

**Project Description:** A Conditional Use Permit request to establish alcoholic beverage sales, for a Type 41 ABC license (On-Sale Beer & Wine) in conjunction with a 2,040 square foot restaurant (Tacos La Bufadora Baja Grill) on 1.03 acres of land, located at 4880 East Motor Lane, Suites D and E, within the Light Industrial land use district of the California Commerce Center Specific Plan (APN: 0283-121-71); **submitted by Mr. Rigo Espinoza**

**Prepared By:** Denny D. Chen  
Phone: 909.395.2424 (direct)  
Email: [dchen@ontarioca.gov](mailto:dchen@ontarioca.gov)

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

**1.0 Standard Conditions of Approval.** The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2010. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

**1.1** Time Limits.

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

**1.2** Parking, Circulation and Access.

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

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

(c) All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

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

**(e)** Use shall provide a minimum of 20 parking spaces.

**1.3** 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.

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

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

**1.6** Any new signs on the building or outside the tenant space, shall be reviewed and approved by the City, prior to installation.

**1.8** 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.

**2.0** Additional Fees.

**(a)** Within 5 days following final application approval, the Notice of Determination (NOD) filing fee of \$50.00 dollars 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.

**3.0** Additional Requirements.

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

**(b)** A revised City Business License must be reviewed and approved by the Ontario Planning Department prior to operation of business with sales of alcohol.



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



**TO: Denny Chen, Associate Planner**

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

**DATE: March 13<sup>th</sup>, 2018**

**SUBJECT: FILE NO. PCUP18-006– TACOS LA BUFADORA ONTARIO, LLC  
4880 S. MOTOR LANE, ONTARIO, CA 91761**

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This location has applied for a type 41 On-Sale Beer and Wine located within Census Tract No. 127.00. According to the Department of Alcohol Beverage Control (ABC), three on-sale licenses are allowed within this tract, there are currently six. This location operates as a “Bona Fide Public Eating Place,” and the Police Department does not object to allowing this conditional use permit. The location must follow all Department of Alcohol Beverage Control rules and conditions. In addition, the following conditions of approval shall be imposed by the Police Department:

**RESTAURANT CONDITIONS**

1. Alcohol sales will be from 07:00 A.M. to 09:00 P.M. daily. Last call for alcohol shall be made 45 minutes prior to closing and no later than 08:15 P.M.
2. No sales to minors.
3. No sales to obviously intoxicated patrons.
4. No self serve alcohol displays allowed.
5. No alcoholic beverages are to be sold or removed from the establishment for outside consumption.
6. Signs must be posted at all exits stating no alcohol beyond this point.
7. No smoking inside of the establishment is permitted, including any type of electronic nicotine delivery device.
8. There will be no narcotic sales or usage on the premises at any time.

9. Alcoholic beverages must be in a location behind the cashier/counter, accessible by employees only.
10. Employees 18 and older may serve alcoholic beverages in an area primarily designed and used for the sale and service of food as an incidental part of their overall duties. Bartenders and cocktail servers must be 21.
11. Applicant and all employees must attend an Alcohol Beverage Control (ABC) L.E.A.D.'s training class or a certified responsible beverage service class, which has been approved by the Ontario Police Department. This is required within six months of this dated conditional use permit and proof of re-certification is required every 3 years. New employees must attend the training class within three months of their hire date.
12. Lighting within the restaurant must be kept at a reasonable level for safe movement of patrons.
13. Address to the establishment must be plainly visible to the front for easy identification by safety personnel.
14. The parking lots under control of the applicant shall be equipped with a maintained lighting device capable of providing a minimum of one-foot candle of light at ground level from dusk to dawn.
15. Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.
16. No loitering shall be permitted on any property adjacent to the licensed premise, which is under the control of the applicant.
17. The restaurant manager shall be qualified per ABC rules. Anyone to whom a licensee delegates discretionary power to organize, direct, carry on, or control operations of the licensed business is presumed to be the manager of the business. (Business and Professions Code Section 23788.5, Rules 57.5 and 57.6).

### **SECURITY CONDITIONS**

1. In the event security problems occur as a result of the use, the Police Department may request a public hearing before the Zoning Administrator to consider modifications, including but not limited to, additional security guards, and additional hours for security guards, and replacement of security guards with Ontario Police Officers. The public

hearing process shall be conducted in accordance with the requirements of the City's development Code.

2. A Code of Conduct will be required to be used and posted at all public entrances of the establishment.
3. Ontario Police Officers have the right to limit or reduce the occupancy inside the establishment if situations arise that may compromise the safety of patrons and/or the officer. Any additional police resources requested to bring peace in the establishment may be charged to the business owner.
4. If the business chooses to hire security personnel. The Security personnel will be required to follow Ontario Municipal Code Article 6, title 3, Section 3-1.601-621 (security regulations), which states in part that the security company and guards used will be registered with the City of Ontario.
5. The business shall maintain a security camera surveillance system in proper working order. Cameras will be placed to record the patrons using the bar/restaurant area. A minimum of one camera will record the parking lot. Each camera will record at least 640x480 recording resolution levels and at least fifteen (15) frames per second. The field of view for each camera will be to maximize the coverage of patrons. Recorded video will be stored for a minimum of 30 days and made available to the Police Department upon request.

Any special event outside the scope of the Conditional Use Permit will require a TUP (Temporary Use Permit) which will be processed by the Planning Department and conditioned by the Ontario Police Department. (For example a radio station promotion held at the restaurant, or an outdoor event with alcoholic beverages would be a special event requiring Police or security personnel, but a community service organization breakfast meeting would not be considered a special event and therefore would not require security.) If security personnel are needed they will be required to follow Ontario Municipal Code Article 6, Title 3, Section 3-1.601-621 (security regulations), which states in part that the security company and guards used will be registered with the City.

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

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

**The Ontario Police Department will conduct an inspection to document compliance with this Conditional Use Permit before this business will be allowed to sell alcoholic beverages.**

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

**Please contact Officer Erich Kemp if you have any questions regarding this matter at (909) 395-2922.**





# CITY OF ONTARIO

## MEMORANDUM

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

**FROM:** Michelle Starkey, Deputy Fire Marshal  
Bureau of Fire Prevention

**DATE:** February 21, 2018

**SUBJECT:** PCUP18-006 A Conditional Use Permit to establish alcoholic beverage sales, including Type 41 ABC License (On-Sale Beer and Wine for Bona Fide Public Eating Place) for on-premise consumption in conjunction with an existing 2,200-square foot restaurant (Tacos La Bufadora Baja Grill) on 1.03 acres of land located at 4880 East Motor Lane Suites D and E, within the Light Industrial land use district of the California Commerce Center Specific Plan (APN: 0283-121-71).

