



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

September 20, 2021

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

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

Scott Ochoa, City Manager
Scott Murphy, Executive Director, Community Development Agency
Jennifer McLain Hiramoto, Economic Development Director
James Caro, Building Official
Rudy Zeledon, Planning Director
Khoi Do, City Engineer
Chief Michael Lorenz, Police Department
Fire Marshal Mike Gerken, Fire Department
Scott Burton, Utilities General Manager
Angela Magana, Community Improvement Manager

PUBLIC COMMENTS

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

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

AGENDA ITEMS

For each of the items listed below the public will be provided an opportunity to speak. After a staff report is provided, the chairperson will open the public hearing. At that time the applicant will be allowed five (5) minutes

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

CONSENT CALENDAR ITEMS

A. MINUTES APPROVAL

Development Advisory Board Minutes of September 8, 2021, approved as written.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-033:** A Development Plan to construct a 71,667 square foot addition to an existing 105,095 square foot industrial building, on a 3.5-acre portion of a 9.02-acre property located at 2777 East Cedar Street, within the Business Park land use district of the California Commerce Center South Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, In-Fill Development) 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: 0211-275-03) **submitted by KGP Telecommunications, LLC.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File No. PDEV20-033 (Development Plan)

Motion to Approve / Deny

- C. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-069 AND PCUP19-030:** A Development Plan (File No. PDEV19-069) to construct a convenience store with fuel sales, and car wash, in conjunction with a Conditional Use Permit (File No. PCUP19-030) to establish alcoholic beverage sales for consumption off the premises, limited to beer and wine sales (Type 20 ABC license), on 0.87-acre of land located at 2156 South Grove Avenue, within the Commercial land use district of the Grove Avenue Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1050-491-08) **submitted by Ramila Patel. Planning Commission action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File No. PCUP19-030 (Conditional Use Permit)

Motion to recommend Approval/Denial

3. **File No. PDEV19-069** (Development Plan)

Motion to recommend Approval/Denial

- D. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT21-002**: A Tentative Parcel Map (File No. PMTT21-002/TPM 20278) to subdivide 15.94 acres of land into 3 parcels located on the southwest corner of the State Route 60 Freeway and Milliken Avenue within the Light Industrial zoning district. The environmental impacts of this project were previously reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report State Clearinghouse No. 2008101140 for File Nos. PGPA19-007, PSPA19-010 and PZC19-002. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1083-361-07) **submitted by Orbis Real Estate Partners. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of a previous Addendum to an EIR

2. **File No. PMTT21-002 (TPM 20278)** (Tentative Parcel Map)

Motion to recommend Approval/Denial

- E. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT21-003**: A Tentative Parcel Map (File No. PMTT21-003/TPM 20274) to subdivide 9.72 acres of land into 4 parcels located on the southwest corner of the State Route 60 Freeway and Milliken Avenue within the Light Industrial and Community Commercial zoning districts. The environmental impacts of this project were previously reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report State Clearinghouse No. 2008101140 for File Nos. PGPA19-007, PSPA19-010 and PZC19-002. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1083-361-04) **submitted by Orbis Real Estate Partners. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of a previous Addendum to an EIR

2. **File No. PMTT21-003 (TPM 20274)** (Tentative Parcel Map)

Motion to recommend Approval/Denial

- F. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-007**: A Development Plan to construct four industrial buildings totaling 393,334 square feet on 25.66 acres of land located on the southwest corner of the State Route 60 Freeway and Milliken Avenue within the Light Industrial zoning district. The environmental impacts of this project were previously reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report State Clearinghouse No. 2008101140 for File Nos. PGPA19-007, PSPA19-010 and PZC19-002. This application introduces no new significant environmental

impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1083-361-04 and 1083-361-07) **submitted by Orbis Real Estate Partners. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of a previous Addendum to an EIR

2. **File No. PDEV21-007** (Development Plan)

Motion to recommend Approval/Denial

- G. **ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT21-005 AND PDEV21-009**: A Tentative Tract Map (TTM 20379) for common interest subdivision purposes, subdividing 1.23 acres of land into common and private area, and a Development Plan for the construction of 39 residential condominium units (9 buildings total), located at 221 North Mountain Avenue, within the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1010-521-28) **submitted by Tipping Development. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. **File No. PMTT21-005 (TTM 20379)** (Tentative Tract Map)

Motion to recommend Approval/Denial

3. **File No. PDEV21-009** (Development Plan)

Motion to recommend Approval/Denial

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

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

The next **Development Advisory Board** meets on **October 4, 2021**.

I, Gwen Berendsen, Administrative Assistant of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **September 16, 2021**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.


Administrative Assistant

CITY OF ONTARIO

Development Advisory Board

Minutes

September 8, 2021

BOARD MEMBERS PRESENT

Rudy Zeledon, Planning Department
Charity Hernandez, Economic Development Agency
William Lee, Police Department
Dennis Mejia, Municipal Utilities Company
Mike Gerken, Fire Department
Khoi Do, Engineering Department

BOARD MEMBERS ABSENT

James Caro, Building Department
Elda Zavala, Community Improvement

STAFF MEMBERS PRESENT

Gwen Berendsen, Planning Department
Chuck Mercier, Planning Department

PUBLIC COMMENTS

No one from the public wished to speak.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the August 16, 2021 meeting of the Development Advisory Board was made by Mr. Do; seconded by Ms. Hernandez; and approved unanimously by those present (6-0).

PUBLIC HEARING ITEMS

- B. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-025:** A Development Plan to construct a 65-foot-tall stealth (AT&T) wireless telecommunications facility (mono-eucalyptus) with a 652 square foot equipment enclosure/lease area on 2.57 acres of land, located at 1200 South Wanamaker Avenue, within the Rail 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 3 (Class 15303, New Construction or Conversion of Small Structures) 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: 238-221-34) **submitted by AT&T.**

The representative, Will Kazimi, was present and stated he was available to answer questions.

Mr. Zeledon asked Mr. Kazimi if he had looked over the report, had any questions and agreed to the conditions of approval.

Mr. Kazimi stated yes, he had no questions and agreed to all conditions of approval.

Motion recommending approval of **File No. PDEV20-025**, subject to conditions to the Planning Commission was made by Mr. Gerken; seconded by Mr. Do; and approved unanimously by those present (6-0).

There being no further business, the meeting was adjourned to the next meeting on September 20, 2021.

Respectfully submitted,



Gwen Berendsen
Recording Secretary



Development Advisory Board Decision

September 20, 2021

DECISION NO.: [insert #]

FILE NO.: PDEV20-033

DESCRIPTION: A Development Plan to construct a 71,667 square foot addition to an existing 105,095 square foot industrial building, on a 3.5-acre portion of a 9.02-acre property located at 2777 East Cedar Street, within the Business Park land use district of the California Commerce Center South Specific Plan; (APN: 0211-275-03) **submitted by KGP Telecommunications, LLC.**

Part I—BACKGROUND & ANALYSIS

KGP Telecommunications, LLC, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV20-033 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 3.5 acres of land located at 2777 East Cedar Street and is depicted in Exhibit A—Project Location Map, 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	Industrial	Business Park	California Commerce Center South
<i>North:</i>	Warehouse	Industrial	Business Park	California Commerce Center South
<i>South:</i>	Wholesale	Industrial	Business Park	California Commerce Center South
<i>East:</i>	Laboratory Testing	Industrial	Industrial	California Commerce Center South
<i>West:</i>	Wholesale	Industrial	Industrial Business Park	California Commerce Center South

(2) **Project Description:**

(a) **Background** — The project site was developed in 1989, with 105,095 square foot industrial building. The eastern portion of the project site was developed with the industrial building situated on the northern portion of the site and the tractor truck-trailer yard located to the south of the building, and a parking lot located to the west of the building. The western portion of the project site was left undeveloped with minimal landscaping. Also, two access points were constructed along Cedar Avenue for shared vehicle and truck access.

On December 22, 2020, the Applicant submitted a Development Plan to develop the western portion of the site with a 71,667 square foot addition to the existing industrial building.

(b) Site Design/Building Layout — Proposed, is a 71,667 square foot addition, to the existing 105,095-square-foot warehouse distribution building. The proposed addition will result in an overall floor area ratio (FAR) of 0.45 for the project site. The addition is located on the west side of the existing structure, setback approximately 30 feet from the north property line, 70 feet from the west property line (Archibald Avenue), and 156 feet from the south property line (Cedar Avenue). Parking will be provided on the west and south sides of the addition (see Exhibit B—Site Plan, attached). The proposed addition's main entrance is oriented to the west, facing Archibald Avenue. The office area is located on the southwest corner of the building and will be a single-story structure encompassing 4,100 square feet that includes the offices, break rooms, restrooms, and other ancillary uses.

The existing yard area, designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is located on the south side of the existing building and will be extended to the west by approximately 300 feet. The existing 9-foot-high concrete tilt-up screen wall will also be extended to the west to screen the yard area from the public right-of-way and has been conditioned to match the architecture of the proposed and existing building.

(c) Site Access/Circulation — The Project has one new point of vehicular access from Archibald Avenue, located at the northwest corner of the site, which is intended for passenger vehicle access to the site. There are two existing driveways located along Cedar Avenue that will remain in place for tractor-trailers access to the yard area.

(d) Parking — The Project has provided off-street parking pursuant to the “Warehouse and Distribution” parking standards specified in the Development Code. The industrial building requires a total of 96 off-street parking spaces, and 115 spaces have been provided, exceeding the minimum off-street parking requirements.

In addition, a minimum of one tractor-trailer parking space for each 4 dock-high loading spaces is required to be provided. The Project will add 16 dock-high loading spaces to the 11 dock-high loading spaces already existing, for a total of 27 dock-high loading spaces. This requires a total of 7 tractor-trailer parking spaces, which the Project has provided.

(e) Architecture — Like the existing building, the proposed addition will be of concrete tilt-up construction and will be approximately 39 feet in height. Architecturally, the addition will match the existing concrete tilt building, incorporating smooth-painted concrete, horizontal and vertical reveals, color blocking, anodized aluminum awnings over the main office entries (see Exhibit C—Elevations, attached). Additionally, concrete form liners will be used on certain tilt-up panels to create visual interest and dimension at the human scale. The proposed color scheme is primarily monochromatic and presented in four gray hues, with a blue accent color at the building entrance and along portions of the building parapet.

The mechanical equipment will be roof-mounted and obscured from public view by parapet walls and equipment screens, if necessary, which will be incorporated into the design of the building architecture. Staff believes that the proposed project illustrates the type of high-quality architecture that is promoted by the Development Code. This is exemplified by:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas
- Articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall
- Incorporation of base and top treatments defined by changes in color, materials, and recessed wall areas
- Design features that ensure that the building's massing and proportion, along with its colors and architectural detailing, are consistent throughout all four building elevations

(f) Landscaping — The project provides landscaping along Archibald Avenue, Cedar Avenue, and throughout the new passenger vehicle parking lot. The Development Code requires that the project provide a minimum 15 percent landscape coverage, and the project has been conditioned to provide 15 percent coverage. Moreover, a combination of 24-inch, 36-inch, and 48-inch box accent and shade trees will be provided throughout the project site, in addition to a variety of shrubs and groundcovers that are low water usage and drought tolerant. The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the project site. Moreover, one employee break area has been provided along the building street frontage, with benches and tables that has been conditioned to provide trees near the break area for shading (see Exhibit D—Landscape Plan, attached).

(g) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes on-site run-off will be collected by a catch basin and conveyed to an underground infiltration system located within the southwest quadrant of the site. Any overflow drainage will be conveyed to an existing storm drain located east of the project site off of Business Parkway.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as “CEQA”); and

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

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

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

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

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

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

WHEREAS, on September 20, 2021 the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines and meets all of the following conditions: (a) the Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations, as conditioned; (b) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the Project site is located on a site that can be adequately served by all required utilities and public services; and

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

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

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

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

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

SECTION 3: ALUCP Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and

supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the specific findings set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Industrial land use district of the Policy Plan Land Use Map, and the Business Park land use district of the California Commerce Center South Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Business Park land use district of the California Commerce Center South Specific Plan, including standards relative to the particular land use proposed (Industrial), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) **The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the California Commerce Center South Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the California Commerce Center South Specific Plan; and

(4) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the California Commerce Center South Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (Industrial). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the California Commerce Center South Specific Plan.

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby APPROVES the Application subject to each and

every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

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

APPROVED AND ADOPTED this 20th day of September 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN

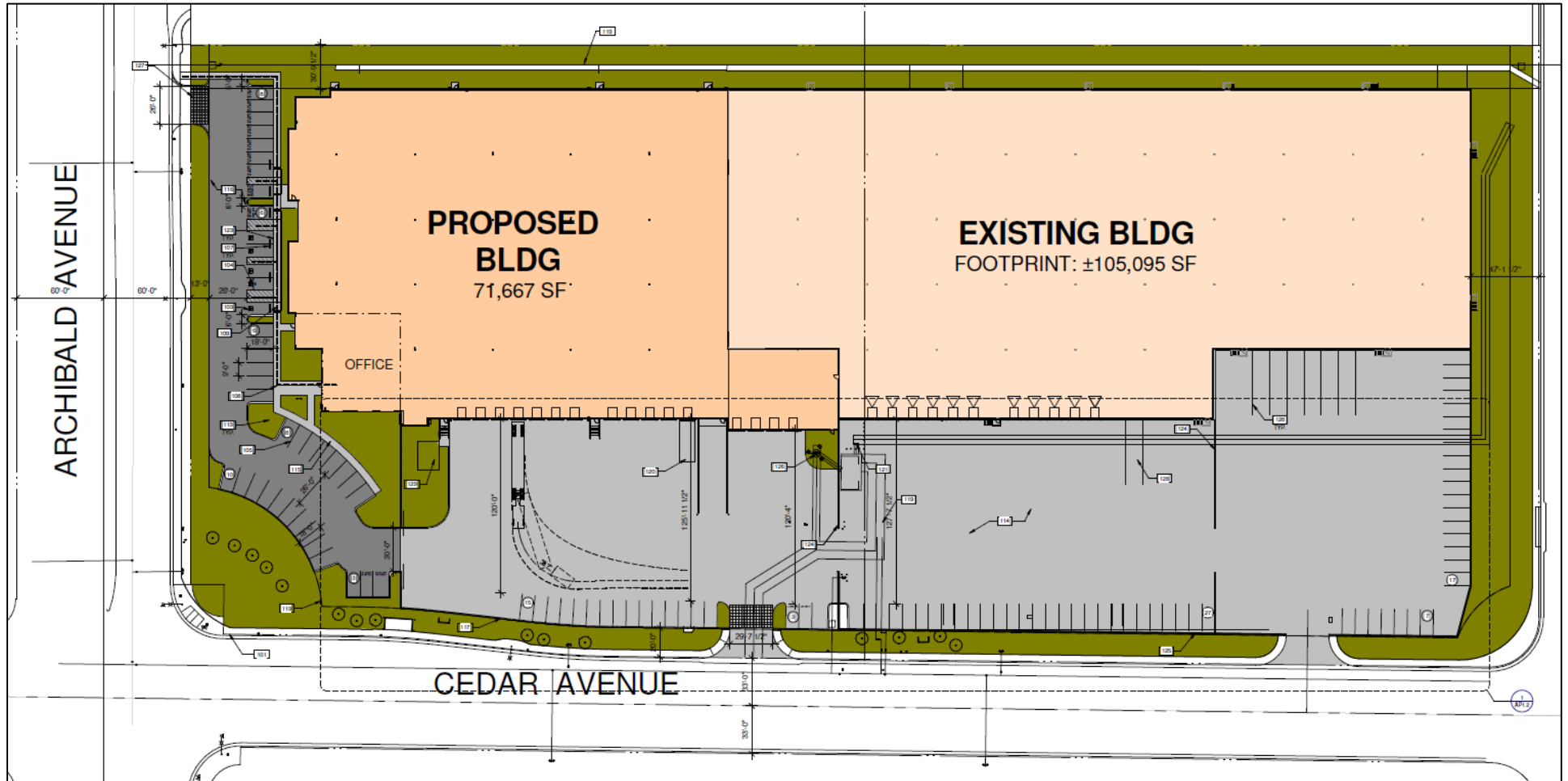
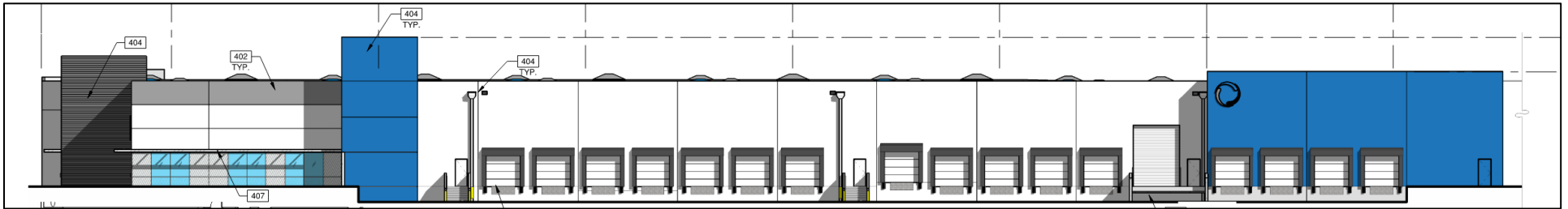
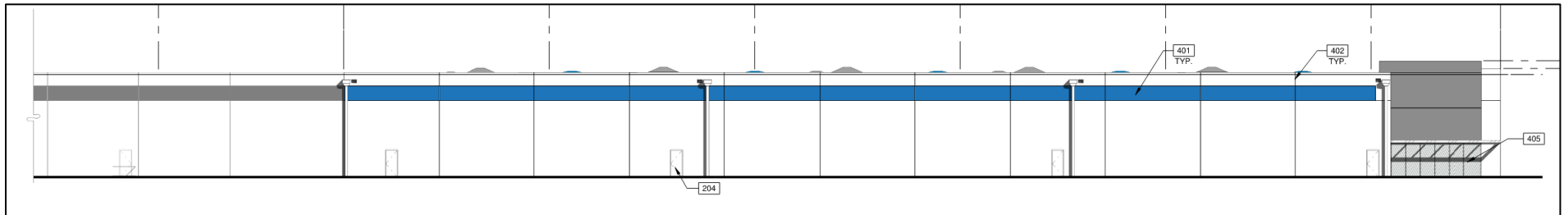


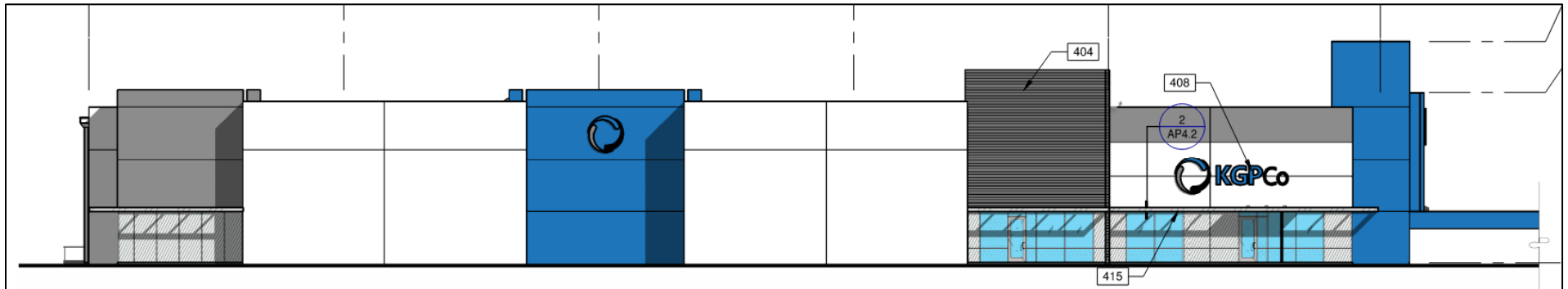
Exhibit C—ELEVATIONS



South Elevation

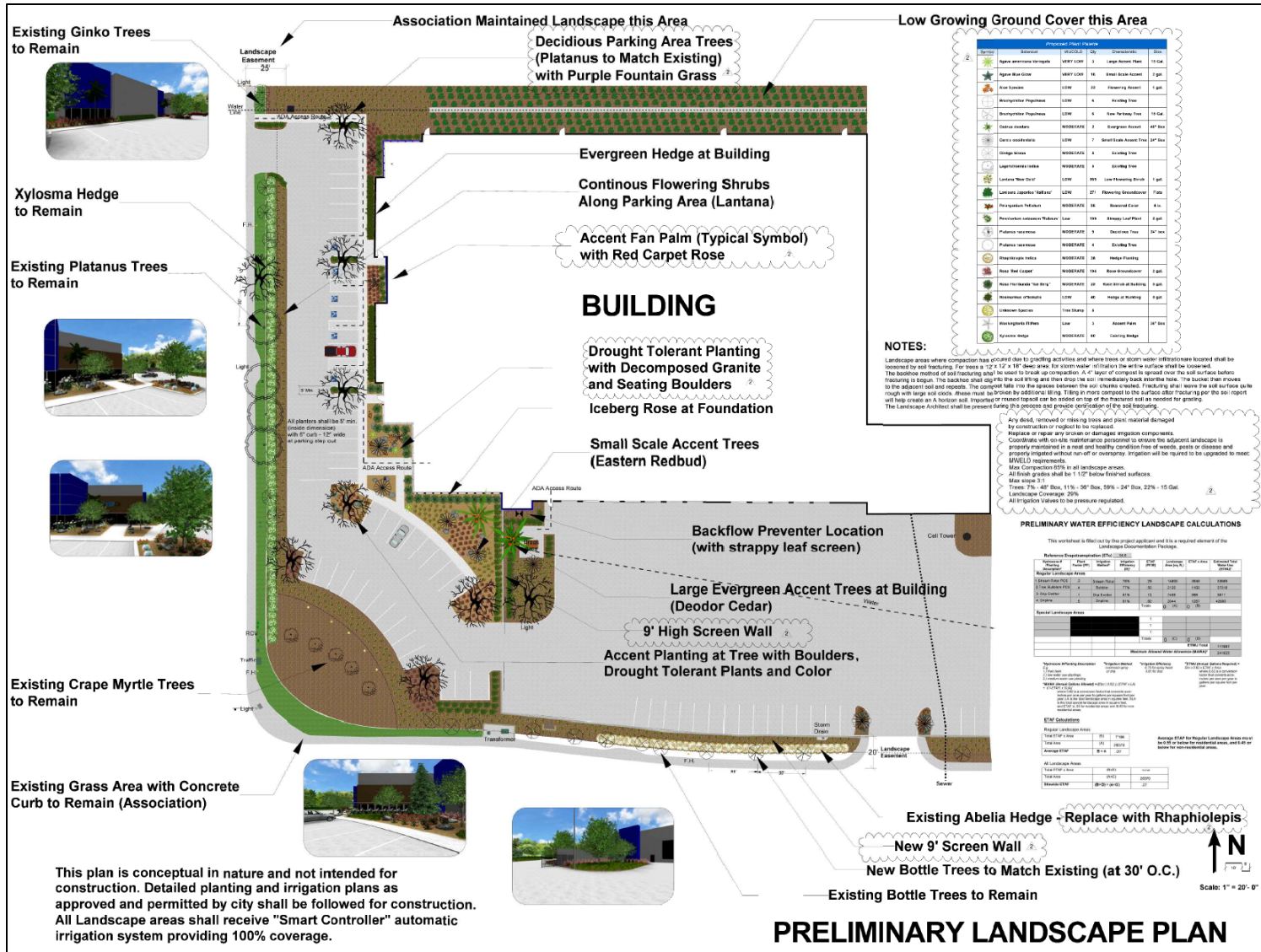


North Elevation



West Elevation

Exhibit D—LANDSCAPE PLAN



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: September 20, 2021

File No: PDEV20-033

Related Files: N/A

Project Description: A Development Plan to construct a 71,667 square foot addition to an existing 105,095 square foot industrial building, for a total of 176,762 square feet, on 9.02 acres of land located at 2777 East Cedar Street, within the Business Park land use district of the California Commerce Center South Specific Plan (APN(s): 0211-275-03); **submitted by submitted by KGP Telecommunications, LLC.**

Prepared By: Larissa Lomen, Planning Intern / Lorena Mejia, Senior Planner
Phone: (909) 395-2443 (direct) / (909) 395-2276
Email: llomen@ontarioca.gov / lmejia@ontarioca.gov

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

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

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

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

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

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

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

2.2 Landscaping.

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

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

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

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

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

2.4 Parking, Circulation and Access.

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

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

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

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use. No compact parking stalls shall be permitted.