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

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For copies of Ontario Fire Department Standards please access the City of Ontario web site at [www.ontarioca.gov](http://www.ontarioca.gov) , click on Fire Department and then on forms.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Denny Chen  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** February 13, 2018  
**SUBJECT:** PCUP18-006

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

KS:lm



# CITY OF ONTARIO MEMORANDUM

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

FROM: Denny Chen, Associate Planner

DATE: February 09, 2018

SUBJECT: FILE #: PCUP18-006 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Friday, February 23, 2018**.

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

**PROJECT DESCRIPTION:** A Conditional Use Permit to establish alcoholic beverage sales, including Type 41 ABC License (On-Sale Beer and Wine for Bona Fide Public Eating Place) for on-premise consumption in conjunction with an existing 2,200-square foot restaurant (Tacos La Bufadora Baja Grill) on 1.03 acres of land located at 4880 East Motor Lane Suites D and E, within the Light Industrial land use district of the California Commerce Center Specific Plan (APN: 0283-121-71).

- 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.

3/15/18

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

# AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PCUP18-006  
 Address: 4880 East Motor Lane Suites D & E  
 APN: 0283-121-71  
 Existing Land Use: Existing Commercial Restaurant and gas station  
 Proposed Land Use: A CUP to establish an ancillary Type 41 ABC License in conjunction with an existing restaurant  
 Site Acreage: 1.03 Proposed Structure Height: Existing Building  
 ONT-IAC Project Review: No  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Denny Chen  
 Date: 4/13/18  
 CD No.: 2018-017  
 PALU No.:

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input checked="" type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input checked="" type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input checked="" type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 190 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: \_\_\_\_\_



# ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT

June 8, 2018

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

**FILE NO.:** PCUP18-011

**DESCRIPTION:** A Conditional Use Permit request to expand an existing religious assembly use (New Creation Christian Fellowship) by 2,184 square feet, on property located on 1.8 acres of land, at 1235 East Francis Street, Unit K, within the Business Park land use designation of the Grove Avenue Specific Plan. (APN: 0113-361-33); **submitted by Pastor Predella McGuire**

## ***PART I: BACKGROUND & ANALYSIS***

PASTOR PREDELLA MCGUIRE, (herein after referred to as “Applicant”) has filed an application requesting Conditional Use Permit approval for File No. PCUP18-011, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

**(1) Project Setting:** The project site is located at 1235 East Francis Street on 1.8 acres of land and is comprised of a 28,176 square foot industrial building. The project site is depicted in *Exhibit A: Aerial Photograph*, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Industrial Building	Business Park	Grove Avenue Specific Plan	Business Park
<i>North</i>	Industrial Warehouse	Business Park	Grove Avenue Specific Plan	Business Park
<i>South</i>	Industrial Building/Vacant	Business Park	Grove Avenue Specific Plan	Business Park
<i>East</i>	Industrial Warehouse	Business Park	Grove Avenue Specific Plan	Business Park
<i>West</i>	Industrial Building	Business Park	Grove Avenue Specific Plan	Commercial

<i>Prepared:</i> DC 06/06/2018	<i>Reviewed:</i> RZ 06/07/2018	<i>Decision:</i>
--------------------------------	--------------------------------	------------------

**(2) Project Analysis:**

**(a) Background** — On June 16, 2003 the City approved a Conditional Use Permit (File No. PCUP03-016) to establish a religious assembly use within a 2,184 square foot suite in an existing multi-tenant industrial business park located at 1235 East Francis Street, Unit J.

On March 26, 2018, the applicant submitted a Conditional Use Permit application request to expand the existing religious assembly use to an adjacent 2,184-square foot suite, Unit K.

**(b) Proposed Use** — The project site is comprised of a 28,176-square foot multi-tenant industrial building. An adult development center, Ontario Printing, and Vintage Management are among some of the tenants that currently occupy the exiting multi-tenant building. The applicant, New Creation Christian Fellowship Church, is proposing to expand their existing religious assembly use, within unit J into the adjacent suite (Unit K). The existing church is 2,184 square feet and with the expansion into the adjacent 2,184 square foot suite, the church will be increased to 3,920 square feet. The applicant will only utilize 1,246 square feet of the new Unit K for administrative purposes. The unit will have two meeting rooms, an office, restrooms and lobby area. The remaining 938 square feet, located at the rear of the unit, will be used for storage (**Exhibit C: Proposed Floor Plan**). The existing suite (Unit K) in which the church currently operates will continue to be used as the assembly/sanctuary area for the church. The unit has restrooms, an office and lobby area. Both units will not be connected internally and will have separate front entrances.

The church's current hours of operation are Sundays, from 10:30 a.m. to 1:00 p.m., and bible study on Wednesday nights from 7:00 p.m. to 8:30 p.m. No change to the current hours of operation are proposed with this Conditional Use Permit. The church has a membership/congregation of 50 people.

**(c) Parking** — Parking requirements for church uses within the City are based on the seating capacity of the proposed sanctuary area. According to the Ontario Development Code parking requirements, the existing religious assembly use at Unit J requires 37 parking spaces. With the proposed expansion into Unit K, an additional 3 parking spaces are required, for a total of 40 parking spaces. The existing industrial building is required to provide 24 parking spaces and a total of 83 parking spaces are provided (**Table 1 – Parking Analysis**). No other use or business in the center, operate at the same time as the church, therefore, no parking issues are anticipated. The parking demands of the parishioners will be on Sundays and on evenings, when most of the businesses are closed.