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

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

2.5 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

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

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

<i>Screen Wall Height</i>	<i>Minimum Gate Height</i>
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.6 Site Lighting.

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

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

2.7 Mechanical and Rooftop Equipment.

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

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

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

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

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

2.11 Environmental Review.

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

- (i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;
- (ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;
- (iii) The project site has no value as habitat for endangered, rare, or threatened species;
- (iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (v) The Project site can be adequately served by all required utilities and public services.

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

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

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

2.13 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County 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.

2.14 Additional Requirements.

(a) The final height of the tilt-up screen walls shall be determined by a sight-line analysis/wall section plan. The sight-line analysis/wall section plan shall show that all roll-up doors will be screened from view from adjoining parcels and public streets. The following criteria shall apply:

(i) Roll-up doors and openings in the screen wall shall be positioned such that the doors are not visible from the street.

(ii) Screening shall include a combination of screen walls, sight-obscuring gates, ornamental landscaping, and/or portions of the building such that the roll-up doors are not visible from the public street.

(b) The tilt-up screen wall shall be designed to architecturally complement the proposed building and incorporate decorative pilasters at corners and on either side of gate entrances.

(c) Remove parking stalls adjacent to walls and provide a minimum 5-foot clearance between the wall and the parking stall within the yard area.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV20-033</u> RELATED FILE NO(S). _____	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Antonio Alejos *A.A.* (909) 395-2384

CITY PROJECT PLANNER & PHONE NO: Lorena Mejia (909) 395-2276

DAB MEETING DATE: September 20th, 2021

PROJECT NAME / DESCRIPTION: PDEV20-033, a Development Plan to construct a 71,667 square foot addition to an existing 105,095 square foot industrial building, for a total of 176,762 square feet, on 9.02 acres of land.

LOCATION: 2777 East Cedar Street

APPLICANT: Jeremy Eaton

REVIEWED BY: *Raymond Lee* 9/7/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: *Khoy Do* 9-8-21
 Khoi Do, P.E. Date
 City Engineer



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

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

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

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



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ontarioca.gov) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____.
- 2.04 **Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.**
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);
 - Make a Dedication of Easement.



- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 **Submit a soils/geology report.**
- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**

- State of California Department of Transportation (Caltrans)
- San Bernardino County Road Department (SBCRD)
- San Bernardino County Flood Control District (SBCFCD)
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- Other: Non-interference Letter required from each easement holder listed in the Title Report**

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

_____ feet on _____

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

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

- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).



- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**

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

- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$72,000, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**

- 2.16 **Other conditions:**
 - a. **Submit a Final Utilities System Map as part of the precise grading plan submittal that conforms to the Conceptual USM emailed on 08/25/2021 and meets all the City's USM requirements. These requirements include to show and label all existing and proposed utilities (including all appurtenances such as backflow devices, DCDA's, etc.) sizes, points of connection, and any easements.**



B. PUBLIC IMPROVEMENTS

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

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

Improvement	Archibald Av	Cedar St	Business Pw	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Upgrade	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

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

- a. Existing utility mains/services no longer to be used shall be abandoned or removed per the current City procedure. All services/laterals shall be abandoned by shutting off the corporation stops at the existing main and removing the service pipe at the point of connection with the main.



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

C. SEWER

- 2.23 An 8-inch sewer main is available for connection by this project in Cedar Street.
 (Ref: Sewer Drawing Number: **S11112**)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - a. The applicant/developer or occupant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>). Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers.

For Wastewater Discharge Permit questions, please contact:
 Michael Birmelin, Environmental Programs Manager
omucenvironmental@ontarioca.gov
 Phone: (909) 395-2661

D. WATER

- 2.27 A 12-inch water main is available for connection by this project in Archibald Avenue, Cedar Street & Business Parkway.
 (Ref: Water Drawing Number: **W11184, W10118 & W10129**)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:
 - a. The applicant/developer shall provide fire service to the proposed building addition and loop the fire services from the northeast corner of the property to the northwest corner of the property per the Conceptual Utilities System Map.

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____.
 (Ref: Recycled Water plan bar code: _____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.



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

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

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

2.34 Other conditions:

a. The applicant/developer is required to convert the existing irrigation system to a purple-ready system for future recycled water use. To prepare for the conversion to the future Master Planned Recycled Water main in Archibald Avenue, a private irrigation line connecting from the existing onsite irrigation shall be extended onsite to Archibald Ave with a stub out per the Conceptual Utilities Systems Map. Upon availability of recycled water in Archibald Avenue and in order to receive recycled water service, the applicant/developer shall comply with the following:

- i. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
- ii. Submit an Engineering Report (ER) to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.
- iii. Pass start-up and cross-connection test successfully.
- iv. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.

For questions on the ER submittal requirements, please contact:
Cynthia Heredia-Torres, Assistant Engineer
ctorres@ontarioca.gov
Phone: (909) 395-2647

F. TRAFFIC / TRANSPORTATION

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

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

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

2.37 Other conditions:

a. All landscaping, block walls and other obstructions in the parkway shall be compatible with the stopping sight distance requirements per City Standard Drawing Number 1309.

G. DRAINAGE / HYDROLOGY

2.38 A 60-inch storm drain main is available to accept flows from this project in Business Parkway. (Ref: Storm Drain Drawing Number: D10103)

2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.



- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100-year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100-year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions: _____

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
 If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
 Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 **Design and construct fiber optic system along the entire property frontage to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. The applicant/developer shall construct OntarioNet handholes with two (2) conduits in between each hand-hole along Cedar Street and Business Parkway property frontage in the ROW and one (1) conduit from the existing hand-hole near the northeast corner of Archibald Avenue & Cedar Street to the main telecommunications room in the building.**
- 2.51 **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.**



L. INTEGRATED WASTE

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

- 2.53 Other conditions:
 - a. Prior to the issuance of a Grading and Building Permit, the applicant/developer shall comply with the following:
 - i. Submit a Solid Waste Handling Planning (SWHP) and Integrated Waste Management Report (IWMR) with the Precise Grading Plan for the Ontario Municipal Utilities Company (OMUC) to review and approve. Email Blaine Ishii at bishii@ontarioca.gov a PDF copy of the set of plans after the grading permit number is created. If files are larger than 20 MB, then send a link to download files.
 - ii. Include on the SWHP how Organics separation and collections shall be handled in addition to refuse and recycling collections. This site shall comply with the Requirements of State Assembly Bill AM1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.
 - iii. Include the trash enclosure on the Building's Architectural Plan for OMUC to review and approve. Email Blaine Ishii at bishii@ontarioca.gov a PDF copy of the set of plans after the building permit number is created. If files are larger than 20 MB, then send a link to download files.
 - iv. Size the trash enclosure for a minimum of three (3) 4CY bins (one 4CY bin for refuse, one 4CY bin for recycling, and one 4CY bin for organics).

For questions on the SWHP and IWMR submittal requirements, please contact:
Peter Tran, Associate Engineer
ptran@ontarioca.gov
Phone: (909) 395-2677



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

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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 **Complete all Conditions of Approval listed under Sections 1-3 above.**
- 4.02 **Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**
- 4.03 **The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**
- 4.04 **Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.**



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV20-033

The following items are required to be included with the first plan check submittal:

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



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

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

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

8/12/21

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV20-033

Case Planner:

Larissa Lomen

Project Name and Location:

Industrial Building
 2777 E Cedar Street

Applicant/Representative:

Phillip Petitto at BCC Contracting, Inc.
 314 Elizabeth Lane
 Corona, CA 92878



Preliminary Plans (dated 8/11/2021) do not meet the Standard Conditions for New Development. Plans been approved considering that the following conditions below be met upon submittal of the landscape construction documents.



Preliminary Plans (dated) have not been approved. Corrections noted below are required before Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.

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

DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

The Conceptual Civil and Landscape Plans do not meet City Standards; before construction documents are submitted for plan check the following Conditions of Approval must be addressed.

Civil/ Site Plans

1. Stormwater infiltration devices located in landscape areas shall be reviewed and approved by the Landscape Planning Division before permit issuance. Any stormwater devices in parkway areas shall not displace street trees.
2. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
3. Show backflow devices set back 4' from paving all sides. Locate on level grade
4. Site plan to show 15% of the site with landscaping, not including the right of way or paving.
5. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1. Change all 2:1 slopes to 3:1.
6. Dimension all planters to have a minimum 5' wide inside dimension.
7. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.
8. Show outdoor employee break area with table or bench and shade trees on the south and west sides.
9. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or stormwater infiltration areas are located shall be loosened by soil fracturing. For trees, a 12'x12'x18" deep area; for stormwater infiltration the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats.

The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference, see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

10. Parkway trees are to be 30' apart, where missing.
11. Note to replace any dead, removed, or missing trees and plant material damaged by construction or neglect.
12. Replace or repair any broken or damaged irrigation components.
13. Coordinate with on-site landscape maintenance personnel to ensure the adjacent landscape is properly maintained in a neat and healthy condition free of weeds, pests or diseases and properly irrigated without run-off or overspray. Irrigation will be required to be upgraded to meet MWELo requirements during plan check and inspection.
14. Landscape, site, and civil plans shall match.
15. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening. Do not encircle utility, show as masses and duplicate masses in other locations on regular intervals.
16. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
17. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
18. Revise site plan to show 15% of the site with landscaping not including right of way or paving areas.
19. Limit use of gravel and cobble to 5% of the landscape area.
20. Note on landscape plans: for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
21. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs where parking spaces are adjacent to planters.
22. Locate trees for shade on buildings, parking lots, seating areas and paving, screen blank walls and
23. Show ADA access route from the public sidewalk, ADA path to employee break area and ADA path to adjacent industrial buildings within the same development. Include required ADA parking spaces and access aisles.
24. Show appropriate parking lot shade trees with min 30' canopy at maturity appropriate for 5' planter.
25. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
26. Show landscape hydrozones on plan or legend with plants per WUCOLS. Moderate water plants may be used for part shade north and east facing locations, low water plants everywhere else.
27. Overhead spray systems shall be designed for plant material less than the height of the spray head.
28. Use Lantana 'New Gold' in accent areas 8' wide and larger (dies out with frost).
29. Replace Abelia (semi-deciduous; consider Rhapsiolepis indica), replace Purple Fountain Grass (invasive) limit agave, aloes, and Geranium to accent areas, replace Archontophoenix cunninghamiana (consider Washingtonia filifera).
30. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
31. Show outdoor employee break area with table or bench and shade trees on the south and west

sides.

- 32. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon.
- 33. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
- 34. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
- 35. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:
 - Plan Check—less than 5 acres\$1,561.00
 - Inspection—Construction (up to 3 inspections per phase).....\$600.00Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV20-033
 Address: 2777 East Cedar Street
 APN: 0211-275-03
 Existing Land Use: Industrial Building
 Proposed Land Use: Development Plan to construct a 71,667 SF addition to an existing industrial building
 Site Acreage: 4.62 Proposed Structure Height: 40 FT
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Larissa Lomen
 Date: 1/06/2021
 CD No.: 2020-037
 PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input type="checkbox"/> 60 - 65 dB CNEL	<input type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 FT +	
<input type="radio"/> Zone 5			

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

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6
 Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

TO: Larissa Lomen, Administrative Intern
Planning Department

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

DATE: January 12, 2021

SUBJECT: PDEV20-033 - A Development Plan to construct a 71,667 square foot addition to an existing 105,095 square foot industrial building totaling 176,762 square feet on 4.62 acres of undeveloped land located at 2777 East Cedar Street, within the Business Park land use district of the California Commerce Center South Specific Plan (APN(s): 0211-275-03).

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: Not Listed.
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 71,667 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 71, 667 Sq. Ft. (New) + 105,095 Sq. Ft. (Existing Building) = 176,762 Sq. Ft. Combined
- F. 2019 CBC Occupancy Classification(s): Not Listed

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov/Fire/Prevention.
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

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

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2019 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure, based on combined 176,762 Sq. Ft..
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and location(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.9 Hose valves with one and one half inch (1 ½") connections will be required on the roof, in locations acceptable to the Fire Department. These hose valves shall be take their water supply

from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.
- ☒ 5.8 The building shall be provided with a Public Safety 800 MHZ radio amplification system per the Ontario Municipal Code Section 4-11.09 (n) and the CFC. The design and installation shall be approved by the Fire Department.

6.0 OTHER SPECIAL USES

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino

County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO

MEMORANDUM

TO: Larissa Lomen, Administrative Intern

FROM: Officer Bill Lee, Police Department

DATE: February 17, 2021

SUBJECT: PDEV20-033- A DEVELOPMENT PLAN TO CONSRUCT A 71,667 SQUARE FOOT ADDITION TO AN EXISTING 105,095 SQUARE FOOT INDUSTRIAL BUILDING AT 2777 EAST CEDAR STREET.

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

- Required lighting for all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 6 feet tall and 2 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street. Associated letters shall also be included.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Officer Bill Lee at (909) 408-1672A with any questions or concerns regarding these conditions.



Development Advisory Board Decision

September 20, 2021

DECISION NO.: [insert #]

DECISION NO.: [insert #]

FILE NO.: PDEV19-069 and PCUP19-030

DESCRIPTION: A Development Plan (File No. PDEV19-069) to construct a convenience store with fuel sales, and car wash, in conjunction with a Conditional Use Permit (File No. PCUP19-030) to establish alcoholic beverage sales for consumption off the premises, limited to beer and wine sales (Type 20 ABC license), on 0.87-acre of land located at 2156 South Grove Avenue, within the Commercial land use district of the Grove Avenue Specific Plan; (APN: 1050-491-08) **submitted by Ramila Patel. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

RAMILA PATEL, (hereinafter referred to as "Applicant") has filed an application requesting Development Plan, File No. PDEV19-069, and Conditional Use Permit, File No. PCUP19-030, approval, 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 0.87-acre of land located at the northwest corner of Grove Avenue and Philadelphia Street, at 2156 South Grove Avenue, and is depicted in Exhibit A—Project Location Map, attached. The site is currently improved with a convenience store, freestanding canopy covering fuel dispensers and other related fueling appurtenances, related off-street parking and vehicle circulation areas, and landscaped areas. The existing improvements are to be razed/removed to accommodate the proposed Project. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are summarized in the table below.

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Fuel Sales and Convenience Store	Business Park	SP (Specific Plan)	Commercial Grove Avenue Specific Plan
<i>North:</i>	Caltrans Material and Equipment Storage	Business Park	SP (Specific Plan)	Office/Commercial Grove Avenue Specific Plan
<i>South:</i>	Multi-Tenant Retail Commercial and Fast-Food Restaurant	General Commercial	CC (Community Commercial)	N/A
<i>East:</i>	Fast-Food Restaurant	Business Park	SP (Specific Plan)	Business Park Grove Avenue Specific Plan
<i>West:</i>	Caltrans Material and Equipment Storage	Business Park	SP (Specific Plan)	Office/Commercial Grove Avenue Specific Plan

(2) **Project Description:**

(a) **Background** — On December 10, 2019, the Applicant submitted a request for Development Plan approval (File No. PDEV19-069) to raze an existing convenience store with fueling station, and construct a new convenience store, fueling station, and car wash on the subject site. In conjunction with the Development Plan, the Applicant submitted a request for Conditional Use Permit approval (File No. PCUP19-030) to establish alcoholic beverage sales for consumption off the premises, limited to beer and wine sales (Type 20 ABC license) on the subject site.

(b) Development Plan (File No. PDEV19-069) —

(i) **Site Design/Building Layout.** The proposed development project consists of a 3,545-square-foot convenience store (AM-PM) with an attached 1,440-square-foot automated carwash, and a 3,499-square-foot freestanding canopy that fully covers the fuel dispenser area. The convenience store/carwash building is located adjacent to the Project site's west property line (setback 5 feet) and is setback 44.3 feet from the south (Philadelphia Street) property line and approximately 58 feet from the north (interior) property line. The carwash is accessed by way of a looping drive aisle that is entered on the north side of the convenience store/carwash building and is exited on the south side of the building.

Passenger vehicle parking for the convenience store is located on the east side of the building, immediately in front of the store, and under the fuel dispenser canopy, at each fuel dispenser space. Parking for the carwash is located at the northeast corner of the Project site, which will be covered by a shade structure. Additionally, each parking space will be provided with a vacuum unit.

The fuel dispenser canopy is located between the convenience store and Grove Avenue, setback 53 feet from the north property line, 36.5 feet from the east (Grove Avenue property line, and 55.75 feet from the south (Philadelphia Street) property line. Additionally, there is a 52-foot separation provided between the convenience store and the fuel dispenser canopy.

(ii) **Site Access/Circulation.** The Project site is currently accessed by two driveways along the Philadelphia Street frontage and two driveways along the Grove Avenue frontage, which will be replaced by a single new driveway along each street frontage.

(iii) **Parking.** The Grove Avenue Specific Plan refers to the City's Development Code for off-street parking requirements. The Project has provided off-street parking pursuant to the "Retail Trade," "Self-Serve and Full Service Fueling Stations," and "Carwashes, Full-Service and Self-Service" off-street parking standards specified in Development Code Table 6.03-1 (Off-Street Parking Requirements). As shown in the table below, the proposed Project requires a total of 26 off-street parking spaces, which have been provided.

Type of Use	Building Area (in SF)	Parking Ratio	Spaces Required	Spaces Provided
Convenience Store	3,850	4 spaces per 1,000 SF (0.004/SF).	15	28**
Fueling Station	3,499	3 spaces minimum; plus, parking requirements for combination uses. Fueling stations operating in conjunction with other uses may be granted shared parking credit at the rate of one space for each fuel dispenser.	3	
Carwash (unmanned)	1,440	One space per employee, minimum 10 spaces.	10	
TOTAL			28	28**

** The "Spaces Provided" calculation includes a 12-parking space credit for fuel dispenser spaces and a 4-parking space credit for the carwash queuing lane.

(iv) **Architecture.** Architecturally, the proposed convenience store, fueling station, and carwash incorporate smooth-troweled stucco; stone veneer; prefabricated steel canopy elements covered with Alucobond aluminum composite panels, located above storefront glazing; canopy elements covered with Alucobond decorative panels and decorative hanging equipment screens above the carwash tunnel entrance and exit; decorative cornices treatments along the tops of parapet walls; and decorative tile accents (see Exhibit D—Elevations, attached). The mechanical equipment for the industrial warehouse building will be roof-mounted and obscured from public view by the parapet walls and, if necessary, additional equipment screens, which will incorporate design features consistent with the building architecture. Staff believes that the proposed project illustrates the type of high-quality architecture promoted by the Development Code. This is exemplified through the use of: (i) articulation in the building footprint, incorporating a recessed wall area; (ii) articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall; (iii) a mix of exterior materials, finishes and fixtures; (iv) incorporation of base and top treatments defined by changes in color, materials, and recessed wall areas; and (v) the building was designed to ensure that its massing and proportion, along with its colors and architectural detailing, are consistent throughout all four building elevations.

(v) **Landscaping.** The project provides landscaping along the street frontages, the perimeter of the site, and throughout the parking lot. The Development Code requires that the Project provide a minimum 13 percent landscape coverage and 27 percent has been provided. Moreover, a combination of 24-, 36-, and 48-inch box accent and shade trees will be provided throughout the project site, in addition to a variety of shrubs and groundcovers that are low water usage and drought tolerant. The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians (see Exhibit E—Landscape Plan, attached).

(vi) **Utilities (drainage, sewer).** Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of a combination of on-site surface retention and infiltration trenches within landscaped areas and subsurface retention chambers. Any overflow drainage will be conveyed to the public street by way of parkway drains and culverts.

(c) Conditional Use Permit (File No. PCUP19-030) —

(i) **Proposed Operations.** The proposed hours of operations for the convenience store are 24 hours per day, 7 days per week. Alcoholic beverages will be displayed in close proximity to the cashier area, within permanently affixed coolers and at three locations on the end of shopping aisles, occupying a total of 58 square feet, equal to less than three percent of the convenience store's retail sales area.

In addition, pursuant to the Departmental Conditions of Approval, the Applicant will adopt security measures to ensure customers do not consume alcohol on-site and will provide policy signs to enforce no consumption of alcoholic beverages. Furthermore, the Police Department has conditioned the sale of alcoholic beverages to occur only between 6:00 AM to 2:00 AM, consistent with State law. All employees engaged in the sales of beer and wine will be required to complete a training program approved by ABC and the City of Ontario Police Department.