**Table 1 – Parking Analysis**

Land Use	Square Footage	Parking Ratio	Parking Required	Parking Provided
Existing Multi-Tenant Industrial Building	28,176	1 space per 1,000 SF per GFA, 1 <sup>ST</sup> 20,000 SF and 0.5 spaces per GFA > than 20,000	24	42
Existing Church Use* (*Sanctuary Area)	1,495	25 spaces per 1,000 SF or 0.33 spaces per fixed seats	37	38* (*Required in 2003)
Proposed Meeting Rooms & Proposed Office	730	4 per 1,000 SF of GFA (Gross Floor Area)	3	3
<b>Total Square Footage for Religious Assembly</b>	<b>2,225</b>			
<b>Total Parking Required for Religious Assembly</b>			<b>40</b>	
<b>Total Parking Provided</b>			<b>64</b>	<b>83</b>

(d) Land Use Compatibility - The Conditional Use Permit review is required to ensure that the proposed use will be consistent with all local regulations and to ensure that the use will not be detrimental to the public health, safety, or welfare, or be materially injurious to uses, properties or improvements in the vicinity. Pursuant to the Ontario Development Code, a Conditional Use Permit is required to establish a religious assembly use within the Business Park land used designation of the Grove Avenue Specific Plan.

The project site is within an established industrial business park. The proposed site was developed with light industrial and commercial uses in mind. The Business Park consists of a mix of small warehouse/distribution units with offices, printing uses, and an adult development center. These businesses operate Monday through Friday from 8:00 a.m. to 5:00 p.m. (**Exhibit E: List of Current Tenants & Hours of Operation**). The church has been operating within the Business Park since May of 1993; to date, the Planning Department and Code Enforcement have not received any complaints from the surrounding businesses regarding the church operations. Since the church activities will occur on Sundays and after all other businesses are closed, staff anticipates no land use compatibility problems. The surrounding uses will not be exposed to any impacts beyond those that would normally

be associated within an industrial area. In addition, staff believes that the recommended Conditions of Approval will also sufficiently mitigate any potential impacts associated with the use.

**(3) 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.

**(4) 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.

**(5) Public Notification:** The subject application was also advertised as a public hearing in at least one newspaper of general circulation in the City of Ontario (the Inland Valley Daily Bulletin). In addition, notices were mailed to all owners of real property located within 300 feet of the exterior boundaries of the property that is the subject of the hearing, as shown on the records of the County Assessor.

**(6) 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 II: RECITALS***

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

WHEREAS, Ontario Development Code Table 2.01-1 (Review Matrix) establishes 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, 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; and

WHEREAS, the proposed project is located within the Airport Influence Area of the 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;  
and,

WHEREAS, on June 18, 2018, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(1) Denny D. Chen, 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.

(2) [insert speaker name], applicant's representative was present at the meeting and spoke in support of the project.

(3) [insert additional speaker info]

(4) 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 III: THE DECISION**

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

(1) All facts set forth in this Zoning Administrator Report and Decision are true and correct.

(2) Based upon the evidence presented to the Zoning Administrator during the above-referenced public hearing, the Zoning Administrator hereby finds as follows:

(a) *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 Grove Avenue Specific Plan, and the scale and intensity of land uses intended for the Business Park district in which the proposed use will be located. Furthermore, the proposed expansion of the existing religious assembly use will be established consistent with the objectives and purposes, and development standards and guidelines of the Business Park land use designation of the Grove Avenue Specific Plan. In addition, the scale and intensity of the proposed religious assembly use will be consistent with the scale and intensity of land uses intended for the Grove Avenue Specific Plan; and

(b) *The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The*



*Ontario Plan.* The proposed religious assembly use is located within the Business Park land use district of the Policy Plan Land Use Map, and the Business Park land use designation of the Grove Avenue 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. Among some of these goals are: 1) To invest in the Growth and Evolution of the City's economy, 2) Operate in a business-like manner, 3) Compatibility between a wide range of uses, and 4) Regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision; and

(c) *The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code, and any applicable specific plan or planned unit development.* The proposed religious assembly use is located within the Business Park land use district of the Policy Plan Land Use Map, and the Business Park land use designation of the Grove Avenue Specific Plan, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use is consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and the Grove Avenue Specific Plan. The proposed religious assembly use will be expanded from a 2,184-square foot suite (Unit J) to the adjacent 2,184-square foot suite (Unit K). The new unit will be used for leadership meetings and will not be used for sanctuary/congregational use, which complies with Development Code and Development Standards for the Grove Avenue Specific Plan; and

(d) *The proposed use at the proposed location would be consistent with the provisions of the Airport Land Use Compatibility Plan.* The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP); and

(e) *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 City's multi-departmental review of the proposed project has required certain safeguards and imposed certain conditions of approval which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located; and

(f) 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 of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to Section 15301 (Class 1 - Existing Facilities) of the

State CEQA Guidelines.

(g) 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.

(h) Based upon the findings and conclusions set forth in Parts I, II and III above, the Zoning Administrator hereby approves File No. PCUP18-011, subject to the conditions of approval attached hereto and incorporated herein by this reference.

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APPROVED AND ADOPTED this [insert day] day of [insert month & year].

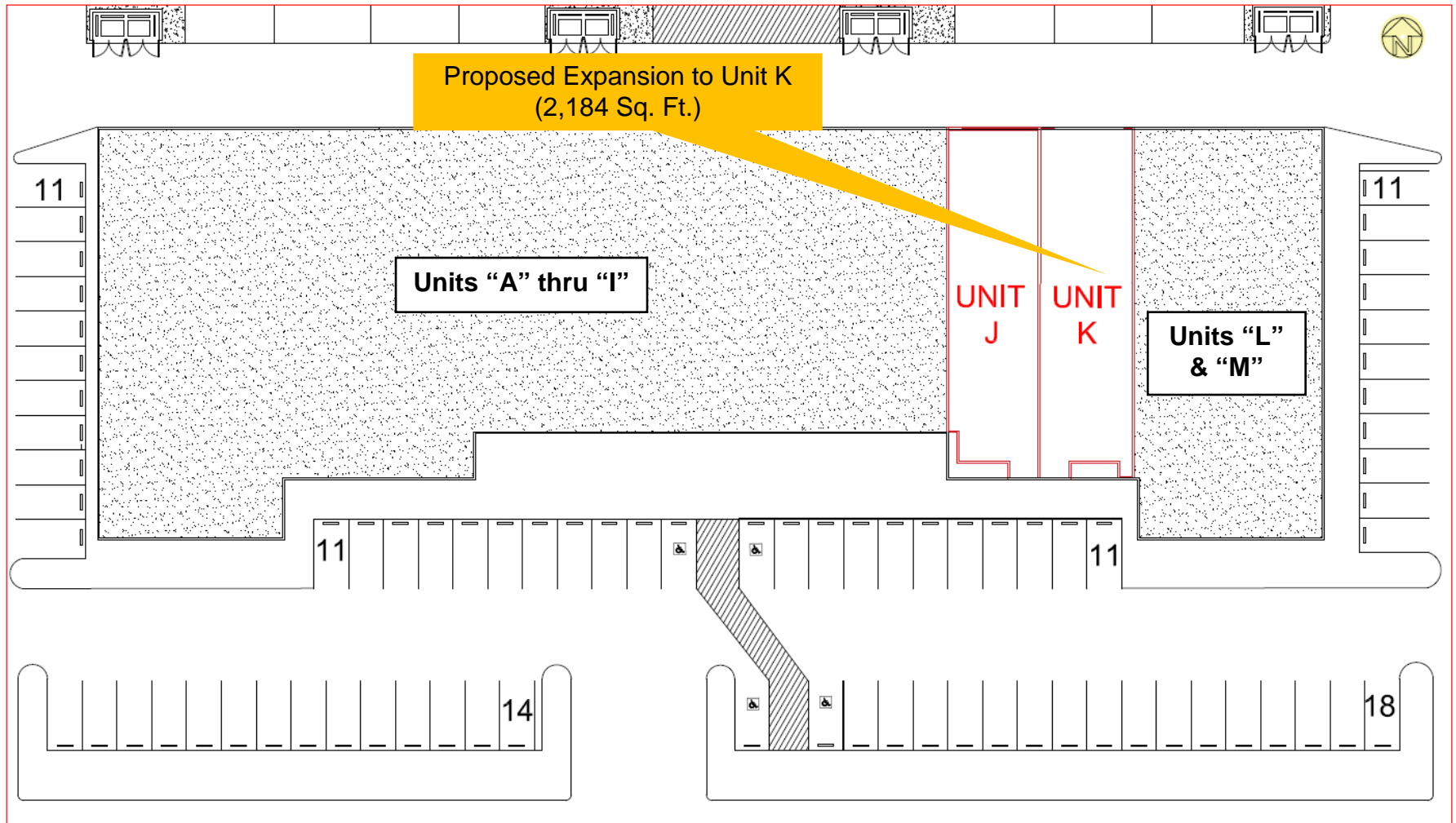
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Cathy Wahlstrom  
Zoning Administrator