(ii) **ABC License Concentrations.** The California Department of Alcoholic Beverage Control ("ABC") is the controlling State entity with authority to grant, renew, and revoke 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 populations. The project site is located within Census Tract

18.03, which is over-concentrated with off-sale alcoholic beverage licenses. The department of Alcoholic Beverage Control allows for 2 off-sale alcohol licenses, and there are currently 5 active off-sale alcohol licenses within census tract 18.03; however, Development Code Section 5.03.025.F.4 grants the Approving Authority (the Planning Commission in this case) the authority to make a determination of Public Convenience or Necessity ("PCN"), thereby allowing the issuance of additional ABC licenses for off-premises alcoholic beverage sales in census tracts that have been determined to be over concentrated with such ABC licenses.

The PCN findings require that proposed retail alcohol licenses not be located within a high crime area. A high crime area is defined as an area characterized by a high ratio of Police Department calls for alcohol-related incidences. The surrounding area (one-half mile radius of project site) shall not exceed 20 percent greater calls for service than when compared to Citywide incidents. The City of Ontario had a total of 451 calls for service related to alcohol-related reports citywide, including, but not limited to, driving while intoxicated or under the influence, alcohol violations, and drunk in public. Within a one-half mile radius of the project site, there were an average of two alcohol-related incidences per month in the past year, between August 1, 2020, to August 1, 2021, which is less than one percent for alcohol-related incidences and does not exceed the maximum 20 percent increase prescribed by the Development Code for alcohol-related incidences attributable to the area surrounding the proposed Conditional Use Permit location. Therefore, the Planning Commission may make a PCN determination and grant the requested Conditional Use Permit.

(iii) **Land Use Compatibility.** A Conditional Use Permit is required for the retail sale of alcoholic beverages whether intended for consumption on or off the premises. A review is required to ensure the compatibility of adjacent uses by identifying potential nuisance activities associated with the proposed activity and establishing measures for appropriate mitigation. The introduction of alcoholic beverage sales at the proposed location, within the proposed convenience store, will provide further convenience to customers and will not intensify the land use. Therefore, staff believes that the recommended Conditions of Approval will mitigate any potential impacts that may be associated with the proposed alcoholic beverage sales for consumption off the premises. Additionally, nearby businesses within the immediate area surrounding the project site will not be exposed to any additional impacts resulting from the proposed Conditional Use Permit.

(3) **Airport Land Use Compatibility Plan:** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP.

(4) **Departmental Review:** City agencies and departments have been provided the opportunity to review and comment on the subject applications and recommend conditions of approval to be imposed upon the applications. At the time of Decision preparation, recommended conditions of approval were provided and are included as Attachment A (Departmental Conditions of Approval) of this Decision.

(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:** To date, the Planning Department staff has not received any written or verbal communications from the property owners surrounding the project site or from the public in general, regarding the subject Development Plan and/or Conditional Use Permit.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

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

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

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

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

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

WHEREAS, on September 20, 2021, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines and meets each of the following conditions: (a) the Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations, as conditioned; (b) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the Project site is located on a site that can be adequately served by all required utilities and public services.

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

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

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

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

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 thru 3, above, the DAB hereby concludes as follows:

(1) **Development Plan (File No. PDEV19-069):**

(a) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Business Park land use district of the Policy Plan Land Use Map, and the Commercial land use district of the Grove Avenue Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(b) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the Commercial land use district of the Grove Avenue Specific Plan and the City of Ontario Development Code, as applicable, including standards relative to the particular land use proposed (convenience store, fuel sales, and automated carwash), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(c) **The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Grove Avenue Specific Plan and the City of Ontario Development Code are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Grove Avenue Specific Plan; and

(d) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Commercial land use district of the Grove Avenue Specific Plan and the City of Ontario Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (convenience store, fuel sales, and automated carwash). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Grove Avenue Specific Plan.

(2) **Conditional Use Permit (File No. PCUP19-030):**

(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, as applicable, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed alcoholic beverage sales for consumption off the premises, limited to beer and wine sales (Type 20 ABC license), will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the Commercial land use district of 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 alcoholic beverage sales for consumption off the premises, limited to beer and wine sales (Type 20 ABC license), will be located within the Business Park land use district of the Policy Plan Land Use Map, and the Commercial land use district 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; 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 alcoholic beverage sales for consumption off the premises, limited to beer and wine sales (Type 20 ABC license), is located with the Business Park land use district, and the Commercial land use district of the Grove Avenue Specific Plan, and has been reviewed and conditioned to ensure the establishment, operation, and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and Grove Avenue Specific Plan; and

(d) **The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Grove Avenue Specific Plan and the City of Ontario 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.

SECTION 5: Pursuant to the requirements of Development Code Section 5.03.025.F (Public Convenience or Necessity Determination), based upon the facts and information contained in the Application, and the evidence presented to the Planning Commission hereby finds that the proposed off-sale alcoholic beverage license is located within an overconcentrated census tract (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.) and makes the following Public Convenience or Necessity determinations:

(1) The retailer is not a grocery store that occupies a minimum of 12,000 square feet of gross floor area. The project location is a convenience store and fueling station; therefore, the minimum 12,000 square feet of gross floor area requirement does not apply in this case.

(2) The convenience store has a retail area of 2,053 square feet, with significantly less than 10 percent of the area devoted to alcoholic beverage display. The proposed alcoholic beverage sales will be displayed in close proximity to the cashier area, within permanently affixed coolers and at the ends of shopping aisles, occupying a total of 58 square feet, equal to approximately 3 percent of the retail area. No more than 4 modules of the walk-in cooler are designated for beer and wine sales.

(3) At least 10 percent of the floor area is devoted to food sales. The majority of the convenience store floor area is devoted to various prepackaged food items (such as chips, cookies, and other snacks) and daily prepared sandwiches and snacks. The proposed Type 20 ABC License is estimated to attribute to less than 10 percent of overall sales; therefore, it is ancillary to the convenience store.

(4) The proposed retail 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. Within the year preceding the preparation of this report, the City of Ontario had a total of 451 calls for service and alcohol-related reports, including, but not limited to, driving while intoxicated or under the influence, alcohol violations, and drunk in public. According to the Ontario Police Department, the one-half mile radius area surrounding the project location had an average total of 2 alcohol-related incidences in the past year (between August 1, 2020, to August 1, 2021), less than one percent for alcohol-related incidences, which does not exceed the maximum 20 percent increase allowed by the Development Code for alcohol-related incidences attributable to the area surrounding the proposed CUP location.

(5) The property/building/use has no outstanding Building or Health Code violations or Code Enforcement activity. The property site will be under construction and has no outstanding Building or Health Code violations.

(6) The site is properly maintained, including building improvements, landscaping, and lighting. The project site is currently under construction but has been conditioned to be consistently maintained.

SECTION 6: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVE the Development Plan, File No. PDEV19-069, and Conditional Use Permit, File No. PCUP19-030, subject to each and every condition set forth in the Department reports included as Attachment A of this Decision and incorporated herein by this reference.

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

SECTION 8: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 20th day of September 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

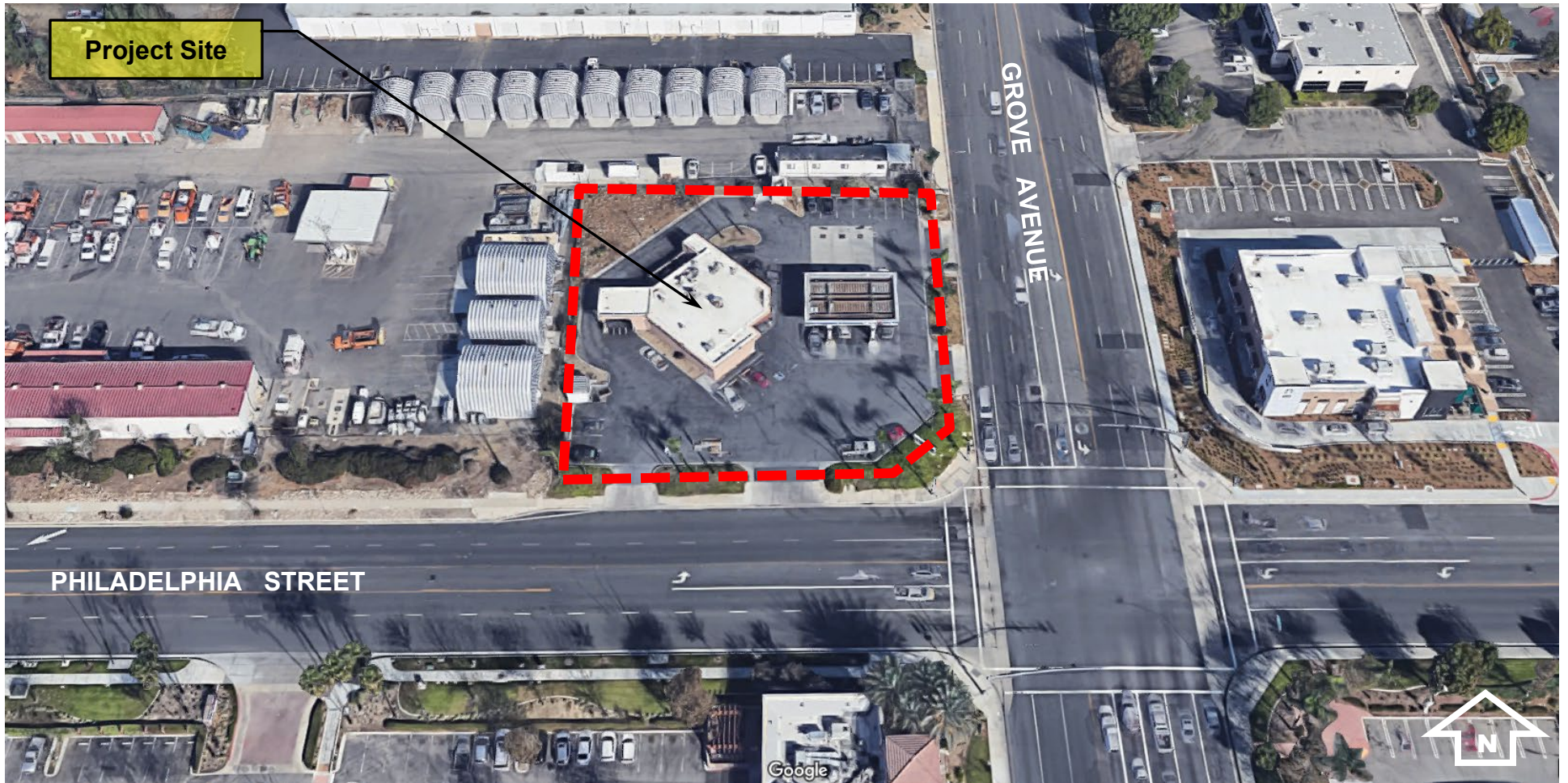


Exhibit B—SITE PLAN

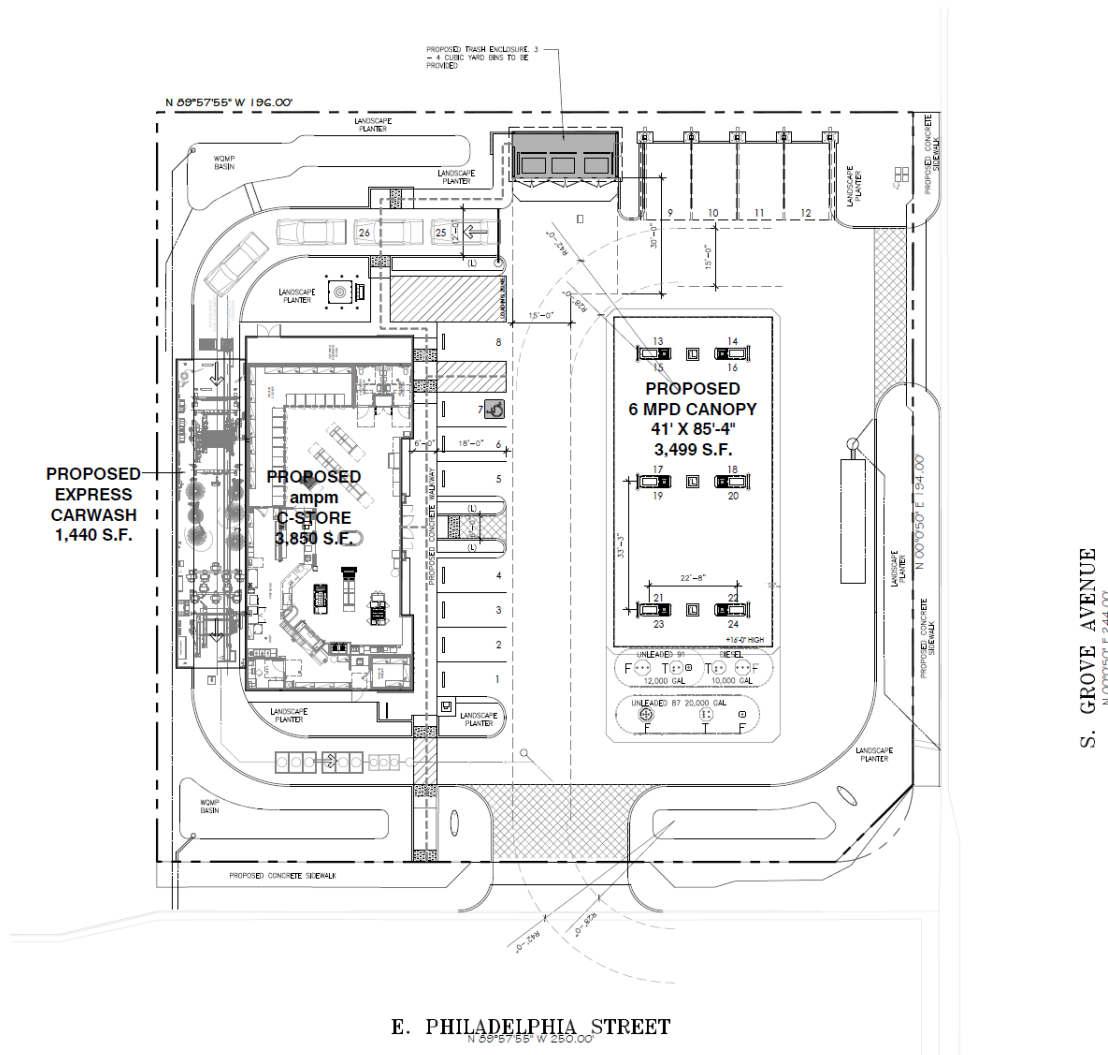


Exhibit C—CONVENIENCE STORE/CARWASH FLOOR PLAN WITH ALCOHOL SALES AREAS IDENTIFIED

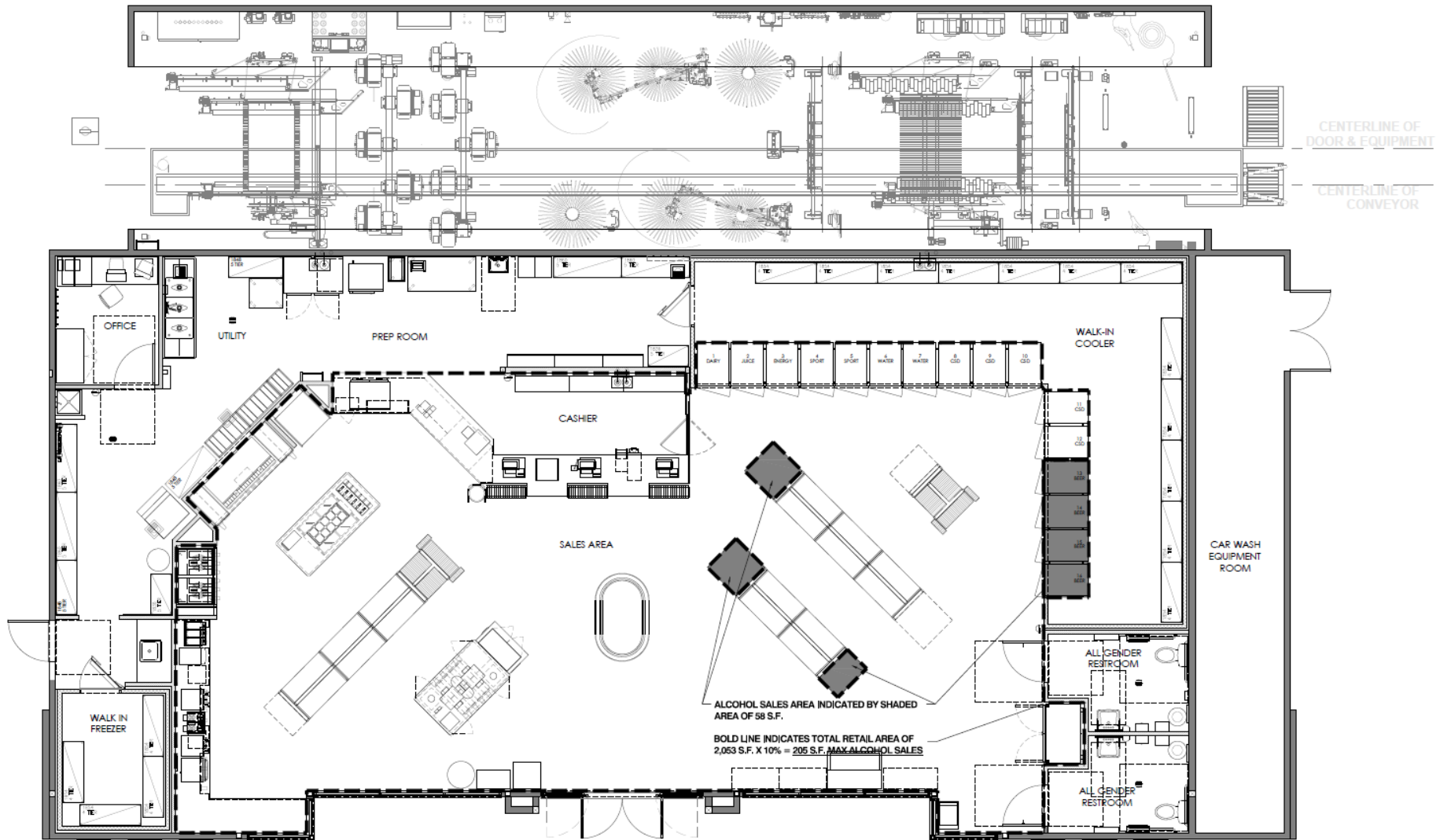
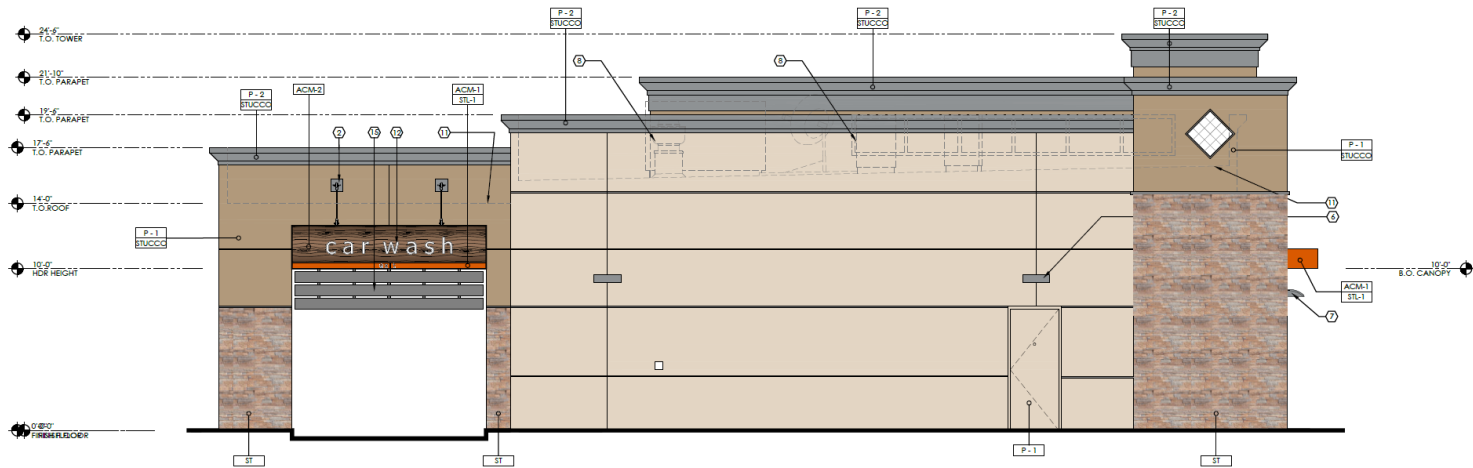


Exhibit D—EXTERIOR ELEVATIONS

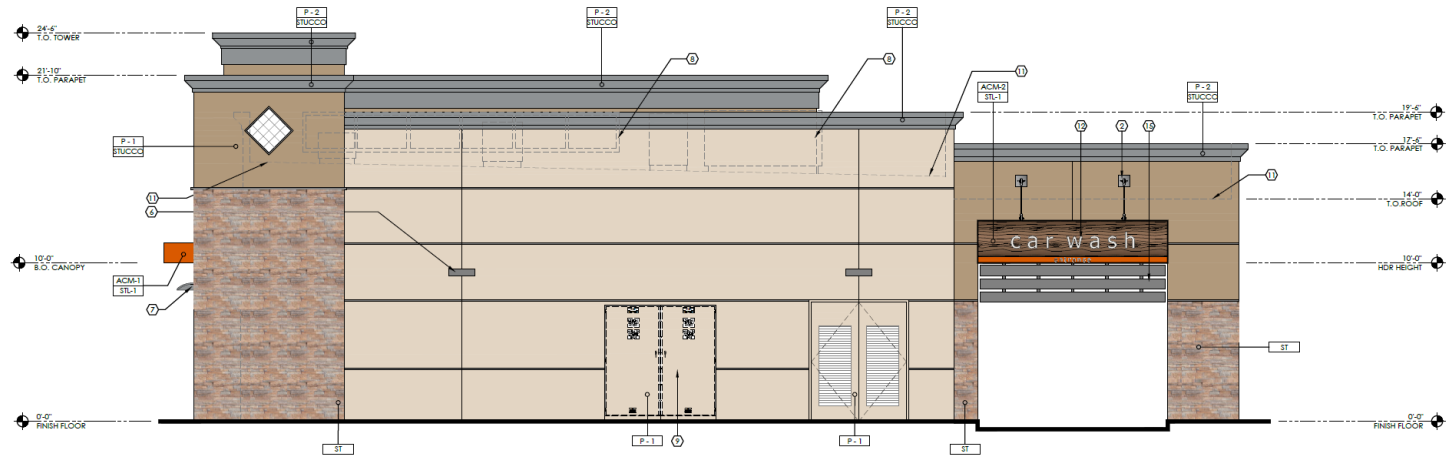


A C-STORE - EAST ELEVATION
 SCALE: 1/4"=1'-0"

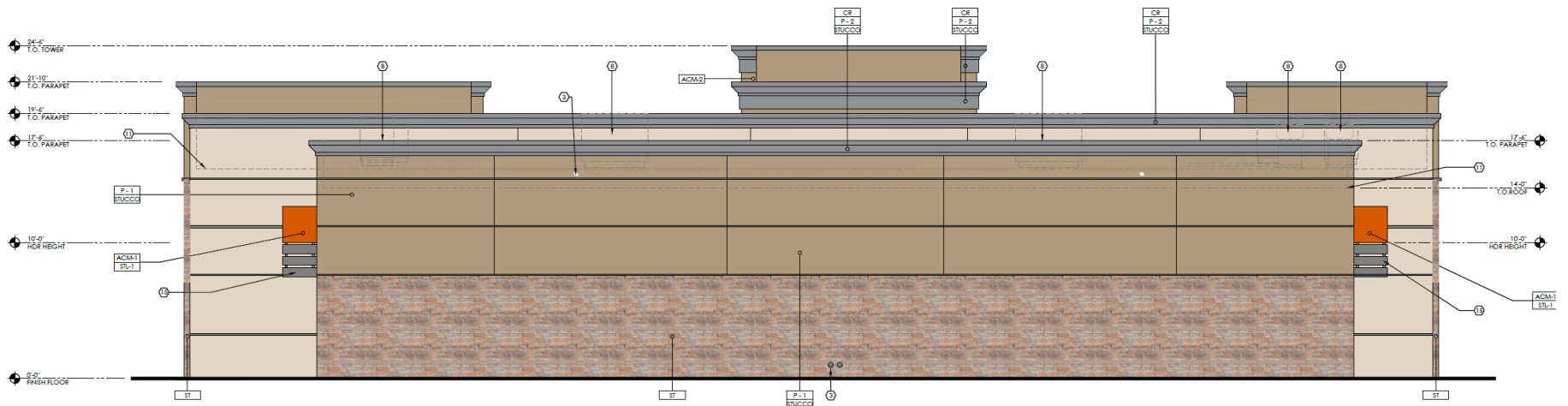


B C-STORE - SOUTH ELEVATION
 SCALE: 1/4"=1'-0"

Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)

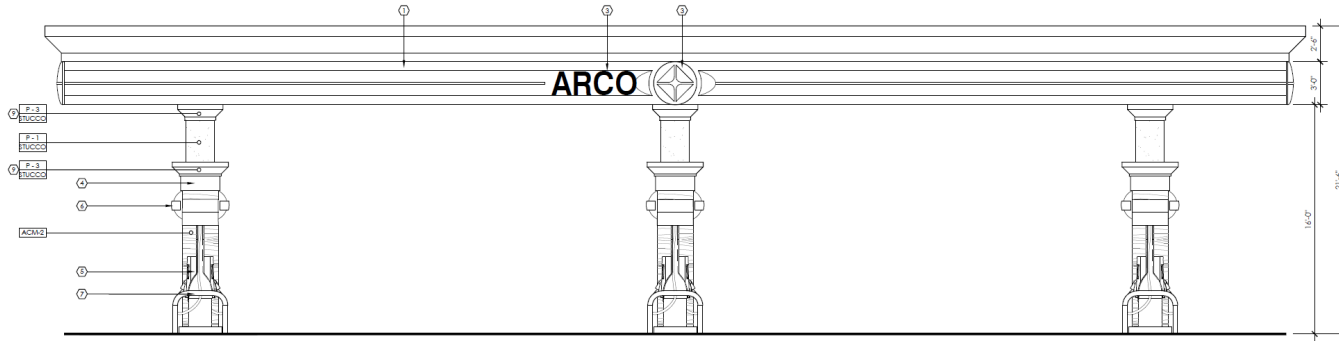


A C-STORE - NORTH ELEVATION
 SCALE: 1/4"=1'-0"

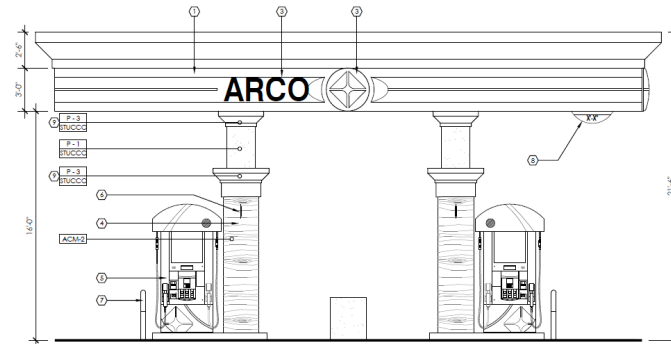


B C-STORE - WEST ELEVATION
 SCALE: 1/4"=1'-0"

Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)

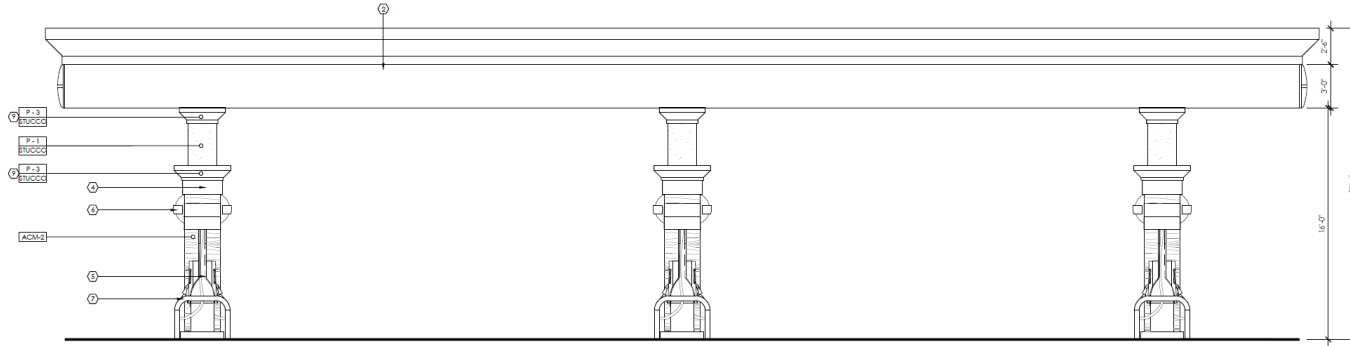


A CANOPY - EAST ELEVATION
SCALE: 1/4"=1'-0"

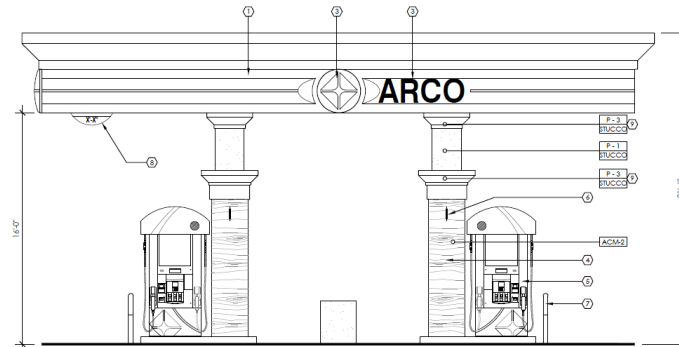


B CANOPY - SOUTH ELEVATION
SCALE: 1/4"=1'-0"

Exhibit D—EXTERIOR ELEVATIONS (CONTINUED)

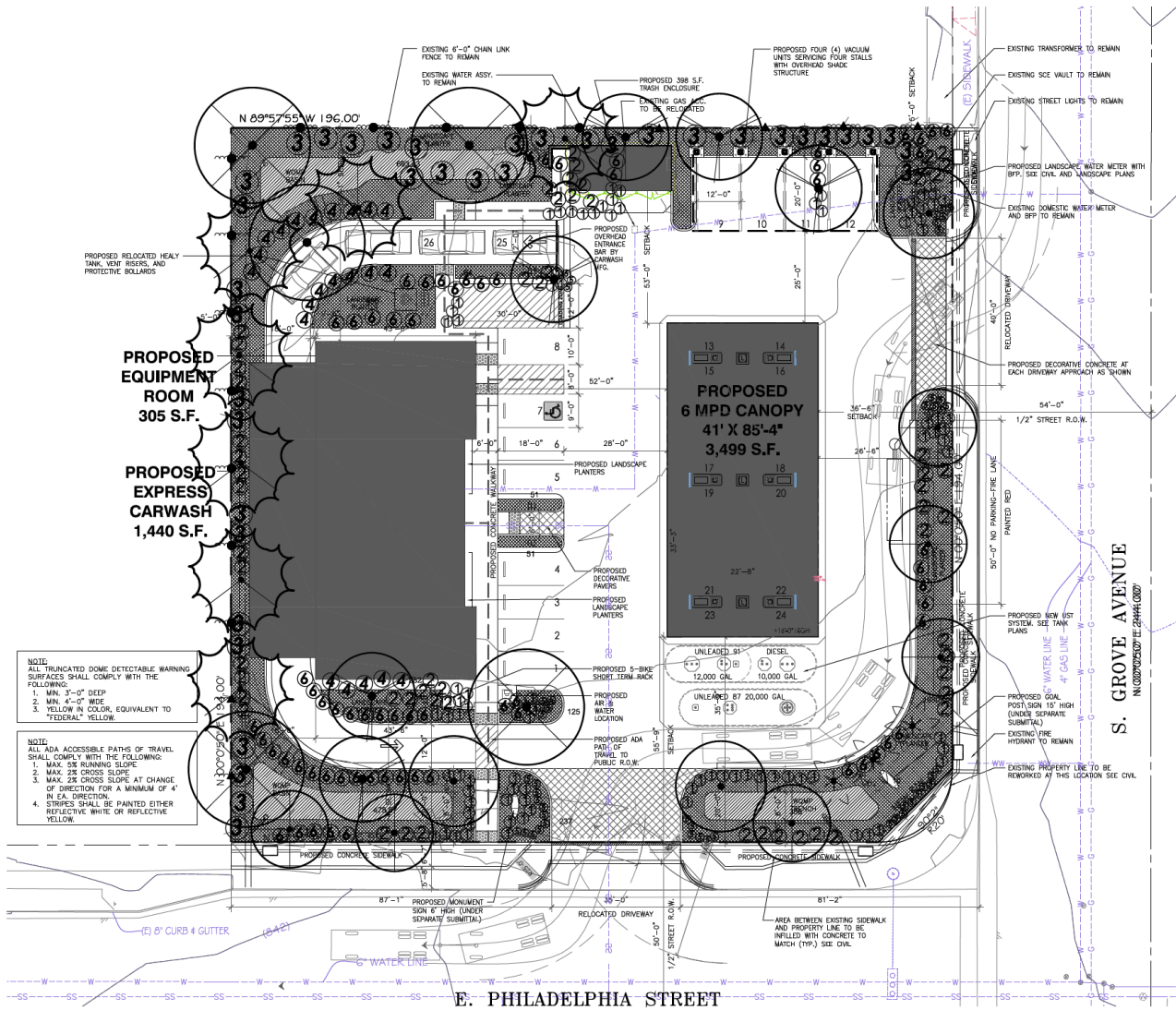


C CANOPY - WEST ELEVATION
SCALE: 1/4"=1'-0"



D CANOPY - NORTH ELEVATION
SCALE: 1/4"=1'-0"

Exhibit E—LANDSCAPE PLAN



PLANT PALLETTE

SYMBOL	BOTANICAL NAME/COMMON NAME	SIZE	QTY.
PROPOSED PALMS:			
	PHOENIX DACTYLIFERA / DATE PALM	15 B.T.H.	3
EXISTING TREES REMOVED:			
	PRUNUS C. 'ATROPURPUREA' / PURPLE LEAF PLUM & SCHINUS MOLLE / CALIFORNIA PEPPER	N.A.	1
	SYAGRUS ROMANOFFIANUM / QUEEN PALM	N.A.	13
PROPOSED TREES:			
	APPROVED HERITAGE TREE REPLACEMENT PER THE CITY OF ONTARIO DEV. CODE SECT. 6.05.035	48" BOX 24" BOX 15 GAL.	7
	GLEDITSIA T. INERMIS 'SHADEMASTER' / SHADEMASTER LOCUST	15 GAL.	7
	JACARANDA MIMOSIFOLIA / JACARANDA	36" BOX	3
	QUERCUS VIRGINIANA / SOUTHERN LIVE OAK	24" BOX	4
	STREET TREE @ 30' O.C. IN FRONT PLANTERS - VARIETY PER CITY OF ONTARIO	24" BOX	6
NOTE: PROVIDE A PRE-APPROVED ROOT BARRIER FOR ALL TREES PLANTED WITHIN 8'-0" OF HARDSCAPE OR WALLS AND PROVIDE A MINIMUM OF 3'-0" CLEARANCE BETWEEN TREE TRUNK AND ADJACENT STRUCTURE OR WALLS			
PROPOSED SHRUBS:			
	CALLISTEMON V. 'LITTLE JOHN' / LITTLE JOHN BOTTLEBRUSH	5 GAL.	89
	LAVANDULA ANGUSTIFOLIA / ENGLISH LAVENDER	5 GAL.	59
	HETEROMELES ARBUTIFOLIA / TOYON	5 GAL.	38
	LEUCOPHYLLUM F. 'GREEN CLOUD' / GREEN CLOUD TEXAS RANGER	5 GAL.	22
	LAVANDULA A. 'TWICKEL PURPLE' / TWICKEL PURPLE ENGLISH LAVENDER	1 GAL.	47
	ROSEMARINUS O. 'TUSCAN BLUE' / TUSCAN BLUE ROSEMARY	5 GAL.	67
PROPOSED VINES:			
	HARDENBERGIA VIOLACEA 'HAPPY WANDERER' / HAPPY WANDERER HARDENBERGIA	5 GAL.	6
	LONICERA J. 'HALLIANA' / HALL'S HONEYSUCKLE	1 GAL.	12
PROPOSED GROUND COVER:			
	LANTANA 'DWARF GOLD' / DWARF GOLD LANTANA	1 GAL. @ 3' O.C.	N.A.
	VERBENA CANADENSIS / VERBENA	1 GAL. @ 3' O.C.	N.A.
NO SYMBOL	MEDIUM BARK MULCH THROUGHOUT ALL SHRUB/B.C. AREAS	3" LAYER MIN.	N.A.
PROPOSED BIO-RETENTION BASIN PLANTING:			
	CUSTOM IRRIGATED SEED MIX BY S&S SEEDS*	HYDROSEEDED	1,528 S.F.
*CUSTOM SEED MIX TO BE SPECIFIED ON CONSTRUCTION DRAWINGS			

Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

Date Prepared: September 14, 2021

File No: PDEV19-069

Related Files: PCUP19-030

Project Description: A Development Plan (File No. PDEV19-069) to construct a convenience store with fuel sales, and car wash, in conjunction with a Conditional Use Permit (File No. PCUP19-030) to establish alcoholic beverage sales for consumption off the premises, limited to beer and wine sales (Type 20 ABC license), on 0.87-acre of land located at 2156 South Grove Avenue, within the Commercial land use district of the Grove Avenue Specific Plan; (APN: 1050-491-08) **submitted by Ramila Patel.**

Prepared By: Charles Mercier, Principal Planner
Phone: 909.395.2425 (direct)
Email: CMercier@ontarioca.gov

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

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

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

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

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

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

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

2.6 Site Lighting.

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

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

2.7 Mechanical and Rooftop Equipment.

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

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

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

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

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

2.11 Architecture.

(a) The exterior stucco mix shall be formulated and applied to achieve a fine sand float finish, having a blend of a maximum 20/30 aggregate mix.

(b) All tower elements on the building(s) shall be fully walled and finished on all sides and include detailing appropriate to the architectural style proposed, so as to be a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director. The term "tower elements" means architectural elements of the building that are that are substantially taller than the adjacent parapet wall or roof, as determined by the Planning Director.

(c) At locations where changes in parapet wall height meet, the taller parapet must return into the building for a minimum distance of 6 FT, so that the actual thickness of the parapet wall cannot be observed or readily discerned.

(d) At building corners, where conditions exist that would allow the public to view the back (interior) side of parapet walls resulting from changes in parapet heights, the raised parapet area shall be constructed so as to be a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director.

2.12 Environmental Review.

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

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

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

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

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

2.14 Additional Fees Due.

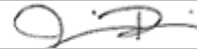
(a) Within 5 days following final application approval, the Notice of Exemption ("NOE") filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the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

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

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

DAB CONDITIONS OF APPROVAL

Sign Off



3/5/21

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2237

D.A.B. File No.:

PDEV19-069

Case Planner:

Denny Chen

Project Name and Location:

Gas Station Demo + Rebuild
 2156 S Grove Ave

Applicant/Representative:

Ramila Patel – nickromi@hotmail.com / Greg Hann – EDGpermitting@empiregr.biz
 2156 S Grove Ave
 Ontario, CA 92562



A Preliminary Landscape Plan (2/12/21) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Three (3) heritage trees have been removed from the site. Provide an arborist report and tree inventory for existing (and removed) trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
2. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
 - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required.
 - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
 - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
 - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items.
3. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.

4. Dimension all planters to have a minimum 5' wide inside dimension. Adjust width in north planter and finger island south of carwash entrance.
5. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.
6. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.
7. Grading Plans, Proposed Legend: Show different symbols for Bio-Retention Basins and Landscape Areas.
8. Grading Plans, Infiltration Detail: Replace "Grass" with "Landscape." Side slopes shall be planted with container plants and basin bottoms hydroseeded with an approved mix.
9. Reduce the entry to 5' and increase the adjacent planter spaces.

Landscape Plans

10. See #8.
11. Show correct scale legend.
12. Provide an arborist report and tree inventory as noted in #1.
13. Provide updated MWELo water budget.
14. Replace Lantana 'Dwarf Gold' (dies out with frost, becomes woody and out grows planter spaces), consider Lantana m. 'Alba' or Myoporum, Lavandula (short lived), consider Salvia clevelandii, Gleditsia, consider Quercus ilex, Phoenix dactylifera, consider Washingtonia filifera.
15. Provide an appropriate hydroseed plant mix for water quality basins and swales.
16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
17. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections per phase)	<u>\$278.00</u>
Total.....	\$1,579.00
Inspection—Field – any additional.....	\$83.00

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

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: December 13, 2019
SUBJECT: PDEV19-069

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

KS:lr



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV19-069 RELATED FILE NO(S). PCUP19-030	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Eric Woosley, P.E. (909) 395-2134

CITY PROJECT PLANNER & PHONE NO: Chuck Mercier (909) 395-2425

DAB MEETING DATE: September 20, 2021

PROJECT NAME / DESCRIPTION: A Development Plan to raze an existing gas station and convenience store, and construct a new convenience store, gas canopy and car wash on 0.87 acres within the Commercial Land Use District of the Grove Avenue Specific Plan
LOCATION: 2156 South Grove Avenue

APPLICANT: Trisha Petro, Inc.

REVIEWED BY:  9/1/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY:  9-2-21
 Khoi Do, P.E. Date
 City Engineer



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

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

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

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



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario Per Parcel Map 9082, Map Book 94, Page 82.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);
 - Make a Dedication of Easement.



- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.

- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 2.08 **Submit a soils/geology report.**

- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____

- 2.10 **Dedicate to the City of Ontario the right-of-way described below:**

Property line corner 'cut-back' required at the intersection of Philadelphia Street and Grove Avenue.

- 2.11 **Dedicate to the City of Ontario the following easement(s): A sidewalk easement for portions of the sidewalk behind the driveway approach encroaching onto private property along Grove Avenue.**

- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).



- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**
- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$18,383.10, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions: The Applicant/Developer shall pay a Storm Drain In-lieu Fee for a future 42-inch storm drain along the property frontage on Grove Avenue, approximately \$55,273.36, Fee shall be paid to the Engineering Department.**



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

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

Improvement	Philadelphia Street	Grove Avenue	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> Remove and replace at spandrel	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace broken panels	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	<input checked="" type="checkbox"/> Remove existing drive approaches not used and replace with full height curb and gutter, sidewalk, and parkway landscape	<input checked="" type="checkbox"/> Remove existing drive approaches not used and replace with full height curb and gutter, sidewalk, and parkway landscape		
Other Improvements				

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



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

C. SEWER

- 2.23 **A 10-inch and a 36-inch sewer main are available for connection by this project in Grove Avenue and Philadelphia Street, respectively. (Ref: Sewer plan bar code: S11693 & S13070)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 1. **Construct a sand and oil separator for the proposed carwash with a separate sewer lateral and connect to downstream of the domestic waste line.**
 2. **The Occupant/Applicant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply will all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>).**

Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact:

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

D. WATER

- 2.27 **A 6-inch and a 12-inch water main are available for connection by this project in Grove Avenue and Philadelphia Street, respectively. (Ref: Water plan bar code: W12362 & W11628)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions:**
 1. **Construct a separate irrigation service, off Philadelphia, from the domestic water service and connected directly to the existing public water main, with a backflow device (on private property).**



2. All existing services and backflow devices must meet city's current standards and abandon any unused services.

E. RECYCLED WATER

- 2.30 A recycled water main is not available for connection by this project. (Ref: Recycled Water plan bar code: N/A)
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
 - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions:
 - 1. Construct all recycled appurtenances (purple ready) for future recycled water use. Irrigation interim should be connected to domestic water in Philadelphia Street.

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
 - 1. Driveways shall be designed in accordance with City Standard Drawing No. 1204.
 - 2. Driveways on both Grove Avenue and Philadelphia Street shall be signed right-in/right-out to be enforceable.
 - 3. Where a driveway closure is being proposed, Applicant/developer shall backfill the existing driveway curb-cuts with full-height curb and gutter, sidewalk, and landscaped parkway in accordance with all City standards and to the satisfaction of the City Engineer.
 - 4. Applicant/developer shall be responsible to design and construct sidewalk along the Grove Avenue frontage, in accordance with all applicable standards and to the satisfaction of the City Engineer.
 - 5. The Applicant/Developer shall be responsible to replace any existing street light fixtures along the property frontage with the current City-approved LED equivalent fixture. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 - Street Light Plans.