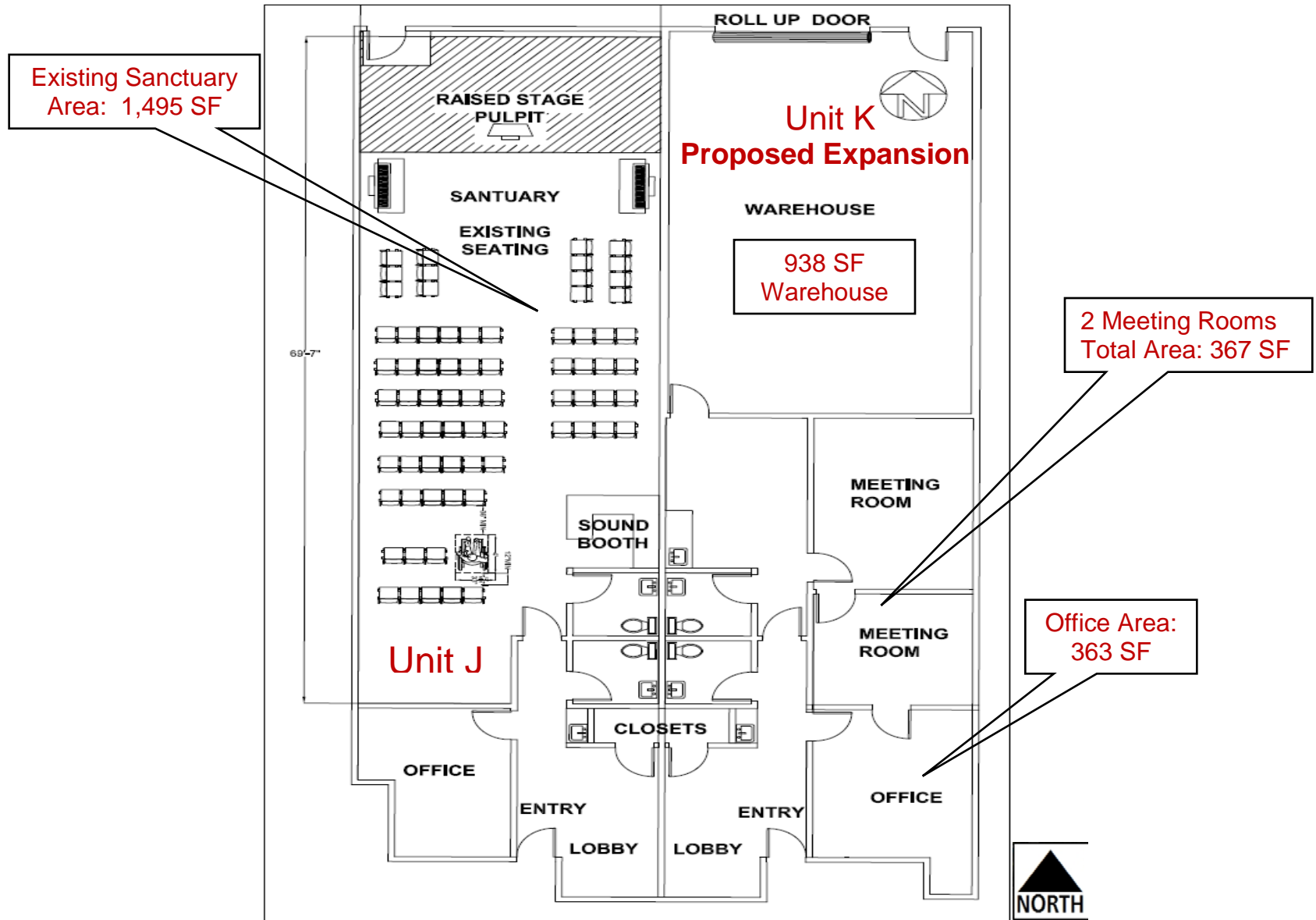
**Exhibit A: Aerial Photograph**



**Exhibit B: Site Plan**



**Exhibit C: Floor Plan**



**Exhibit D: Site Photos**

**Unit J -  
Front Entrance**



**Unit K -  
Front Entrance**

**South View of New Creation Christian Church Building Above ↑**



**Existing Unit J - Front Entrance**

***Exhibit D: Site Photos***



**Front Entrance to Unit K – Looking Northeast**



**Inside View of Unit K (Hallway leading to meeting rooms)**

**Exhibit D: Site Photos**



**Southwest View of Existing Building**



**Southeast View of Existing Building & Parking Area**



***Exhibit D: Site Photos***



**Existing Industrial Building – Looking Southwest from the Project Site**

***Exhibit E: List of Current Tenants & Hours of Operation***

- 1. OPARC --Adult Development CTR.  
Monday-- Friday 8:00-- 4:00 pm Units A, B, C,**
- 2. Ontario Printing  
Monday -- Friday 8:00--5:00 pm Unit D**
- 3. Vintage Management  
Monday-- Friday 9:00--5:00 pm Units E, F**
- 4. Superior  
Monday-- Friday 9:00-- 4:00 pm Unit G**
- 5. Available Unit H**
- 6. Allegro ( unit is occupied but no one is ever there) Unit I**
- 7. New Creation Christian Fellowship  
Evenings and Weekends Unit J**
- 8. New Creation ( proposed site )  
Evenings and Weekends Unit K**
- 9. Available Unit L**
- 10. Available Unit M**



# ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT

June 18, 2018

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

**FILE NO.:** PCUP18-014

**DESCRIPTION:** A Conditional Use Permit to establish a religious assembly use within an existing 2,000 square foot tenant space of a 5,300 square foot multi-tenant commercial/office building located at 517 North Euclid Avenue, within the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay) zoning districts. APN: 1048-355-08; **submitted by Antonio J. Lopez.**

## ***PART I: BACKGROUND & ANALYSIS***

ANTONIO J. LOPEZ, (herein after referred to as "Applicant") has filed an application requesting Conditional Use Permit approval for File No. PCUP18-014, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

**(1) Project Setting:** The project site is comprised of 0.14 acres of land located at 517 North Euclid Avenue, and is depicted in *Exhibit A: Aerial Photograph*, attached. The site is located mid-block on the west side of Euclid Avenue, south of F Street and north of E street. The property is located in an urbanized area with commercial, medical and office uses and other religious assembly uses. Existing land uses, and General Plan and zoning designations on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
<i>Site</i>	Commercial/Office	MU (Mixed Use)	MU-1 (Downtown Mixed Use)
<i>North</i>	Commercial	MU (Mixed Use)	MU-1 (Downtown Mixed Use)
<i>South</i>	Commercial	MU (Mixed Use)	MU-1 (Downtown Mixed Use)
<i>East</i>	Commercial/Office	MU (Mixed Use)	MU-1 (Downtown Mixed Use)
<i>West</i>	Parking	MU (Mixed Use)	MU-1 (Downtown Mixed Use)

### **(2) Project Analysis:**

**(a) Proposed Use** — The applicant requests to establish and operate a new religious assembly use within an existing commercial/office building located at 517 North Euclid Avenue. The commercial/office building consists of 2 tenant spaces with shared restrooms, totaling 5,300 square feet (*Exhibit C: Floorplan*). The church will occupy one 2,000 square feet tenant space. The other tenant space is currently vacant.

<i>Prepared:</i> EA 6/4/18	<i>Reviewed:</i> RZ 6/8/18	<i>Decision:</i> [enter initial/date]
----------------------------	----------------------------	---------------------------------------

Services will include general religious meetings, board meetings, leadership training, and small bible studies. Services will occur on Wednesdays from 7:00 p.m. to 8:30 p.m. and Sundays from 10:00 a.m. until 12:00 noon. Board meetings will be held on the third Saturday of each month and will include 5 people. Each meeting, service, training or bible study will have between 3 and 20 people in attendance. The use will have no paid staff.

The proposed floor plan will include an 887 square foot assembly area, an office/meeting room, a sound booth, storage room and kitchen. The facility will have 2 points of access, one along the Euclid Avenue frontage and one at the rear of the building. Euclid Avenue will serve as the primary entrance. No outside modifications to the building are proposed. A condition of approval has been placed on the project requiring a change of occupancy to accommodate the assembly use. Occupancy will not be allowed until all improvements are approved and permits have been finalized.

**(b) Parking** — As established in the Ontario Development Code, a religious assembly use requires one parking stall for every 40 square feet of assembly area when seats are not fixed. The use proposes 887 square feet of assembly area with no fixed seats resulting in 22 required parking spaces. The subject property has 4 on-site parking spaces.

The Ontario Development Code allows parking to be analyzed using the Downtown Ontario Parking Model for developed sites where on-site parking is non-attainable. The Parking Model specifically evaluates each block within the downtown at maximum build out, and provides an estimate of parking availability (public and private lots and street parking combined) with shared parking as the premise.

Based on the proposed floor plan and the existing land uses on the site, a parking analysis was performed using the Parking Model. The project site is located on Block 21 (*Exhibit D: Parking Block 21*) of the parking model. Currently, the block has 132 available parking spaces. Of the total spaces, 97 are off-street and 35 are on-street. The analysis found adequate parking availability to fulfill the requirement of 22 spaces. The tables below illustrate available parking for the project site (Block 21) with the existing and proposed uses.

**Available Public Parking with Proposed Use: Day Hours (8:00 a.m.–3:00 p.m.)**

	8 a.m.	9 a.m.	10 a.m.	11 a.m.	12 p.m.	1 p.m.	2 p.m.	3 p.m.
Block 21	60	34	36	43	39	33	29	34

**Available Public Parking with Proposed Use: Evening Hours (3:00 p.m.–10:00 p.m.)**

	4 p.m.	5 p.m.	6 p.m.	7 p.m.	8 p.m.	9 p.m.	10 p.m.
Block 21	49	73	101	106	108	120	131

(c) **Land Use Compatibility** - A Conditional Use Permit review is required to ensure the compatibility of adjacent uses by identifying potential nuisance activities and establishing measures for mitigation accordingly. The subject site is located in the MU-1 (Downtown Mixed-Use) and EA (Euclid Avenue Overlay) zoning districts within the downtown. The proposed religious assembly use is a conditionally permitted land use. The proposed religious assembly use is located on Euclid Avenue which is developed with various retail, office, banks, religious and residential (mixed-use) uses. It is staff's belief that the recommended conditions of approval will sufficiently mitigate potential impacts associated with the proposed use. Additionally, businesses and residents within the surrounding area will not be exposed to any impacts resulting from the proposed use beyond those that would normally be associated with any other similarly allowed within the same zoning district.