6. Grove Avenue shall be signed "No Stopping Anytime"; Philadelphia Street shall be signed "No Parking Anytime".

G. DRAINAGE / HYDROLOGY

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

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels. If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted. Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.



- 2.47 Other conditions:
1. Certified Trash Treatment/Pretreatment Devices such as a gravity separator shall be installed ahead of the underground system. For a list of approved devices please visit the following website:
https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/trash_implementation/certified_fcsdevicelist_16Feb2021.pdf

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Existing OntarioNet infrastructure is not in close enough proximity to connect to. Conduit infrastructure shall be installed along the property frontages of Grove Avenue and Philadelphia Street, with a hand hole at each end of the property frontage as shown on the Fiber Optic Exhibit herein.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:
<https://www.ontarioca.gov/OMUC/IntegratedWaste>
- 2.53 Other conditions:
1. The Trash Enclosure is to be constructed northeast corner of the project site for serviceability.
2. Prior to approval of any building permits, submit a final Solid Waste Handling Plan with the Precise Grading Plan for review and approval of Integrated Waste Department.

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

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.



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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04 Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PDEV19-069/PCUP19-030

The following items are required to be included with the first plan check submittal:

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

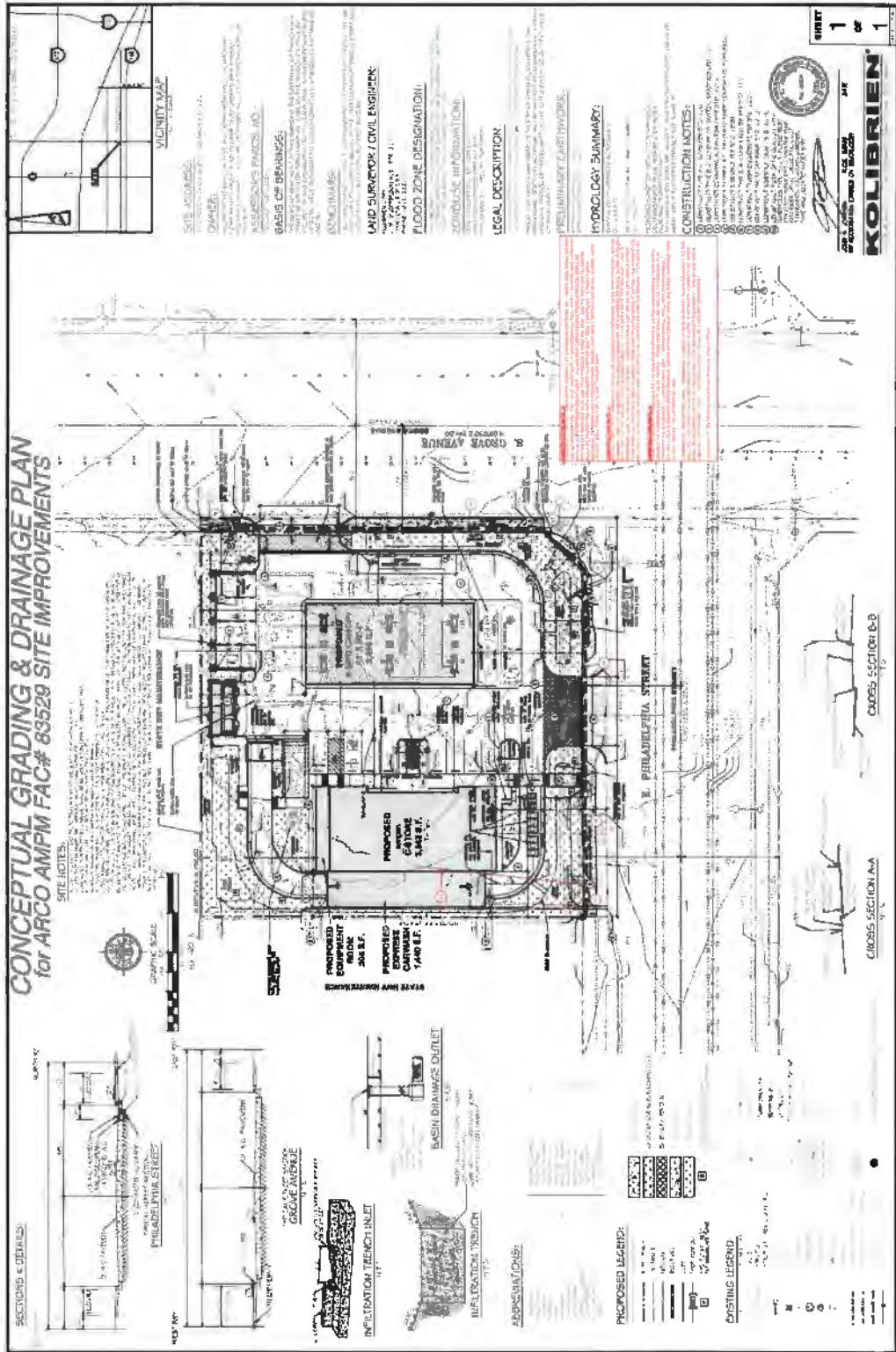


- 21. Payment for Final Map/Parcel Map processing fee
- 22. Three (3) copies of Final Map/Parcel Map
- 23. One (1) copy of approved Tentative Map
- 24. **One (1) copy of Preliminary Title Report (current within 30 days)**
- 25. One (1) copy of Traverse Closure Calculations
- 26. **One (1) set of supporting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



EXHIBIT 'B'

**BROADBAND OPERATIONS DEPARTMENT
 Fiber Optic Exhibit**





CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner

FROM: Officer Emily Hernandez, Police Department

DATE: July 1, 2020

SUBJECT: PDEV19-069(REV1)- A DEVELOPMENT PLAN TO DEMOLISH AN EXISTING GAS STATION AND CONSTRUCT A NEW 3,545 SQUARE FOOT CONVENIENCE STORE WITH FUEL SALES, A 3,499 SQUARE FOOT FUEL CANOPY AND A 1,1440 SQUARE FOOT CAR WASH LOCATED AT 2156 SOUTH ARCHIBALD AVENUE.

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

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

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

- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, and all cash registers. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.

- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

The Applicant is invited to contact Officer Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: December 18, 2019

SUBJECT: PDEV19-069 – A Development Plan to demolish an existing gas station and construct (1) a new 3,927 square foot gas station with convenience store, (2) a 3,449 square foot gasoline canopy, (3) 336 square foot equipment room and (4) 1,440 square foot drive thru car wash on 0.87 acres of land located at 2156 S Grove Ave, within the Commercial land use district of the Grove Avenue Specific Plan (APN(s): 1050-491-08). Related File: PCUP19-030

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

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V-B
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 4 Structures
- D. Number of Stories: 1
- E. Total Square Footage: 9,152 Sq. Ft. (Structures)
- F. 2016 CBC Occupancy Classification(s): M

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

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

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.8 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

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

6.0 OTHER SPECIAL USES

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO MEMORANDUM

TO: Scott Murphy, Development Director
 Cathy Wahlstrom, Planning Director (Copy of memo only)
 Diane Ayala, Advanced Planning Division (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, City Engineer
 Jamie Richardson, Landscape Planning Division
 Ahmed Aly, Municipal Utility Company
 Emily Hernandez, Police Department
 Paul Ehrman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Airport Planning
 Eric Woosley, Engineering/NPDES
 Joe De Sousa, Code Enforcement (Copy of memo only)
 Jimmy Chang, IT Department

FROM: Denny Chen, Associate Planner

DATE: December 12, 2019

SUBJECT: FILE #: PDEV19-069

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 **Thursday, December 26, 2019**.

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

PROJECT DESCRIPTION: A Development Plan to demolish an existing gas station and construct (1) a new 3,927 square foot gas station with convenience store, (2) a 3,449 square foot gasoline canopy, (3) 336 square foot equipment room and (4) 1,440 square foot drive thru car wash on 0.87 acres of land located at 2156 S Grove Ave, within the Commercial land use district of the Grove Avenue Specific Plan (APN(s): 1050-491-08). Related File: PCUP19-030.

- 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.

CT
Department

[Handwritten Signature]
Signature

Supervisor
Title

12-12-19
Date



LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

Date Prepared: September 14, 2021

File No: PCUP19-030

Related Files: PDEV19-069

Project Description: A Conditional Use Permit (File No. PCUP19-030) to establish alcoholic beverage sales for consumption off the premises, limited to beer and wine sales (Type 20 ABC license) in conjunction with a Development Plan (File No. PDEV19-069) to construct a convenience store with fuel sales, and car wash, on 0.87-acre of land located at 2156 South Grove Avenue, within the Commercial land use district of the Grove Avenue Specific Plan; (APN: 1050-491-08) **submitted by Ramila Patel.**

Prepared By: Charles Mercier, Principal Planner
Phone: 909.395.2425 (direct)
Email: CMercier@ontarioca.gov

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

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 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. Conditional Use Permit approval shall become null and void two years following the effective date of application approval, unless a building permit is issued (refer to related File No. PDEV19-069) 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) The land use for which the Conditional Use Permit has been issued shall be established shall be establish and operated in conformance with the Departmental Conditions of Approval. Any variation or deviation from the approved land use and plans must be reviewed and approved by the Planning Director

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

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

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

2.3 Landscaping.

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

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

2.4 Parking, Circulation and Access.

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

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

(c) 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).

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

2.5 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code 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.

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

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

2.8 Alcoholic Beverage Sales—General.

(a) No upgrade/change of an alcoholic beverage license type may occur until a minimum one-year of operations under the approved license type has occurred.

(b) The business shall be operated in strict compliance with the rules, regulations and orders of the State of California Department of Alcoholic Beverage Control. Failure to comply with this requirement shall be deemed just cause for revocation of conditional use permit approval.

(c) Coinciding with the annual Police Department inspection, the Planning Department shall conduct a review of the approved use and shall prepare for Zoning Administrator consideration, a status report identifying impacts associated with the use and any non-compliance with the conditions of approval. In addition, such status report shall contain a police report regarding calls for service to the subject premises during the prior one year period. Nothing herein shall modify or limit the City's ability to regulate the business or modify or revoke the permit upon the City's determination that the business is being operated in a manner adverse to the public health, safety and welfare.

(d) Signs shall comply with all City of Ontario sign regulations. No more than 25 percent of the total window area shall bear advertising or signs of any sort. Window signs shall be placed and maintained in a manner so that there is clear and unobstructed view of the interior of the premises from the building exterior.

(e) The rear doors shall be kept closed at all times during the operation of the premises, except in case of emergency or to permit deliveries.

(f) In the event that security problems occur as a result of the approved subject use and at the request of the Police Department, the permittee, at his/her own expense, shall provide a California licensed, uniformed security guard(s) on the subject premises, during such hours and in such number as requested by the Police Department.

(g) The licensee shall attend a LEAD (Licensee Education on Alcohol and Drugs) training session sponsored by the State of California Department of Alcoholic Beverage Control, within 6 months following commencement of the approved use.

(h) A clearly legible copy of the herein-listed conditions of approval shall be posted at all times at a prominent place in the interior of the premises.

(i) Live entertainment shall be prohibited. Any future request for live entertainment shall require conditional use permit approval by the Zoning Administrator. Karaoke, DJs, live musical acts, and other similar forms of entertainment are considered live entertainment.

(j) Amplified prerecorded music may be permitted; however, the sound emitted from the premises shall not be audible outside the walls of the business establishment.

(k) Electronic arcade and amusement games shall be prohibited on-site, unless specifically permitted by the Police Department and shown on the approved site plan.

2.9 Alcoholic Beverage Sales—Convenience Markets and Liquor Stores.

(a) A clearly legible sign not less than 7 inches by 11 inches in size, reading "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES," shall be posted at or near each public entrance of the premises. A sign of like size and content shall also be maintained at a prominent place in the interior of the premises.

(b) A clearly legible sign not less than 7 inches by 11 inches in size, reading "NO OPEN ALCOHOLIC BEVERAGE CONTAINERS ARE ALLOWED ON THESE PREMISES," shall be posted at or near each public entrance of the premises. A sign of like size and content shall also be maintained at a prominent place in the interior of the premises.

(c) All provisions of the Alcoholic Beverage Control Act (Business and Professions Code Section 23000 et seq.) pertaining to the sale of beer and wine for off-premise consumption in conjunction with gasoline service stations shall be complied with, including, but not limited to, the following:

(i) No beer or wine shall be displayed within 5 feet of the cash register or the front door unless it is in a permanently affixed cooler.

(ii) No advertisement of alcoholic beverages shall be displayed at motor fuel islands.

(iii) No sale of alcoholic beverages shall be made from a drive-thru window.

(iv) No display or sale of beer or wine shall be made from an ice tub.

(v) No illuminated advertising for beer or wine shall be located on building exteriors or in windows.

2.10 Environmental Review.

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

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

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

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

2.11 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.

2.12 Additional Fees Due.

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

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

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

DAB CONDITIONS OF APPROVAL

Sign Off

Jamie Richardson, Sr. Landscape Planner

3/5/21
Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2237

D.A.B. File No.:

PDEV19-069 & PCUP19-030

Case Planner:

Denny Chen

Project Name and Location:

Gas Station Demo + Rebuild
 2156 S Grove Ave

Applicant/Representative:

Ramila Patel – nickromi@hotmail.com / Greg Hann – EDGpermitting@empiregr.biz
 2156 S Grove Ave
 Ontario, CA 92562

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (2/12/21) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Three (3) heritage trees have been removed from the site. Provide an arborist report and tree inventory for existing (and removed) trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
2. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
 - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required.
 - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
 - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
 - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items.
3. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.

4. Dimension all planters to have a minimum 5' wide inside dimension. Adjust width in north planter and finger island south of carwash entrance.
5. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.
6. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.
7. Grading Plans, Proposed Legend: Show different symbols for Bio-Retention Basins and Landscape Areas.
8. Grading Plans, Infiltration Detail: Replace "Grass" with "Landscape." Side slopes shall be planted with container plants and basin bottoms hydroseeded with an approved mix.
9. Reduce the entry to 5' and increase the adjacent planter spaces.

Landscape Plans

10. See #8.
11. Show correct scale legend.
12. Provide an arborist report and tree inventory as noted in #1.
13. Provide updated MWELo water budget.
14. Replace Lantana 'Dwarf Gold' (dies out with frost, becomes woody and out grows planter spaces), consider Lantana m. 'Alba' or Myoporum, Lavandula (short lived), consider Salvia clevelandii, Gleditsia, consider Quercus ilex, Phoenix dactylifera, consider Washingtonia filifera.
15. Provide an appropriate hydroseed plant mix for water quality basins and swales.
16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
17. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections per phase)	<u>\$278.00</u>
Total.....	\$1,579.00
Inspection—Field – any additional.....	\$83.00

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

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: December 13, 2019
SUBJECT: PDEV19-069 & PCUP19-030

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

KS:lr



ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV19-069 RELATED FILE NO(S). PCUP19-030	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Eric Woosley, P.E. (909) 395-2134

CITY PROJECT PLANNER & PHONE NO: Chuck Mercier (909) 395-2425

DAB MEETING DATE: September 20, 2021

PROJECT NAME / DESCRIPTION: A Development Plan to raze an existing gas station and convenience store, and construct a new convenience store, gas canopy and car wash on 0.87 acres within the Commercial Land Use District of the Grove Avenue Specific Plan
LOCATION: 2156 South Grove Avenue

APPLICANT: Trisha Petro, Inc.

REVIEWED BY: 
Raymond Lee, P.E.
Assistant City Engineer 9/1/21
Date

APPROVED BY: 
Khoi Do, P.E.
City Engineer 9-2-21
Date



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

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

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

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



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario Per Parcel Map 9082, Map Book 94, Page 82.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);
 - Make a Dedication of Easement.



- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches. In addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.

- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 2.08 **Submit a soils/geology report.**

- 2.09 **Other Agency Permit/Approval:** Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____

- 2.10 **Dedicate to the City of Ontario the right-of-way described below:**

Property line corner 'cut-back' required at the intersection of Philadelphia Street and Grove Avenue.

- 2.11 **Dedicate to the City of Ontario the following easement(s): A sidewalk easement for portions of the sidewalk behind the driveway approach encroaching onto private property along Grove Avenue.**

- 2.12 **New Model Colony (NMC) Developments:**
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).



- 2.13** **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**
- 2.14** **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15** **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$18,383.10, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16** **Other conditions: The Applicant/Developer shall pay a Storm Drain In-lieu Fee for a future 42-inch storm drain along the property frontage on Grove Avenue, approximately \$55,273.36, Fee shall be paid to the Engineering Department.**



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

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

Improvement	Philadelphia Street	Grove Avenue	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> Remove and replace at spandrel	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace broken panels	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optic (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	<input checked="" type="checkbox"/> Remove existing drive approaches not used and replace with full height curb and gutter, sidewalk, and parkway landscape	<input checked="" type="checkbox"/> Remove existing drive approaches not used and replace with full height curb and gutter, sidewalk, and parkway landscape		
Other Improvements				

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



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

C. SEWER

- 2.23 A 10-inch and a 36-inch sewer main are available for connection by this project in Grove Avenue and Philadelphia Street, respectively. (Ref: Sewer plan bar code: S11693 & S13070)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - 1. Construct a sand and oil separator for the proposed carwash with a separate sewer lateral and connect to downstream of the domestic waste line.
 - 2. The Occupant/Applicant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>).

Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact:

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

D. WATER

- 2.27 A 6-inch and a 12-inch water main are available for connection by this project in Grove Avenue and Philadelphia Street, respectively. (Ref: Water plan bar code: W12362 & W11628)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:
 - 1. Construct a separate irrigation service, off Philadelphia, from the domestic water service and connected directly to the existing public water main, with a backflow device (on private property).



2. **All existing services and backflow devices must meet city's current standards and abandon any unused services.**

E. RECYCLED WATER

- 2.30 **A recycled water main is not available for connection by this project.**
(Ref: Recycled Water plan bar code: N/A)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 **Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.**
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 **Other conditions:**
1. **Construct all recycled appurtenances (purple ready) for future recycled water use. Irrigation interim should be connected to domestic water in Philadelphia Street.**

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
1. On-site and off-site circulation
2. Traffic level of service (LOS) at 'build-out' and future years
3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
1. **Driveways shall be designed in accordance with City Standard Drawing No. 1204.**
2. **Driveways on both Grove Avenue and Philadelphia Street shall be signed right-in/right-out to be enforceable.**
3. **Where a driveway closure is being proposed, Applicant/developer shall backfill the existing driveway curb-cuts with full-height curb and gutter, sidewalk, and landscaped parkway in accordance with all City standards and to the satisfaction of the City Engineer.**
4. **Applicant/developer shall be responsible to design and construct sidewalk along the Grove Avenue frontage, in accordance with all applicable standards and to the satisfaction of the City Engineer.**
5. **The Applicant/Developer shall be responsible to replace any existing street light fixtures along the property frontage with the current City-approved LED equivalent fixture. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 - Street Light Plans.**



6. Grove Avenue shall be signed "No Stopping Anytime"; Philadelphia Street shall be signed "No Parking Anytime".

G. DRAINAGE / HYDROLOGY

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

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels. If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted. Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.



2.47 Other conditions:

1. Certified Trash Treatment/Pretreatment Devices such as a gravity separator shall be installed ahead of the underground system. For a list of approved devices please visit the following website:

https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/trash_implementation/certified_fcsdevicelist_16Feb2021.pdf

J. SPECIAL DISTRICTS

2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.

2.49 Other conditions: _____

K. FIBER OPTIC

2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Existing OntarioNet infrastructure is not in close enough proximity to connect to. Conduit infrastructure shall be installed along the property frontages of Grove Avenue and Philadelphia Street, with a hand hole at each end of the property frontage as shown on the Fiber Optic Exhibit herein.

2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. INTEGRATED WASTE

2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:

<https://www.ontarioca.gov/OMUC/IntegratedWaste>

2.53 Other conditions:

1. The Trash Enclosure is to be constructed northeast corner of the project site for serviceability.
2. Prior to approval of any building permits, submit a final Solid Waste Handling Plan with the Precise Grading Plan for review and approval of Integrated Waste Department.

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

3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.



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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04 Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PDEV19-069/PCUP19-030

The following items are required to be included with the first plan check submittal:

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



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



CITY OF ONTARIO

MEMORANDUM

“Excellence Through Teamwork”



TO: Denny Chen, Associate Planner

FROM: Rick Rees, Police Officer, CET Unit

DATE: February 9, 2021

SUBJECT: FILE NO. PCUP19-030 – ARCO AM/PM – 2156 S Grove Avenue

The Ontario Police Department has researched the request for an off-site type 20 (beer & wine) alcohol license for the ARCO AM/PM gas station located at 2156 S Grove Avenue. The requested license is within census tract 18.03 which is already over concentrated with off-sale alcohol licenses. The department of Alcohol Beverage Control authorizes two (2) off-sale alcohol licenses for this tract. There are currently four (4) active off-sale alcohol licenses within census tract 18.03.

The Ontario Police Department does not approve or deny Conditional Use Permits or ABC licenses. The approval of PCUP19-030 is at the discretion of the City of Ontario Planning Department. However, due to the over-concentration factor, the Ontario Police Department recommends the applicant obtain a license approval from the State Department of ABC prior to moving forward.

If a Conditional Use Permit is granted, the location must follow all Department of Alcohol Beverage Control regulations and laws. The Police Department is placing the following conditions:

ABC CONDITIONS

1. Sales of alcohol will occur between the hours of 06:00 a.m. to 02:00 a.m. daily.
2. Refrigerators and/or cabinets containing alcohol will be locked at 10:00 p.m.
3. Applicant will follow all conditions per Business and Professions Code 23790.5(d) - Concurrent sales of alcohol and gasoline.