(3) **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.

(4) **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.

(5) **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 300 feet of the exterior boundaries of the property that is the subject of the hearing, as shown on the records of the County Assessor.

(6) **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 II: RECITALS***

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

WHEREAS, Ontario Development Code Table 2.01-1 (Review Matrix) establishes 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, 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; and

WHEREAS, 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; and

WHEREAS, on June 18, 2018, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(1) Diane Ayala, Senior Planner, presented the staff report on the proposed use, indicating the staff recommendation of approval. Following staff's presentation, the Zoning Administrator opened the public hearing.

(2) [insert speaker's name], the applicant/representing the applicant, explained the business operation and spoke in favor of the application.

(3) [insert additional speaker info]

(4) [insert additional speaker info]

(5) 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 III: THE DECISION**

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

(1) All facts set forth in this Zoning Administrator Report and Decision are true and correct.

(2) Based upon the evidence presented to the Zoning Administrator during the above-referenced public hearing, the Zoning Administrator hereby finds as follows:

(a) *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 Development Code and zoning districts within which the site is located. The proposed religious assembly use will be located at 517 North Euclid Avenue, which is designated for the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay) zoning districts. The proposed use will be established consistent with the City of Ontario Development Code, and its objectives and purposes, and the objectives and purposes, and development standards and guidelines, of the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay) zoning districts.

(b) *The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.* The proposed religious assembly use will be located at 517 North Euclid Avenue, which the Policy Plan Master Land Use Plan designates for Mixed Use land use. The proposed land use is clearly consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, which promotes the establishment and intensification of a mixture of land uses, that when concentrated, create identity and place in the area of the project site.

(c) *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 project, with conditions of approval, meets the objectives and purposes of the Ontario Development Code, as required in the MU-1 (Downtown Mixed-Use) and EA (Euclid Avenue Overlay) zoning districts. Projects within the MU-1 (Downtown Mixed-Use) and EA (Euclid Avenue Overlay) zoning districts are intended to create identity and place along the historic corridor connecting the community together.

(d) *The proposed use at the proposed location would be consistent with the provisions of the Airport Land Use Compatibility Plan.* The project site is not located within any identified ONT noise impact or safety zones and is consistent with the provisions of the Airport Land Use Compatibility Plan.

(e) *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.* Religious assembly use is 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 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 of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to Section 15301 of the State CEQA Guidelines. Existing Facilities

consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The proposed use is located within an existing building and does not include any negligible building additions and is therefore categorically exempt.

(4) 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.

(5) Based upon the findings and conclusions set forth in Parts I, II and III above, the Zoning Administrator hereby approves File No. PCUP18-014, subject to the conditions of approval attached hereto and incorporated herein by this reference.

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APPROVED AND ADOPTED this \*\*\*\*\* day of June 2018.

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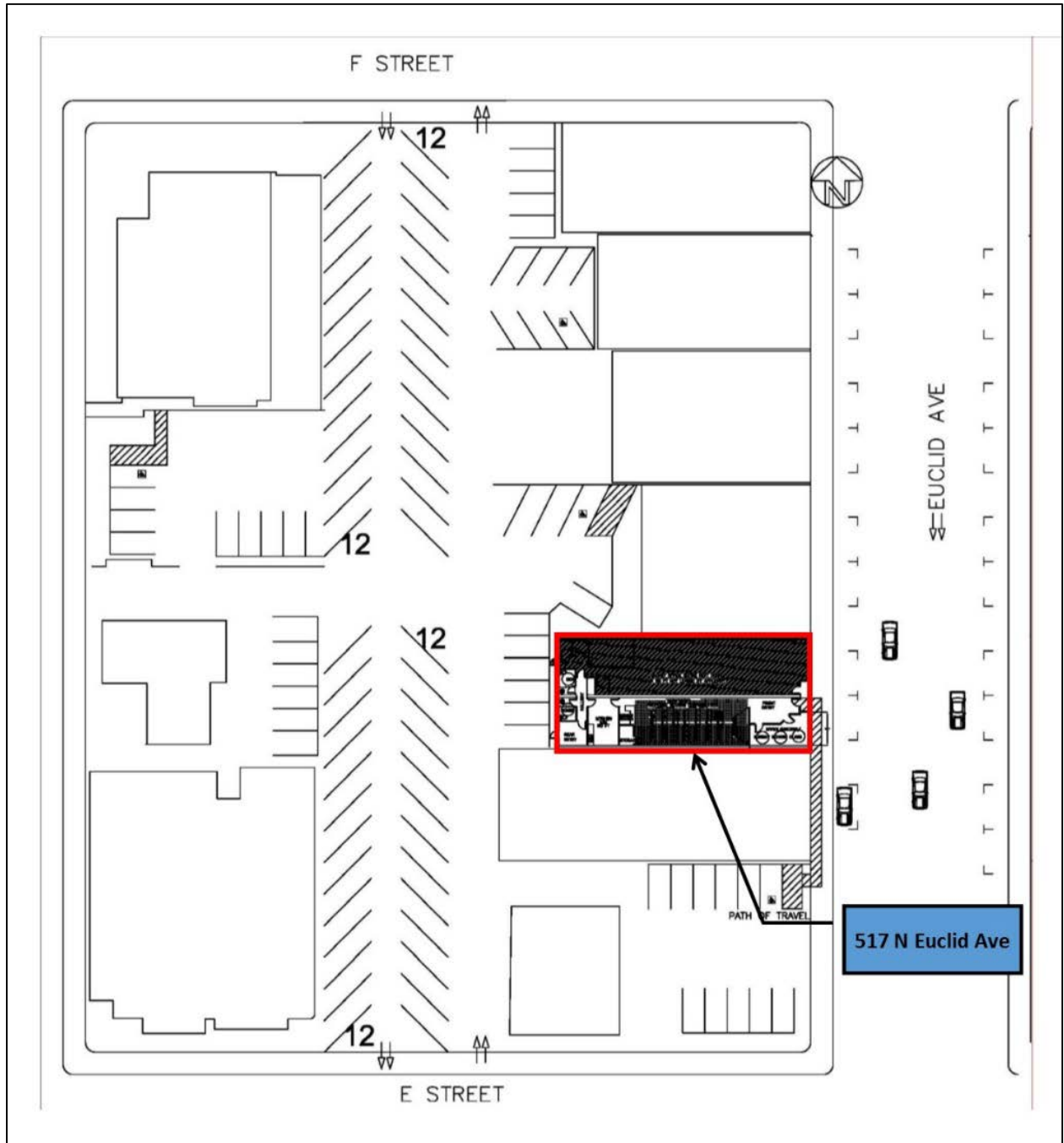
Cathy Wahlstrom  
Zoning Administrator