4. No sales or service to minors.
5. No sales or service to intoxicated patrons.
6. No open alcohol beverages in the establishment.
7. No alcohol sales through any pass-through type windows.
8. No drug paraphernalia will be sold at any time.
9. No smoking is permitted inside of the establishment including any type of electronic delivery devices.
10. Single sale of beer, cans or bottles, will not be allowed.
11. Wine shall not be sold in containers less than 750ml.
12. Wine coolers must be sold in four packs.
13. The sale of distilled spirits is not permitted.
14. All alcohol sales must be placed in a plastic or paper bag before leaving the store.
15. No more than six (6) doors on the walk-in cooler shall be designated for beer and wine.
16. Employees engaged in the sales of alcohol must be 18 years of age or older.
17. No more than 25% of advertisements are allowed on the windows of the business.
18. Clear visibility must be maintained through the windows between two feet and six feet height. (Advertisements, décor, tinting, etc. must be no higher than two feet at the bottom of the window and no lower than six feet at the top of the window.)
19. The cashier must be visible from the parking lot.
20. No loitering shall be permitted on any property adjacent to the licensed premise, which is under the control of the applicant, and signs must be posted.
21. Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management's control so that it may be abated by the property owner and/or the City's graffiti team.

22. The applicant will be responsible for keeping the grounds of the business clean from debris and litter as much as possible.
23. The parking lot of the premises shall be equipped with a maintained lighting device capable of providing a minimum of one-foot candle of light at ground level.
24. Applicant shall not encourage or permit alcoholic beverages to be consumed on any property adjacent to the licensed premises under the control of the applicant, and signs must be posted.
25. The applicant shall modify or equip any public telephones inside or adjacent to the establishment to prevent incoming calls.
26. Trash enclosures shall remain locked at all times to prevent abnormal use of the area. The enclosure may be left unlocked on trash pickup days, but must be locked as soon as practical after the trash has been removed.
27. Any and all landscaping shall be maintained on a routine maintenance schedule. Shrubbery and foliage shall follow similar guidelines as the windows in reference to visibility. Shrubs shall be maintained no higher than two feet and foliage shall be maintained above six feet in height to allow clear visibility for all patrons and staff at the establishment.
28. 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 ABC and Ontario Police Department, within six months of this dated conditional use permit. Proof of re-certification is required every 3 years. New employees must attend a training class within six months of their hire date.
29. The business shall maintain a security camera surveillance system in proper working order. A minimum of one camera will record the main entrance, to monitor patrons entering and exiting. A minimum of one camera will record the register area. A minimum of one camera will record the parking lot. Each camera will record at least 720p 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.

TOBACCO CONDITIONS

1. No tobacco sales to anyone under 21 years of age.
2. Retailers must post required Stop Tobacco Access to Kids Enforcement (STAKE) Act age of sale warning signs at each cash register.

3. State tobacco retailer license must be posted in view of customers.
4. Customers may not help themselves to cigarettes.
5. Tobacco products must be stored behind the counter.
6. Sales of individual cigarettes are prohibited.
7. Single cigarettes and roll-your-own tobacco in the packaging containing less than 0.6 ounces are prohibited.
8. The distribution of free or normal-cost tobacco products or coupons is prohibited.
9. Outdoor and storefront signs advertising tobacco may not exceed 14 square feet.

If alcohol related crimes at this location are higher than four 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 the violation of this CUP or has violated the laws of the State or City.

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

The Ontario Police Department and the Ontario Planning Department will conduct an inspection before the location will be allowed to sell alcoholic beverages with the conditional use permit.

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

Please contact Officer Rees at (909) 408-1660 with any questions regarding the listed police conditions.



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: December 18, 2019

SUBJECT: PDEV19-069 – A Development Plan to demolish an existing gas station and construct (1) a new 3,927 square foot gas station with convenience store, (2) a 3,449 square foot gasoline canopy, (3) 336 square foot equipment room and (4) 1,440 square foot drive thru car wash on 0.87 acres of land located at 2156 S Grove Ave, within the Commercial land use district of the Grove Avenue Specific Plan (APN(s): 1050-491-08). Related File: PCUP19-030

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

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V-B
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 4 Structures
- D. Number of Stories: 1
- E. Total Square Footage: 9,152 Sq. Ft. (Structures)
- F. 2016 CBC Occupancy Classification(s): M

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

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

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.8 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

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

6.0 OTHER SPECIAL USES

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO MEMORANDUM

TO: Scott Murphy, Development Director
 Cathy Wahlstrom, Planning Director (Copy of memo only)
 Diane Ayala, Advanced Planning Division (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, City Engineer
 Jamie Richardson, Landscape Planning Division
 Ahmed Aly, Municipal Utility Company
 Emily Hernandez, Police Department
 Paul Ehman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Airport Planning
 Eric Woosley, Engineering/NPDES
 Joe De Sousa, Code Enforcement (Copy of memo only)
 Jimmy Chang, IT Department



FROM: Denny Chen, Associate Planner

DATE: December 12, 2019

SUBJECT: FILE #: PCUP19-030 Finance Acct#:

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

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

PROJECT DESCRIPTION: A Conditional Use Permit Modification to establish a 1,440 square foot automated car wash ancillary to a gas station on 0.87 acres of land located at 2156 S Grove Ave, within the Commercial land use district of the Grove Avenue Specific Plan (APN(s): 1050-491-08). Related File(s): PDEV19-069.

- 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.

Department
 Signature
 File
 Date



Development Advisory Board Decision

September 20, 2021

DECISION NO.: [insert #]

FILE NO.: PMTT21-002

DESCRIPTION: A Tentative Parcel Map (TPM 20278) to subdivide 15.94 acres of land into 3 parcels located at the southwest corner of CA-60 (Pomona Freeway) and Milliken Avenue, within the IL (Light Industrial) and UC (Utilities Corridor) zoning districts; (APN: 1083-361-07); **submitted by Orbis Real Estate Partners. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

ORBIS REAL ESTATE PARTNERS, (herein after referred to as “Applicant”) has filed an application requesting Tentative Parcel Map approval, File No. PMTT21-002, 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 15.94 acres of land located at southwest corner of CA-60 (Pomona Freeway) and Milliken Avenue, and is depicted in Exhibit A—Project Location Map, 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>	Vacant	Industrial/ OS-NR (Open Space – Non-Recreation)	Light Industrial/ UC (Utilities Corridor)	N/A
<i>North</i>	State Route 60 Freeway			N/A
<i>South</i>	Vacant/Winery	Industrial/General Commercial	Light Industrial/Community Commercial	N/A
<i>East</i>	City of Eastvale Business Park	Business Park	IL (Industrial Park)	N/A
<i>West</i>	Single Family Residential Subdivision	Low Density Residential (2.1 – 5.0 du/ac)	Creekside Village Specific Plan	Single Family Detached

(2) **Project Description:**

(a) **Background** — On November 17, 2020, the City Council approved a General Plan Amendment (File No. PGPA19-007) to change the land use designation on the subject site from Mixed Use to Industrial and a Zone Change (File No. PZC19-002) to change the zoning designation on the subject site from Specific Plan to Light Industrial, in conjunction with the adoption of an Addendum to The Ontario Plan

Environmental Impact Report (State Clearinghouse No. 2008101140), certified by City Council on January 27, 2010, in conjunction with File No. PGPA06-001.

On October 27, 2020, the Planning Commission approved Tentative Parcel Map No. 20177 (File No. PMTT19-018), located south of the Project site, to facilitate the development of industrial and commercial land uses. The Tentative Parcel Map established the alignment of internal public and private streets (Stefano Court and Maddalena Privado, respectively) to serve the immediate area, including the subject site.

On February 18, 2021, the Applicant submitted the following applications for concurrent processing:

- Tentative Parcel Map No. 20278 (File No. PMTT21-002), subdividing 15.94 acres of land into 3 parcels located at the southwest corner of the CA-60 (Pomona Freeway) and Milliken Avenue, within the IL (Light Industrial) and UC (Utilities Corridor) zoning districts.
- Tentative Parcel Map No. 20274 (File No. PMTT21-003), subdividing 9.72 acres of land into 4 parcels located south of the southwest corner of the CA-60 (Pomona Freeway) and Milliken Avenue, within the IL (Light Industrial) and CC (Community Commercial) zoning districts.
- A Development Plan (File No. PDEV21-007) to construct four industrial buildings totaling 393,334 square feet on 25.66 acres of land located at the southwest corner of CA-60 Pomona Freeway) and Milliken Avenue, within the IL (Light Industrial) zoning district.

(b) Tentative Parcel Map — The proposed Tentative Parcel Map will subdivide the Project site into 3 numbered lots (see Exhibit B—Tentative Parcel Map, attached) to facilitate the construction of two industrial buildings totaling 234,002 square feet. Parcel 1 (3.78 ac) is zoned UC (Utilities Corridor), and Parcels 2 (8.5 ac) and 3 (3.63 ac) are zoned IL (Light Industrial). Parcels 2 and 3 exceed the 10,000 (0.23 ac) square foot minimum lot size established for the IL zoning district (See Tentative Parcel Map Summary Table, below).

Tentative Parcel Map Summary Table				
Parcel No.	General Plan Land Use Designation	Zoning District	Development Plan File No. / Land Use	Acres
1	OS-NR (Open Space – Non-Recreation)	UC (Utilities Corridor)	N/A Open Space	3.78
2	Industrial	IL (Light Industrial)	PDEV21-007 Industrial	8.5
3	Industrial	IL (Light Industrial)	PDEV21-007 Industrial	3.63
	Street Dedication (Stefano Court)			0.03
Total				15.94

(c) Site Access/Circulation — On October 27, 2020, the Planning Commission Tentative Parcel Map 20177 (File No. PMTT19-018) which subdivided 20 acres of land, south of the Project site, into 7 parcels. Tentative Parcel Map 20177 (File No. PMTT19-018) will facilitate the construction of internal public and private streets (Stefano Court and Maddalena Privado), which will serve the immediate area and the Project site. Stefano Court is a 40-foot-wide public street (66-foot right-of-way) that runs north-south, terminating in a cul-de-sac at the north end. Stefano Court will intersect with Riverside Drive, at a point approximately 600 feet west of Milliken Avenue. Maddalena Privado, a private street, will run east-

west and will intersect with Milliken Avenue at a point approximately 800 feet north of Riverside Drive. Maddalena Privado intersects with Stefano Court and transitions into a drive-aisle immediately west of Stefano Court. The Project site will take direct access from both Stefano Court and Milliken Avenue.

(d) Utilities (drainage, sewer) — To serve the proposed industrial development, the Project will be required to construct infrastructure improvements. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes both Projects’ compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of underground stormwater infiltration system within the tractor-trailer courtyard areas of each building. Any overflow drainage will be conveyed to a storm drain connection located within Stefano Court.

Part II—RECITALS

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

WHEREAS, The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was certified by the City Council on January 27, 2010 (“Certified EIR”) in conjunction with File No. PGPA06-001; and

WHEREAS, an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was approved by the City Council on November 17, 2020, in conjunction with File Nos. PGPA19-007 and PZC19-002, in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the Addendum to the Certified EIR, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as “DAB”) the responsibility and authority to review and make recommendations to the Planning Commission on the subject Application; and

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is

subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (“ALUCP”), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on September 20, 2021, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Addendum to the Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Addendum to the Certified EIR and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this Project were previously reviewed in conjunction with File Nos. PGPA19-007 and PZC19-002, a General Plan Amendment and Zone Change for which an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was approved by the City Council on November 17, 2020; and

(2) The previous Addendum to the Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Addendum to the Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Addendum to the Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Addendum to the Certified EIR, and all mitigation measures previously adopted with the Addendum to the Certified EIR, are incorporated herein by this reference.

SECTION 2: *Subsequent or Supplemental Environmental Review Not Required.* Based on the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of

new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The Project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

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

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

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) **The proposed Tentative Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.** The proposed

Tentative Parcel Map is located within the Industrial and OS-NR (Open Space – Non-Recreation) land use districts of the Policy Plan Land Use Map, and the IL (Light Industrial) and UC (Utilities Corridor) zoning districts. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to the establishment of “[a] dynamic, progressive city containing distinct neighborhoods and industrial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses” (Goal CD1). Furthermore, the Project will promote the City’s policy to “take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods” (Policy CD1-1 *City Identity*).

(2) ***The design or improvement of the proposed Tentative Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Parcel Map is located within the Industrial and OS-NR (Open Space – Non-Recreation) land use districts of the Policy Plan Land Use Map, and the IL (Light Industrial) and UC (Utilities Corridor) zoning districts. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will provide “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct (Goal CD2). Furthermore, the Project will promote the City’s policy to “collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques” (Policy CD2-7 *Sustainability*).

(3) ***The site is physically suitable for the type of development proposed.*** The Project site meets the minimum lot area and dimensions of the IL (Light Industrial) and UC (Utilities Corridor) zoning districts and is physically suitable for the type of industrial development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The Project site is proposed for industrial development at a floor area ratio of 0.49. The Project site meets the minimum lot area and dimensions of the IL (Light Industrial) zoning district and is physically suitable for this proposed intensity of development.

(5) ***The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.*** The Project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the right-of-way improvements existing or proposed on the Project site, are not likely to cause serious public health problems, as the Project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or Project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the Project site.

(7) **The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 6: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

SECTION 8: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

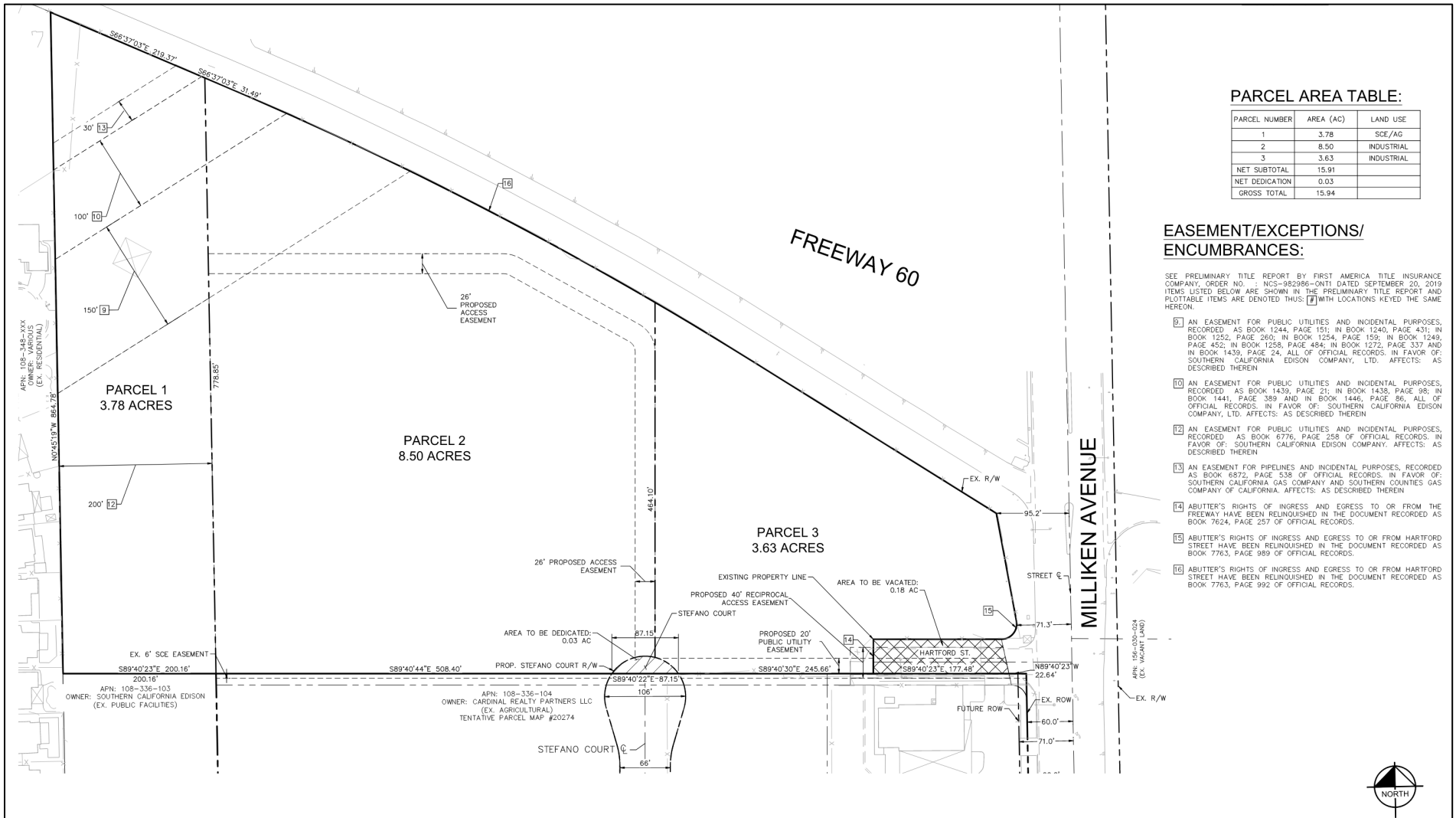
APPROVED AND ADOPTED this 20th day of September 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—TENTATIVE PARCEL MAP



PARCEL AREA TABLE:

PARCEL NUMBER	AREA (AC)	LAND USE
1	3.78	SCE/AG
2	8.50	INDUSTRIAL
3	3.63	INDUSTRIAL
NET SUBTOTAL	15.91	
NET DEDICATION	0.03	
GROSS TOTAL	15.94	

**EASEMENT/EXCEPTIONS/
ENCUMBRANCES:**

SEE PRELIMINARY TITLE REPORT BY FIRST AMERICA TITLE INSURANCE COMPANY, ORDER NO. : NCS-982986-ONT1 DATED SEPTEMBER 20, 2019 ITEMS LISTED BELOW ARE SHOWN IN THE PRELIMINARY TITLE REPORT AND PLOTTABLE ITEMS ARE DENOTED THUS: [] WITH LOCATIONS KEYED THE SAME HEREON.

- [9] AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED AS BOOK 1244, PAGE 151; IN BOOK 1240, PAGE 431; IN BOOK 1252, PAGE 280; IN BOOK 1254, PAGE 159; IN BOOK 1249, PAGE 452; IN BOOK 1258, PAGE 484; IN BOOK 1272, PAGE 337 AND IN BOOK 1439, PAGE 24, ALL OF OFFICIAL RECORDS, IN FAVOR OF: SOUTHERN CALIFORNIA EDISON COMPANY, LTD. AFFECTS: AS DESCRIBED THEREIN
- [10] AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED AS BOOK 1439, PAGE 21; IN BOOK 1439, PAGE 98; IN BOOK 1441, PAGE 389 AND IN BOOK 1446, PAGE 86, ALL OF OFFICIAL RECORDS, IN FAVOR OF: SOUTHERN CALIFORNIA EDISON COMPANY, LTD. AFFECTS: AS DESCRIBED THEREIN
- [12] AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED AS BOOK 6776, PAGE 258 OF OFFICIAL RECORDS, IN FAVOR OF: SOUTHERN CALIFORNIA EDISON COMPANY. AFFECTS: AS DESCRIBED THEREIN
- [13] AN EASEMENT FOR PIPELINES AND INCIDENTAL PURPOSES, RECORDED AS BOOK 6872, PAGE 538 OF OFFICIAL RECORDS, IN FAVOR OF: SOUTHERN CALIFORNIA GAS COMPANY AND SOUTHERN COUNTIES GAS COMPANY OF CALIFORNIA. AFFECTS: AS DESCRIBED THEREIN
- [14] ABUTTER'S RIGHTS OF INGRESS AND EGRESS TO OR FROM THE FREEWAY HAVE BEEN RELINQUISHED IN THE DOCUMENT RECORDED AS BOOK 7624, PAGE 237 OF OFFICIAL RECORDS.
- [15] ABUTTER'S RIGHTS OF INGRESS AND EGRESS TO OR FROM HARTFORD STREET HAVE BEEN RELINQUISHED IN THE DOCUMENT RECORDED AS BOOK 7763, PAGE 989 OF OFFICIAL RECORDS.
- [16] ABUTTER'S RIGHTS OF INGRESS AND EGRESS TO OR FROM HARTFORD STREET HAVE BEEN RELINQUISHED IN THE DOCUMENT RECORDED AS BOOK 7763, PAGE 992 OF OFFICIAL RECORDS.

Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



MEMORANDUM

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

TO: Chairman and Members of the Development Advisory Board

FROM: Lorena Mejia, Senior Planner

DATE: September 20, 2021

SUBJECT: File No. PMT21-002 Conditions of Approval

The Project Conditions of Approval were not available at the time of Agenda distribution and will be provided at the Development Advisory Board meeting.



Development Advisory Board Decision

September 20, 2021

DECISION NO.: [insert #]

FILE NO.: PMTT21-003

DESCRIPTION: A Tentative Parcel Map (TPM 20274) to subdivide 9.72 acres of land into 4 parcels located on the southwest corner of CA-60 (Pomona Freeway) and Milliken Avenue within the Light Industrial and Community Commercial zoning districts; (APN: 1083-361-04) **submitted by Orbis Real Estate Partners. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

ORBIS REAL ESTATE PARTNERS, (herein after referred to as “Applicant”) has filed an Application requesting Tentative Parcel Map approval, File No. PMTT21-003, 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 9.72 acres of land located at the southwest corner of CA-60 (Pomona Freeway) and Milliken Avenue, and is depicted in Exhibit A—Project Location Map, 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>Site</i>	Vacant/Winery	Industrial/General Commercial	Light Industrial/Community Commercial
<i>North</i>	Vacant	Industrial/ OS-NR (Open Space – Non-Recreation)	Light Industrial/ UC (Utilities Corridor)
<i>South</i>	Vacant	Industrial/General Commercial	Light Industrial/Community Commercial
<i>East</i>	City of Eastvale Business Park	Business Park	IL (Industrial Park)
<i>West</i>	SCE Easement	OS-NR (Open Space – Non-Recreation)	UC (Utilities Corridor)

(2) **Project Description:**

(a) **Background** — On November 17, 2020, the City Council approved a General Plan Amendment (File No. PGPA19-007) to change the land use designation on the subject site from Mixed Use to Industrial and a Zone Change (File No. PZC19-002) to change the zoning designation on the subject site from Specific Plan to Light Industrial, in conjunction with the adoption of an Addendum to The Ontario Plan

Environmental Impact Report (State Clearinghouse No. 2008101140), certified by City Council on January 27, 2010, in conjunction with File No. PGPA06-001.