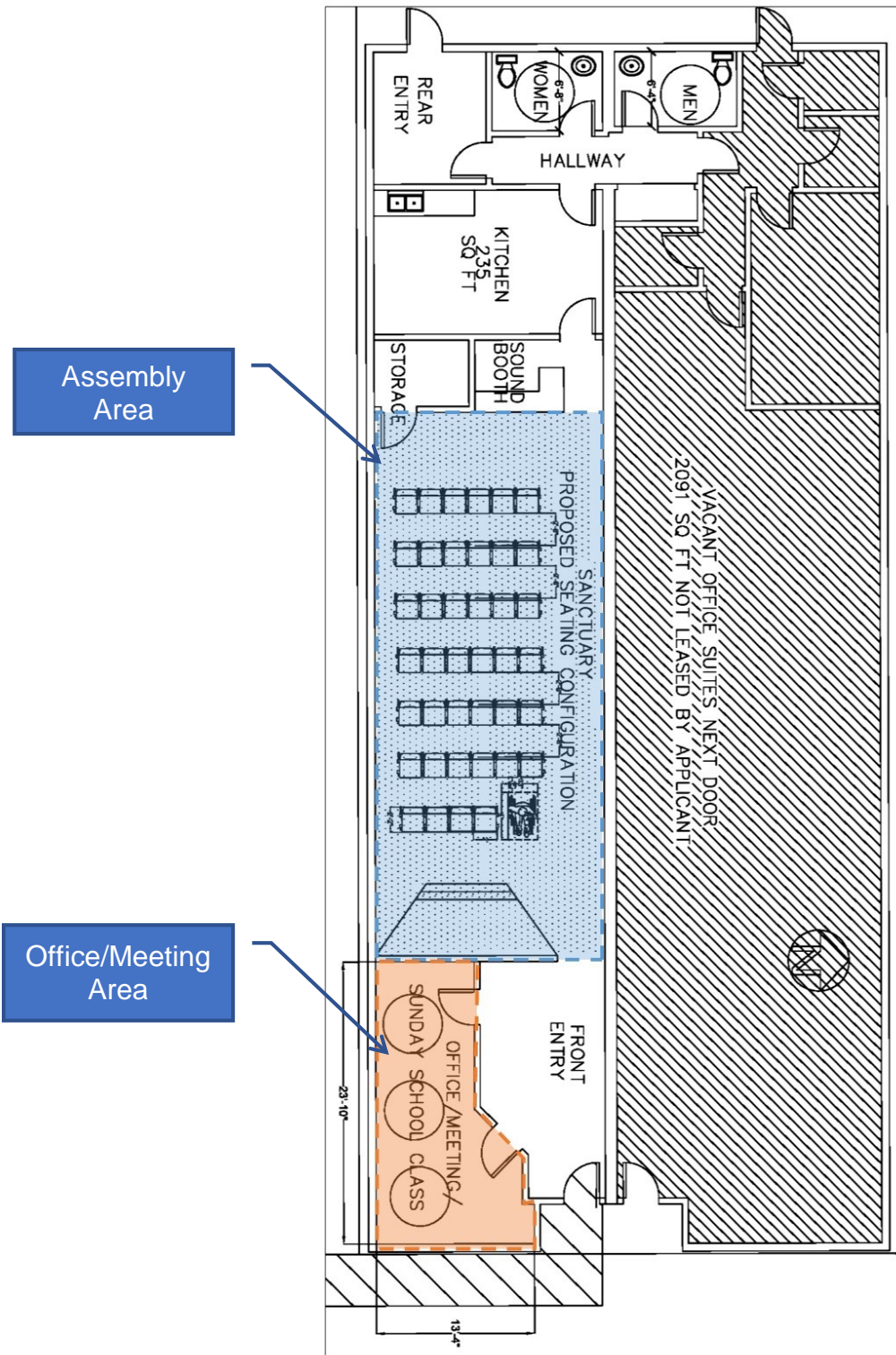
**Exhibit A: Aerial Photograph**



**Exhibit B: Site Plan**



**Exhibit C: Floor Plan**



**Exhibit D: Parking Block 21**

- Public Parking Lot
- Private Parking Lot
- Street Parking



**Exhibit E: Site Photos**



Front Entrance – View looking west from Euclid Avenue



Rear Entrance – View looking east from rear parking lot

***Exhibit E: Site Photos Continued***



Interior

Interior, view of office/meeting room





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

## Planning Department Conditions of Approval

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**Meeting Date:** June 18, 2018

**File No:** PCUP18-014

**Project Description:** A Conditional Use Permit to establish a religious assembly use within an existing 2,000 square foot tenant space of a 5,300 square foot multi-tenant commercial/office building located at 517 North Euclid Avenue, within the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay) zoning districts. APN: 1048-355-08; **submitted by Antonio J. Lopez.**

**Prepared By:** Elly Antuna  
Phone: 909.395.2414 (direct)  
Email: eantuna@ontarioca.gov

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

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

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

**2.1** Time Limits.

(a) Conditional Use Permit approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. 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, and plumbing plans.

(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** 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.

#### **2.4** 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.

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

#### **2.6** Signs.

**(a)** 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 and the Downtown Ontario Design Guidelines.

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

#### **2.8** Additional Fees.

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

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

#### **2.9** Additional Requirements.

**(a)** All exterior alterations to existing building and site improvements requires a Certificate of Appropriateness, or a Waiver, if applicable, prior to issuance of building permits and/or final occupancy.



**(b)** All tenant/site improvements shall be completed prior to operating the proposed religious assembly use.

**(c)** Assembly area shall be limited to 887 square feet.

**(d)** Religious meetings, leadership trainings and bible study hours shall be limited to Wednesdays from 7:00 p.m. to 8:30 p.m. and Sundays from 10:00 a.m. until 12:00 noon. Board meetings shall be the third Saturday of each month.

**(e)** The occupancy change of the building to accommodate an assembly use shall be completed and all applicable permits shall be finalized prior to commencement of use.

**CITY OF ONTARIO  
MEMORANDUM**

**TO:** PLANNING DEPARTMENT, Elly Atuna  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** April 25, 2018  
**SUBJECT:** PCUP18-014

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

Conditions of Approval

1. Permits and plans are required for the change of use to A occupancy.

KS:lm



## CITY OF ONTARIO MEMORANDUM

### DEVELOPMENT PLAN REVIEW COMMENTS

Engineering Department/Land Development Section

**DATE:** May 16<sup>th</sup>, 2018 (1<sup>st</sup> Review)

**PROJECT:** PCUP18-014, a Conditional Use Permit to establish 2,000-square foot facility for religious assembly on 0.193 acres of land.

**APN:** 1049-355-08

**LOCATION:** 517 North Euclid Avenue

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

**PROJECT PLANNER:** Elly Antuna, Assistant Planner (909) 395-2414

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**ENGINEERING DEPARTMENT'S CONDITIONS OF APPROVAL TO BE PROVIDED UPON THE FOLLOWING COMMENTS BEING SATISFACTORILY ADDRESSED PRIOR TO THE DEVELOPMENT ADVISORY BOARD AND/OR ZONING ADMINISTRATOR HEARING.**

**A. General Comments:**

1. No Comments, the plan does adequately address the Land Development Section's concerns at this time.

**B. The following items will be incorporated in the Conditions of Approval Report prior to the Development Advisory Board and/or Zoning Administrator Hearing:**

2. Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017.

	<h2 style="margin: 0;">CITY OF ONTARIO MEMORANDUM</h2>
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**Date:** May 21, 2018

**To:** Antonio Alejos, Engineering Department

**Cc:**

**From:** Christopher Quach, Utilities Engineering

**Subject:** Conditions of Approval (COA) - Utilities Comments (#5361)

**Project No.:** PCUP18-014 – House of the Lord Ministries

<i>Brief Description</i>	<p><i>PCUP18-014, A conditional use permit to establish a 2,000 SF religious assembly located at 517 N. Euclid Avenue within the Downtown Mixed Use Zoning District</i></p> <p><b>Note: All Utility design shall meet the City's Design Development Guidelines and Specifications Design Criteria.</b></p>
<p><b><u>Conditions of Approval:</u></b></p>	
<p><b>Subject to the Conditions of Approval below, this submittal is to be recommended by the Ontario Municipal Utility Company (OMUC) for approval:</b></p>	
<i>General Comments</i>	<p>1. <u>Standard Development Requirements and Conditions of Approval:</u> Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:</p>
<i>Potable Water</i>	<p>2. <u>Water Service Improvement:</u> Installation of a backflow preventer onto existing water service, per City Standard.</p>



## CITY OF ONTARIO MEMORANDUM

**TO:** Elly Antuna, Assistant Planner  
Planning Department

**FROM:** Michelle Starkey, Deputy Fire Marshal  
Bureau of Fire Prevention

**DATE:** April 30, 2018

**SUBJECT:** PCUP18-014 A Conditional Use Permit to establish a 2,000 square foot religious assembly on 0.193 acres of land located at 517 North Euclid Avenue, within the MU-1 (Downtown Mixed Use) zoning district (APN: 1049-355-08).

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

No comments

Report below.

1. Occupant load to be determined and posted, based on the square footage.
2. Occupant loads 50 or more must comply with all requirements of an A type occupancy. (Ex. Panic Hardware, Exiting, Emergency Lighting, etc.)

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For copies of Ontario Fire Department Standards please access the City of Ontario web site at [www.ontarioca.gov](http://www.ontarioca.gov), click on Fire Department and then on forms.



## CITY OF ONTARIO MEMORANDUM

**TO:** Elly Antuna, Planning Department

**FROM:** Douglas Sorel, Police Department

**DATE:** May 16, 2018

**SUBJECT:** PCUP18-014 – A CONDITIONAL USE PERMIT APPLICATION TO ESTABLISH A CHURCH AT 517 NORTH EUCLID AVE

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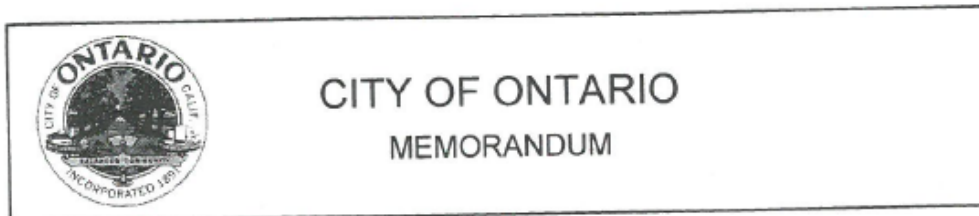
The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including but not limited to, the requirements listed below.

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

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

- Outdoor services and activities are prohibited in the absence of a Temporary Use Permit.
- Food or beverage distribution to the public shall be prohibited.
- The storage of personal belongings on the site shall be prohibited.

The Applicant is invited to contact Douglas Sorel at (909) 395-2873 with any questions or concerns.



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

FROM: Elly Antuna, Assistant Planner

DATE: April 20, 2018

SUBJECT: FILE #: PCUP18-014 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Friday, May 4, 2018**.

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

**PROJECT DESCRIPTION:** A Conditional Use Permit to establish a 2,000 square foot religious assembly on 0.193 acres of land located at 517 North Euclid Avenue, within the MU-1 (Downtown Mixed Use) zoning district (APN: 1049-355-08).

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

Landscape Planning Carolyn Bell Sr. Landscape Architect  
Department Signature Title Date 5/29/18