On February 18, 2021, the Applicant submitted the following applications for concurrent processing:

- Tentative Parcel Map No. 20278 (File No. PMTT21-002), subdividing 15.94 acres of land into 3 parcels located at the southwest corner of the CA-60 (Pomona Freeway) and Milliken Avenue, within the IL (Light Industrial) and UC (Utilities Corridor) zoning districts.
- Tentative Parcel Map No. 20274 (File No. PMTT21-003), subdividing 9.72 acres of land into 4 parcels located south of the southwest corner of the CA-60 (Pomona Freeway) and Milliken Avenue, within the IL (Light Industrial) and CC (Community Commercial) zoning districts.
- A Development Plan (File No. PDEV21-007) to construct four industrial buildings totaling 393,334 square feet on 25.66 acres of land located at the southwest corner of CA-60 Pomona Freeway and Milliken Avenue, within the IL (Light Industrial) zoning district.

(b) Tentative Parcel Map — The proposed Tentative Parcel Map (TPM 20274) will subdivide the Project site into 4 numbered lots (see Exhibit B—Tentative Parcel Map, attached) to facilitate the construction of two industrial buildings totaling 159,332 square feet and future development and redevelopment of the San Antonio Winery. Parcels 1 (4.79 ac) and 2 (1.85 ac) are located within IL (Light Industrial) zoning district and Parcels 3 (0.92 ac) and 4 (1.40 ac) are located within the CC (Community Commercial) zoning district. All parcels exceed the 10,000 (0.23 ac) square foot minimum lot size established for the IL and CC zoning districts (See Tentative Parcel Map Summary Table, below).

Tentative Parcel Map 20278 Summary Table				
Parcel No.	General Plan Land Use Designation	Zoning District	Development Plan File No. / Land Use	Acres
1	Industrial	IL (Light Industrial)	PDEV21-007 Industrial	4.79
2	Industrial	IL (Light Industrial)	PDEV21-007 Industrial	1.85
3	General Commercial	CC (Community Commercial)	PDEV21-007 Industrial	0.92
4	General Commercial	CC (Community Commercial)	PDEV21-007 Industrial	1.40
	Street Dedication (Stefano Court)			0.77
Total				15.94

(c) Site Access/Circulation — On October 27, 2020, the Planning Commission Tentative Parcel Map 20177 (File No. PMTT19-018) which subdivided 20 acres of land, south of the Project site, into 7 parcels. Tentative Parcel Map 20177 will facilitate the construction of internal public and private streets (Stefano Court and Maddalena Privado), which will serve the immediate area and the Project site. Stefano Court is a 40-foot-wide public street (66-foot right-of-way) that runs north-south, terminating in a cul-de-sac at the north end. Stefano Court will intersect with Riverside Drive, at a point approximately 600 feet west of Milliken Avenue. Maddalena Privado, a private street, will run east-west and will intersect with Milliken Avenue at a point approximately 800 feet north of Riverside Drive. Maddalena Privado intersects

with Stefano Court and transitions into a drive-aisle immediately west of Stefano Court. The Project site will take direct access from both Stefano Court and Milliken Avenue.

(d) Utilities (drainage, sewer) — To serve the proposed industrial development, the Project will be required to construct infrastructure improvements. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes both Projects’ compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of underground stormwater infiltration system within the tractor-trailer courtyard area and parking lot of each building. Any overflow drainage will be conveyed to a storm drain connection located within Stefano Court.

Part II—RECITALS

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

WHEREAS, The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was certified by the City Council on January 27, 2010 (“Certified EIR”) in conjunction with File No. PGPA06-001; and

WHEREAS, an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was approved by the City Council on November 17, 2020, in conjunction with File Nos. PGPA19-007 and PZC19-002, in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the Addendum to the Certified EIR, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as “DAB”) the responsibility and authority to review and make recommendations to the Planning Commission on the subject Application; and

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport

Land Use Compatibility Plan (“ALUCP”), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on September 20, 2021, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Addendum to the Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Addendum to the Certified EIR and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this Project were previously reviewed in conjunction with File Nos. PGPA19-007 and PZC19-002, a General Plan Amendment and Zone Change for which an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was approved by the City Council on November 17, 2020; and

(2) The previous Addendum to the Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Addendum to the Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Addendum to the Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Addendum to the Certified EIR, and all mitigation measures previously adopted with the Addendum to the Certified EIR, are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of

new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The Project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

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

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

SECTION 5: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) ***The proposed Tentative Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed

Tentative Parcel Map is located within the Industrial and General Commercial land use districts of the Policy Plan Land Use Map, and the Light Industrial and Community Commercial zoning districts. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to the establishment of “[a] dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses” (Goal CD1). Furthermore, the Project will promote the City’s policy to “take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods” (Policy CD1-1 *City Identity*).

(2) ***The design or improvement of the proposed Tentative Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Parcel Map is located within the Industrial and General Commercial land use districts of the Policy Plan Land Use Map, and the Light Industrial and Community Commercial zoning districts. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will provide “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct (Goal CD2). Furthermore, the Project will promote the City’s policy to “collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques” (Policy CD2-7 *Sustainability*).

(3) ***The site is physically suitable for the type of development proposed.*** The Project site meets the minimum lot area and dimensions of the Light Industrial and Community Commercial zoning districts, and is physically suitable for the type of commercial and industrial development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The Project site is proposed for commercial and industrial development at a floor area ratio of 0.49. The Project site meets the minimum lot area and dimensions of the Light Industrial and Community Commercial zoning districts and is physically suitable for this proposed intensity of development.

(5) ***The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.*** The Project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the street widening and right-of-way improvements existing or proposed on the Project site, are not likely to cause serious public health problems, as The Project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or Project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the Project site.

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 6: ***Development Advisory Board Action.*** Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

SECTION 8: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

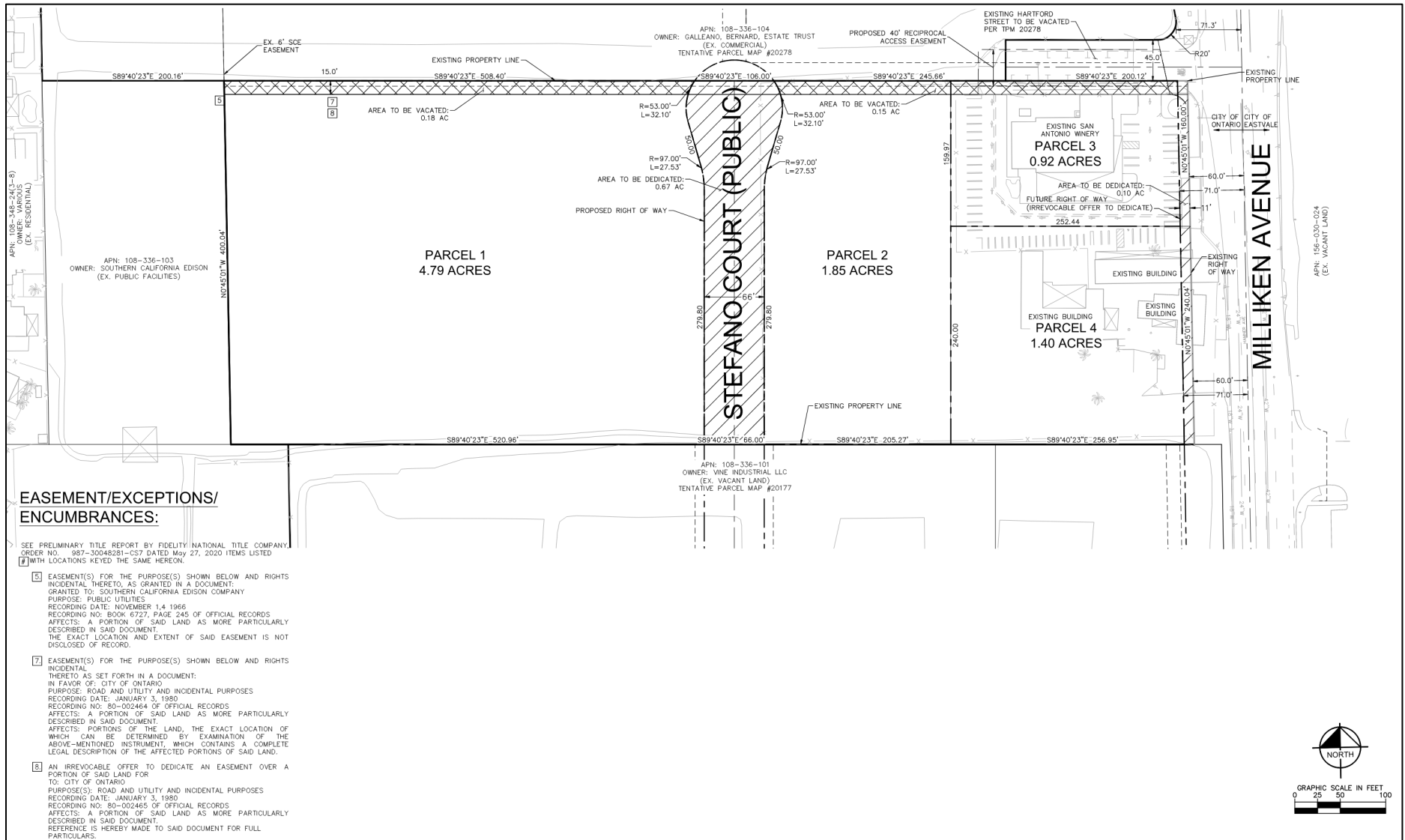
APPROVED AND ADOPTED this 20th day of September 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—TENTATIVE PARCEL MAP



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)

MEMORANDUM

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

TO: Chairman and Members of the Development Advisory Board

FROM: Lorena Mejia, Senior Planner

DATE: September 20, 2021

SUBJECT: File No. PMT21-003 - Conditions of Approval

The Project Conditions of Approval were not available at the time of Agenda distribution and will be provided at the Development Advisory Board meeting.



Development Advisory Board Decision

September 20, 2021

DECISION NO.: [insert #]

FILE NO.: PDEV21-007

DESCRIPTION: A Development Plan to construct four industrial buildings totaling 393,334 square feet on 25.66 acres of land located at the southwest corner of the CA-60 (Pomona Freeway) and Milliken Avenue, within the IL (Light Industrial) zoning district; (APN: 1083-361-04 and 1083-361-07) **submitted by Orbis Real Estate Partners. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

ORBIS REAL ESTATE PARTNERS, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV21-007, 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 25.66 acres of land located at southwest corner of the CA-60 (Pomona Freeway) and Milliken Avenue, and is depicted in Exhibit A—Project Location Map, 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>	Vacant	Industrial/ OS-NR (Open Space – Non-Recreation)	Light Industrial/ UC (Utilities Corridor)	N/A
<i>North</i>	CA-60 (Pomona Freeway)	CA-60 (Pomona Freeway)	CA-60 (Pomona Freeway)	N/A
<i>South</i>	Vacant	Industrial/General Commercial	IL (Light Industrial)/CC (Community Commercial)	N/A
<i>East</i>	City of Eastvale Business Park	Business Park	IL (Industrial Park)	N/A
<i>West</i>	Single Family Residential Subdivision	Low Density Residential (2.1 – 5.0 du/ac)	SP (Specific Plan)	Creekside Village Specific Plan – Single Family Detached

(2) **Project Description:**

(a) **Background** — On November 17, 2020, the City Council approved a General Plan Amendment (File No. PGPA19-007) to change the land use designation on the subject site from Mixed Use to Industrial and a Zone Change (File No. PZC19-002) to change the zoning designation on the subject site from SP (Specific Plan) to IL (Light Industrial), in conjunction with the adoption of an Addendum to The

Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by City Council on January 27, 2010, in conjunction with File No. PGPA06-001.

On October 27, 2020, the Planning Commission approved Tentative Parcel Map No. 20177 (File No. PMTT19-018), located south of the Project site, to facilitate the development of industrial and commercial land uses. The Tentative Parcel Map established the alignment of internal public and private streets (Stefano Court and Maddalena Privado, respectively) to serve the immediate area, including the Project site.

On February 18, 2021, the Applicant submitted the following applications for concurrent processing:

- Tentative Parcel Map No. 20278 (File No. PMTT21-002), subdividing 15.94 acres of land into 3 parcels located at the southwest corner of the CA-60 (Pomona Freeway) and Milliken Avenue within the IL (Light Industrial) and UC (Utilities Corridor) zoning districts.
- Tentative Parcel Map No. 20274 (File No. PMTT21-003), subdividing 9.72 acres of land into 4 parcels located south of the southwest corner of the CA-60 (Pomona Freeway) and Milliken Avenue within the IL (Light Industrial) and CC (Community Commercial) zoning districts.
- A Development Plan (File No. PDEV21-007) to construct four industrial buildings totaling 393,334 square feet on 25.66 acres of land located at the southwest corner of the CA-60 (Pomona Freeway) and Milliken Avenue within the IL (Light Industrial) zoning district.

(b) Site Design/Building Layout — Proposed, is the construction of three industrial buildings totaling 393,334 square feet on four lots totaling 25.66 acres in area. The building sizes range from 44,630 to 169,962 square feet and the Project has an overall Floor Area Ratio (“FAR”) of 0.49.

The proposed buildings occupy the north and west portions of the overall Project site. Buildings 5 and 7 are located west of Stefano Court and Buildings 4 and 6 are located east of Stefano Court (see Exhibit B — Site Plan, attached). A description of each building is provided below.

- Building 4 (Tentative Parcel Map No. 20278, Parcel 3) is located at the northeast quadrant of the overall Project site and consists of a 64,040 square foot warehouse/distribution building, having a FAR of 0.43. Building 4 is oriented east-west, with dock-high loading doors facing south. Office entries are located at the southwest and northeast corners of the proposed building.

The building is setback approximately 10 to 145 feet from the west property line, approximately 5 to 135 feet from the south property line, approximately 38 feet from the north property line, and approximately 66 to 160 feet from the east property line (Milliken Avenue). Building 4 parking lots are located along the east property line and at the northwest corner of the parcel.

The yard area will be screened from view of the SR-60 freeway to the north, by the proposed building. Street views from the south and east are mitigated by 14-foot-high screen walls with view-obstructing gates.

- Building 5 (Tentative Parcel Map No. 20278, Parcel 2) is located within the northwest quadrant of the overall Project site and consists of a 169,962 square foot warehouse/distribution building, having a FAR of 0.46. Building 5 is oriented east to west, with dock high loading doors facing south. Office entries are located at the northwest and southeast corners of the proposed building.

The proposed building has a varying setback from the north property line of 70 to 250 feet (facing SR 60 FWY), an approximate 100-foot setback from the south property line, a varying setback from the west property line of 40 to 60 feet, and an approximate 50-foot setback from the east property line. Building 5 parking lots will be located to east, north and south of the building.

The yard area will be screened from view of CA-60 (the Pomina Freeway) on the north, by the proposed building and by 14-foot-high screen walls with view-obstructing gates to the east and west, and by Building 7 to the south.

- Building 6 (Tentative Parcel Map No. 20274, Parcel 2) is located at the northeast corner of Stefano Court and Maddalena Privado and consists of a 44,360-square-foot warehouse/distribution building, having a FAR of 0.55. Building 6 is oriented north to south, with dock high loading doors facing north. There is one office entry located at the southwest corner of the proposed building.

The proposed building is setback approximately 76 feet from the north property line, approximately 70 feet from the south property line (Maddalena Privado), approximately 10 feet west property line (Stefano Court), and 5 feet from the east property line. Building 6 parking lots will be located to the north and south of the building.

The yard area will be screened from view of public street on the south, by the proposed building, by 14-foot-high screen walls with view-obstructing gates to the north, east and west.

- Building 7 (Tentative Parcel Map No. 20274, Parcel 1) is located at the northwest corner of Stefano Court and Maddalena Privado and consists of a 114,972-square-foot warehouse/distribution building, having a FAR of 0.55. Building 7 is oriented east to west, with dock-high loading doors facing north. Office entries are located at the southwest and southeast corners of the proposed building.

The proposed building is setback approximately 70 feet from the north property line, 40 feet from the south property line, 10 feet from the east property line (Stefano Court), and a varying setback of 40 to 60 feet is provided from the west property line. Building 6 parking lots will be located to the north, west, and south of the building.

The yard area will be screened from view on the south, by the proposed building, by 14-foot-high screen walls with view-obstructing gates to the east and west, and Building 5 to the north.

(c) Site Access/Circulation — The approved Tentative Parcel Map (File No. PMTT19-018) facilitates the construction of internal public and private streets (Stefano Court and Maddalena Privado), which will serve the immediate area and the Project site. Stefano Court is a 40-foot-wide public street (66-foot right-of-way) that runs north-south, terminating in a cul-de-sac at the north end. Stefano Court will intersect with Riverside Drive, at a point approximately 600 feet west of Milliken Avenue.

Maddalena Privado, a private street will run east-west, and will intersect Milliken Avenue at a point approximately 800 feet north of Riverside Drive. Maddalena Privado intersects with Stefano Court and transitions into a drive-aisle, immediately west of Stefano Court. The Project site will take direct access from Stefano Court, Maddalena Privado, and Milliken Avenue.

(d) Parking — The Project has provided off-street parking pursuant to the “Warehouse and Distribution” parking standards specified in the Development Code. The Project requires a total of 248 parking spaces and 279 spaces have been provided, as shown in Table A: Parking Summary, below.

Table A: Parking Summary						
Bldg. No.	Type of Use	Building Area	Trailer Parking		Vehicle Spaces	
			Required	Provided	Required	Provided
4	Warehouse / Distribution	64,040 SF	2	2	47	55
5	Warehouse / Distribution	169,962 SF	5	10	95	113
6	Warehouse / Distribution	44,360 SF	1	1	39	39
7	Warehouse / Distribution	114,972 SF	4	4	67	72
Parking Totals:			12	17	248	279

(e) Architecture — The proposed buildings are of concrete tilt-up construction and integrates a contemporary architectural design theme that is consistent throughout the development, incorporating enhanced elements and treatments at office entries and along street facing elevations (see Exhibit C — Elevations, attached). Architectural elements for all buildings include smooth-painted concrete in white, grey, brown and tan tones, with horizontal and vertical reveals, storefronts with clear anodized aluminum mullions and blue glazing, metal canopies, arched windows at the main office entries, and recessed panel sections with contrasting colors. The mechanical equipment will be roof-mounted and obscured from public view by the parapet walls. Staff believes that the proposed Project illustrates the type of high-quality architecture promoted by the Development Code and Edenglen Specific Plan. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas, recessed areas for future wall murals;
- Articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall;
- Variations in building massing; and
- Incorporation of base and top treatments defined by changes in color and horizontal/vertical reveals.

(f) Landscaping — The Project provides an overall landscape coverage of 18 percent, consisting of 26 percent for Building 4, 22.2 percent for Building 5, 10.5 percent for Building 6 and 10.1 percent for Building 7. The Project provides substantial landscaping along Milliken Avenue, Stefano Court, and Maddalena Privado, at each office element, throughout the parking areas, and along the western and northern property lines (see Exhibit D—Landscape Plan, attached). The Project includes right-of-way improvements (street widening, curb, gutter, sidewalk, and parkway) along Milliken Avenue. The proposed on-site and off-site landscape improvements will assist towards creating a walkable safe area for pedestrians to access the Project site. A combination of 48-inch, 36-inch, 24-inch box, and 15-gallon accent and shade trees will be provided on the Project site, including a variety of shrubs, grasses, and groundcovers that are low water usage and drought tolerant, to be planted throughout the Project site. Moreover, each building will incorporate either one or two employee break areas, with benches, tables, and shade trees.

(g) Signage — The Project has been conditioned to submit a Sign Program application for the proposed Project that is integrated into the sign program located south of the project site.

(h) Utilities (drainage, sewer) — To serve the proposed industrial development, the Project will be required to construct infrastructure improvements. Furthermore, the Applicant has submitted

a Preliminary Water Quality Management Plan (“PWQMP”), which establishes both Projects’ compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of underground stormwater infiltration system within the tractor-trailer courtyard areas of each building. Any overflow drainage will be conveyed to a storm drain connection located within Stefano Court.

(i) Community Meeting — The Planning Department conducted a virtual community meeting via Zoom on June 29, 2021, to discuss the proposed subject Applications. Ten members of community logged into the Zoom meeting and 5 residents provided comments/questions during the meeting. Below is a list of concerns raised by the community:

(i) Opposition to the construction of industrial buildings adjacent to the Creekside community and the lack of viable/substantial commercial uses to serve the surrounding community.

In response to community comments, the buildings have been designed to have an office-like appearance and the western building elevations have been enhanced to provide an attractive view from the adjacent residential development. Large plant/trees will be used along the western property line to create a more visually appealing view from the residential community. The landscape planter along the western property line is approximately 5 feet wide. Additional landscape planters are provided directly adjacent to Buildings 5 and 7, approximately 5 to 29 feet wide. A retail market study was completed for the previously approved and related General Plan Amendment (File No. PGPA19-007) and Zone Change (PZC19-002). The retail market study was prepared by The Concord Group (Dated: December 19, 2019) and focused on achievable rental rates based on current and historical retail trends. The study looked at land uses, number of households, traffic within a 1, 3, and 5-mile radius from the Project site, and concluded that retail demand was insufficient and could not be supported at the overall Project site, due to lack of demand and an oversupply of retail space. Supported uses included a gas station and fast-food restaurants, due to traffic counts associated with the CA-60 (Pomona Freeway) on/off ramps located north of the Project site. Furthermore, 10 acres of future commercial land uses are planned on southwest corner of Haven Avenue and Riverside Drive that would better serve the immediate residential communities of Creekside and Edenglen.

(ii) Overall issues related to noise, air quality and truck traffic near existing residential neighborhoods.

In response to community comments/concerns, the Project has been designed to minimize noise impacts to the residents. The truck yards for Buildings 5 and 7 have been oriented away from the western property line and faces north and south. This design feature, in conjunction with the 200-foot SCE utility corridor that separates the proposed Project from residential properties to the west, will substantially diminish any noise impacts to the adjacent residential community.

A noise study was completed by Urban Crossroads (May 2021) that analyzed operational noise impact increases along the eastern property line of the Creekside residential community. Urban Crossroads measured existing noise levels on October 10, 2019 and modeled the increased noise that will be generated by the proposed operations at the property. The study concluded that the operation of a typical warehouse distribution center would be up to 39 dBA which is less than the City Standards (65 dBA daytime and 45 dBA nighttime). Furthermore, the placement of the buildings will assist in the reduction of traffic noise that currently exist from Milliken Avenue and help reduce wind and dust impacts on the existing residential community, from seasonal Santa Ana winds.

(iii) Inquiries were expressed regarding the proposed infrastructure, street and intersection improvements and the overall increase in general traffic and truck traffic.

The street frontages along Riverside Drive and Milliken Avenue will be improved (curb, gutter, and sidewalk). The Project will also provide new public and private streets that with full right-of-way street improvements, including sidewalk/pedestrian paths, to the nearby San Antonio Winery.

The Project has been designed to have truck traffic enter and exit primarily onto Riverside Drive and Milliken Avenue. Milliken/Hamner Avenue is a designated Truck Route and truck traffic will primarily be coming onto the Project site from the nearby CA-60 (Pomona Freeway) and I-15 Freeway interchanges. Furthermore, the Project has been conditioned to have tractor-trailer trucks travel east towards Milliken/Hamner Avenue when exiting the site and shall not be allowed utilize Riverside Drive west of the Project site to access/exit the Project site.

(iv) Residents asked if the Project included a large-scale LED/billboard sign along the freeway frontage and expressed concerns about light pollution and visual impacts to the adjoining residential community.

The Project does not include a large-scale LED/billboard sign along the freeway frontage.

(v) Comments were made about requiring an Environmental Impact Report for the Project.

Staff explained that the environmental impacts associated with the proposed Project were evaluated in conjunction with an Addendum to The Ontario Plan Environmental Impact Report prepared for the previously approved and related General Plan Amendment (File No. PGPA19-007) and Zone Change (File No. PZC19-002).

(vi) Comments were made questioning why the Applicant didn't process the proposed Project concurrently with the southern Orbis development that was approved at the end of 2020.

The developer explained that they did not previously own or have control of the Project site in 2020 when the southern portion of the site was being processed and subsequently approved.

(j) Health Risk Assessment — A Health Risk Assessment (“HRA”) to determine whether the proposed Project would pose a health risk to the existing residential land uses was prepared in conjunction with the previously approved and related General Plan Amendment (File No. PGPA19-007) and Zone Change (File No. PZC19-002). The HRA was prepared by Urban Crossroads (Dated: October 5, 2020) analyzed the cancer burden estimates as well as the Project operational Toxic Air Contaminants (“TACs”) impact from Diesel Particulate Matter (“DPM”) emissions. Both analyses concluded that these factors would be less than significant; therefore, no mitigation was required for the Project beyond that which was previously analyzed in The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140).

Part II—RECITALS

WHEREAS, the Application is a Project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (“CEQA”) and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was approved by the City Council on November 17, 2020, in conjunction with File Nos. PGPA19-007 and PZC19-002, in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the Addendum to the Certified EIR, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as "DAB") the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

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

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

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

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

WHEREAS, on September 20, 2021, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Addendum to the Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Addendum to the Certified EIR and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this Project were previously reviewed in conjunction with File Nos. PGPA19-007 and PZC19-002, a General Plan Amendment and Zone Change for which an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was approved by the City Council on November 17, 2020; and

(2) The previous Addendum to the Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Addendum to the Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Addendum to the Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Addendum to the Certified EIR, and all mitigation measures previously adopted with the Addendum to the Certified EIR, are incorporated herein by this reference.

SECTION 2: *Subsequent or Supplemental Environmental Review Not Required.* Based on the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The Project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

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

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

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Industrial land use district of the Policy Plan Land Use Map, and the Light Industrial zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Light Industrial zoning district, including standards relative to the particular land use proposed (industrial), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) **The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

(4) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences

and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (Industrial). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

SECTION 6: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

SECTION 8: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 20th day of September 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN

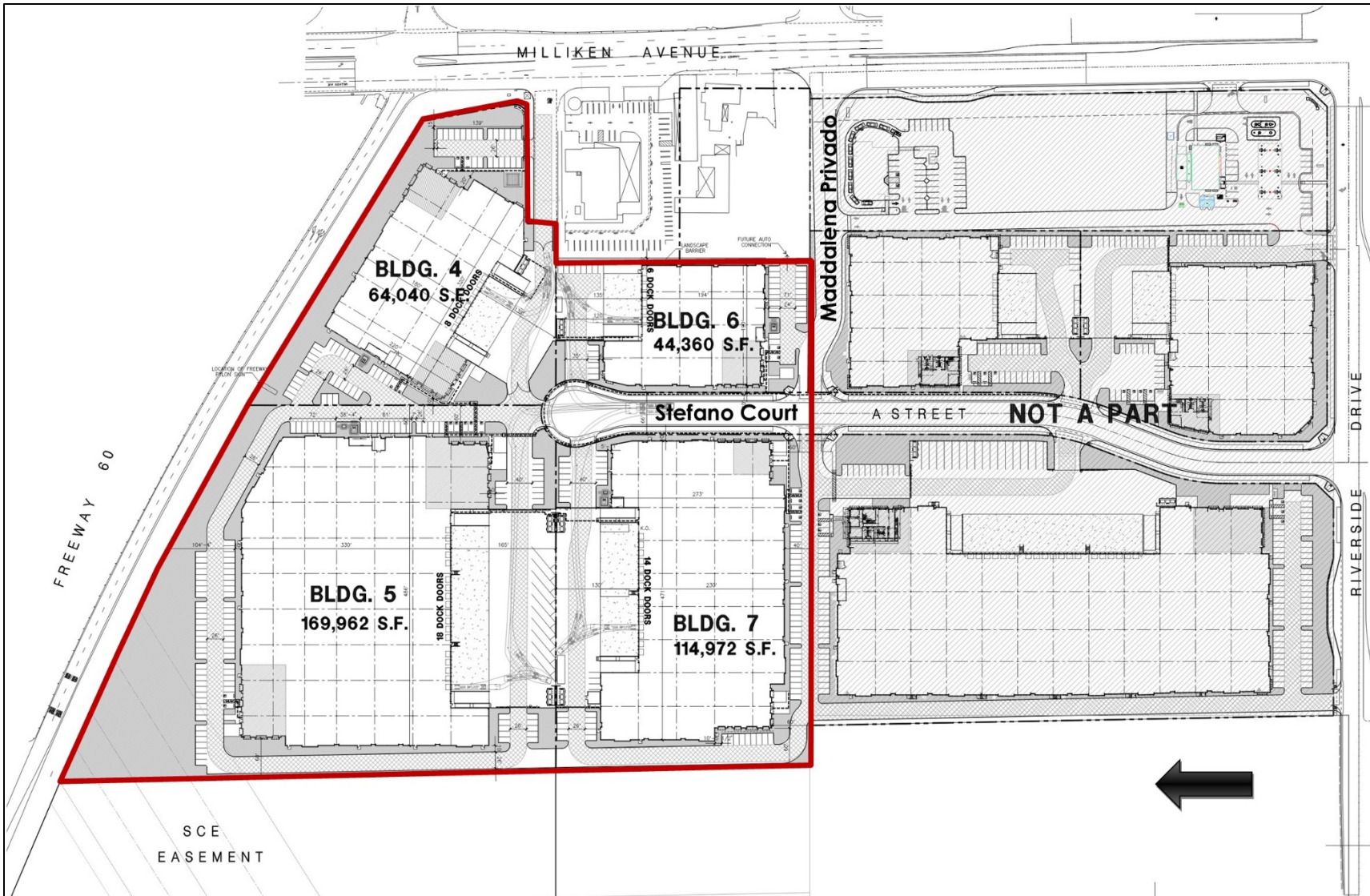


Exhibit C—EXTERIOR ELEVATIONS
Building 4



**Exhibit C—EXTERIOR ELEVATIONS
Building 5**



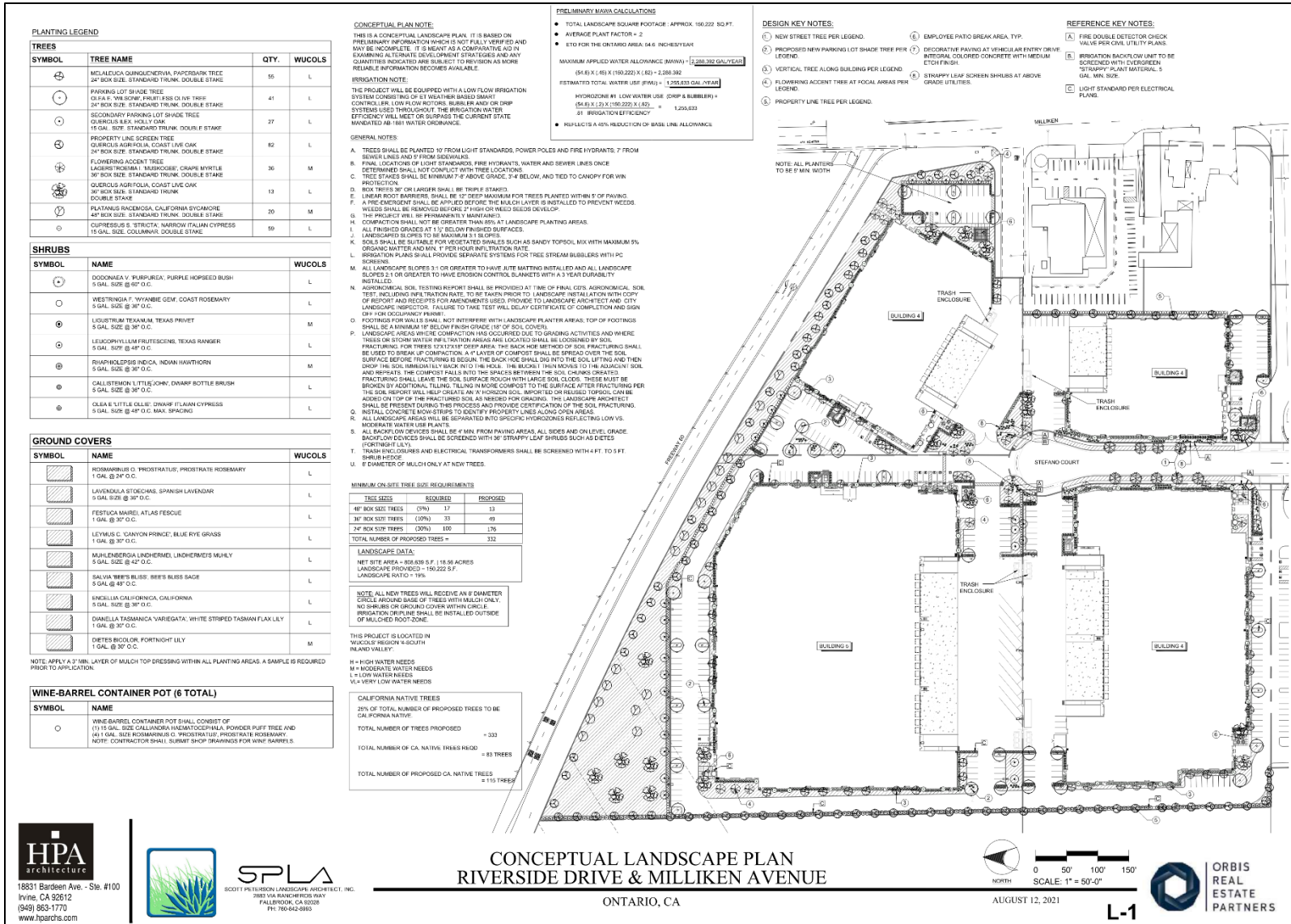
Exhibit C—EXTERIOR ELEVATIONS
Building 6



**Exhibit C—EXTERIOR ELEVATIONS
Building 7**



Exhibit D—LANDSCAPE PLAN



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)

MEMORANDUM

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

TO: Chairman and Members of the Development Advisory Board

FROM: Lorena Mejia, Senior Planner

DATE: September 20, 2021

SUBJECT: File No. PDEV21-007 - Conditions of Approval

The Project Conditions of Approval were not available at the time of Agenda distribution and will be provided at the Development Advisory Board meeting.



Development Advisory Board Decision

September 20, 2021

DECISION NO.: [insert #]

DECISION NO.: [insert #]

FILE NOS.: PMTT21-005 and PDEV21-009

DESCRIPTION: A Tentative Tract Map (TTM 20379) for common interest subdivision purposes, subdividing 1.23 acres of land into common and private area, and a Development Plan for the construction of 39 residential condominium units (9 buildings total) located at 221 North Mountain Avenue, within the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning district; (APN: 1010-521-28) **submitted by Tipping Development. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

TIPPING DEVELOPMENT, (herein after referred to as “Applicant”) has filed an application requesting Tentative Tract Map and Development Plan approval, for File Nos. PMTT21-005 and PDEV21-009, as described in the subject of this Decision (herein after referred to as "Application").

(1) **Project Setting:** The Project site is comprised of 1.23 acres of land located at 221 North Mountain Avenue and is depicted in Exhibit A—Project Location Map, 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>	Vacant	HDR	HDR-45 (25.1 – 45.0 du/ac)	N/A
<i>North:</i>	Retail	HDR	HDR-45 (Interim Community Commercial Overlay)	N/A
<i>South:</i>	Service Commercial	HDR	HDR-45 (Interim Community Commercial Overlay)	N/A
<i>East:</i>	Single-family Residential	LDR	LDR-5	N/A
<i>West:</i>	Multiple-family Residential	MDR	MDR-25	N/A

The vacant property is rectangular in shape with 359 feet of frontage along Mountain Avenue and lot depth of 150 feet. Public alleys border the Project site at the south and west property lines and a retail commercial property borders the north property line of the Project site.

(2) **Project Description:**

(a) **Background** — The subject property is currently owned by the City of Ontario and has been a vacant property since 2010. On July 20, 2021, the City Council approved a Disposition and Development Agreement between the City and the Applicant for the development of the Project site, which includes requirements for the Applicant to adhere to certain deadlines for project entitlement and construction completion.

In anticipation of and adherence to the deadlines within the Disposition and Development Agreement, the Applicant submitted Tentative Tract Map No. 20379 (File No. PMTT21-005) and a Development Plan (File No. PDEV21-009) on March 2, 2021, to construct a residential condominium development with 9 multiple-family buildings, containing 39 dwelling units, and associated community amenities on existing vacant land. The proposed Project is considered a Small-Lot Infill Subdivision and is subject to the development standards set forth in Development Code Section 6.01.010.G, which became effective on January 1, 2021. Furthermore, a City initiated Development Code Amendment (File No. PDCA20-002) is being processed concurrently with the subject applications that will establish specific parking requirements under the Small-Lot Infill Subdivision provisions.

The property is currently listed on the Housing Element Available Land Inventory, within the Mountain Corridor Planning Area, requiring development of the site with minimum 32 units.

(b) Tentative Tract Map No. 20379 (File No. PMTT21-005) — The proposed Tentative Tract Map will subdivide the Project site into one numbered lot for condominium purposes, to facilitate the construction of 39 multiple-family dwellings and associated recreation, landscape, and common interest amenities and facilities.

(c) Development Plan (File No. PDEV21-009) —

(i) **Site Design/Building Layout.** The Project is designed as three-story-walk-up row town units, where the front entries face the Mountain Avenue or common paseos. Garages are accessed at the rear of the units from private drives or a public alley and living areas on the second and third levels are located above the respective garage for each dwelling. The Project includes three 3-plex, three 4-plex, and three 6-plex buildings, for a total of nine buildings.

The 3-plex buildings (Buildings 5, 6, and 7) are generally located in the center of the site. The 4-plex buildings (Buildings 2, 3, and 4) are located along the west property line, with a minimum setback of 12 feet between the building and property line. The 6-plex buildings (Buildings 1, 8, and 9) are located along the north and east Project boundaries. A minimum 10-foot building setback along Mountain Avenue is provided for Buildings 1, 8, and 9, which allows opportunities for landscaping and pedestrian paths between the Project edge and the front entries of the units.

Two floor plans are proposed. Plan 1 offers 775 square feet and direct access to a 1-car garage. Plan 2 provides 1,147 square feet and direct access to a 2-car garage. The dwelling unit breakdown by Building Type is as follows:

BUILDING TYPE A – 3-PLEX						
Building No.	Plan Type	No. of Bedrooms / Bathrooms	Total Living (in SF)	Garage (in SF)	Private Open Space (in SF)	No. of Units
5	2	2 BD / 2.5 BA	1,147	462	75	3
6	2	2 BD / 2.5 BA	1,147	462	75	3
7	2	2 BD / 2.5 BA	1,147	462	75	3
TOTAL UNITS						9

BUILDING TYPE B – 4-PLEX						
Building No.	Plan Type	No. of Bedrooms / Bathrooms	Total Living (in SF)	Garage (in SF)	Private Open Space (in SF)	No. of Units
2	1	1 BD / 1 BA	775	308	50	4
3	1	1 BD / 1 BA	775	308	50	4
4	1	1 BD / 1 BA	775	308	50	4
TOTAL UNITS						12

BUILDING TYPE C – 6-PLEX						
Building No.	Plan Type	No. of Bedrooms / Bathrooms	Total Living (in SF)	Garage (in SF)	Private Open Space (in SF)	No. of Units
1	1	1 BD / 1 BA	775	308	50	2
	2	2 BD / 2.5 BA	1,147	462	75	4
8	1	1 BD / 1 BA	775	308	50	2
	2	2 BD / 2.5 BA	1,147	462	75	4
9	1	1 BD / 1 BA	775	308	50	2
	2	2 BD / 2.5 BA	1,147	462	75	4
TOTAL UNITS						18

Twelve units have front entries that face Mountain Avenue and 27 units have front entries along common pedestrian paseos located throughout the site. In addition, the Project provides three open space areas that offer outdoor recreation opportunities for residents. The primary recreation space for the Project is located near the west center of the development, between Buildings 2, 3, and 7. This area provides 2,700 square feet of open space, including a picnic shelter, tables and chairs, BBQ grills, cornhole games and open grass area. A minor recreation area offers a 230-square-foot patio that will have seating and landscaping, located between Buildings 3 and 4, along the main pedestrian paseo that runs north-south through the Project. Another minor recreation area is located in the southwest corner of the Project site and provides a 550 square-foot dog park.

(ii) **Site Access/Circulation.** The Project provides several points to enter and/or exit the Project. Vehicular ingress is provided by a driveway approach located on Mountain Avenue, at the north end of the site, and is the only point of vehicle entry for the development. However, vehicles leaving the development have two exit options, using either the two-way Mountain Avenue driveway or an exit-only drive at the south end of the Project that connects to the existing public alley. The public alley exit will be gated to prevent vehicles from accessing the Project from this location.

Pedestrian access is provided at multiple locations throughout the Project. All units that front onto Mountain Avenue (Buildings 8 and 9) will have direct pedestrian access from the public sidewalk. Interior sidewalks within the paseos are connected to the public sidewalk at points near the Mountain Avenue driveway. In addition, residents have access to surface parking located along the public alleys via pedestrian gates at the south and west property lines.

(iii) **Parking** — The Project provides 73 off-street parking spaces. The Project was designed at a ratio of minimum 1.2 parking spaces per bedroom, in accordance with the City initiated Development Code Amendment (File No. PDCA20-002).

PARKING SUMMARY			
Total Number of Bedrooms	Parking Ratio	Spaces Required	Spaces Provided
60	1.2 spaces per bedroom, including one space in a garage or carport (contingent on PDCA20-002)	72	60 (garage space) 13 (uncovered space)
TOTAL		72	73

As proposed and conditioned, the development will provide the required number of parking spaces on the Project site, including 60 garage spaces and 13 uncovered spaces. Each garage space has direct interior access to the residential unit and provides areas required for the required private storage space. Twelve uncovered parking spaces are accessed from the public alleys, along the Project perimeter. One uncovered parking space is located within the Project interior and is designated as the ADA-accessible parking space.

(iv) **Architecture.** The architectural style proposed is a contemporary traditional design with a combination of gabled and shed roofs with exposed rafter tails and knee braces. The three-story buildings feature horizontal siding and stucco exterior finishes, with brick veneer accent material at the ground level. Two color schemes are proposed for each Building Type to provide variety. The Project illustrates the type of high-quality residential architecture promoted by the City’s Development Code. This is exemplified through the use of:

- Articulation in the building footprints, incorporating vertical and horizontal changes in the exterior building walls (combination of recessed or projected wall areas and stepping-back of upper stories).
- Articulation in the building roof lines and placement of second story decks, which serve to break up large expanses of building wall; and
- Architectural details such as trellis or awnings above the front entry areas to identify and enhance the dwelling entry.

(v) **Landscaping/Open Space.** Perimeter landscaping in the front, side, and rear yards, and throughout the interior of the Project, provides for an overall landscape/open space coverage of 54 percent, meeting the Development Code requirements. The proposed on-site improvements will assist towards creating walkable, safe areas for pedestrians to access the Project site. The landscape plan incorporates a combination of 15-gallon, 24-inch, 36-inch, and 48-inch box trees throughout the site, which includes numerous tree species such as Crape Myrtle, Carolina Cherry, Lavender Trumpet Tree, Gold Medallion Tree, and others. A variety of shrubs and ground cover will be planted throughout the site to create landscape areas that are aesthetically pleasing while having low or moderate water usage.

A total of 12,424 square feet of private/common open space is required for the Project and a total of 13,440 square feet has been provided, exceeding the minimum standard as shown in the Open Space Summary below.

OPEN SPACE SUMMARY		
Open Space	Total Area Required (in SF)	Total Area Provided (in SF)
Common Open Space	10,474	10,965 SF
Private Open Space	1,950	2,475 SF
TOTAL	12,424	13,440

Three recreational facilities to serve the Project will be constructed in the south and central areas of the Project. An approximate 550 square foot dog park is proposed near the southwest corner of the Project, and a patio seating area, approximately 230 square feet, is located along the main interior paseo, between Buildings 3 and 4. The patio seating and dog park areas are minor recreation facilities to serve the residents. A major recreation facility is proposed along the west Project boundary, south of Building 1. This area includes 2,700 square feet of open space area that offers tables and chairs, a picnic shelter, BBQ grill, cornhole game areas and turf area. (see Exhibit F—Landscape Plan and Exhibit G—Open Space Plan).

(vi) **Utilities (drainage, sewer).** Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the Project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (“DAB”) the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

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

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

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

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

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

WHEREAS, on September 20, 2021, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines and meets each of the following conditions: (a) the Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations, as conditioned; (b) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the Project site is located on a site that can be adequately served by all required utilities and public services; and

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

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

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed Project is consistent with the number of dwelling units (39) and density (31.7 du/ac) specified in the Available Land Inventory.

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

land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the specific findings set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

(1) **Tentative Tract Map No. 20379 (File No. PMTT21-005):**

(a) **The proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.** The proposed Tentative Tract Map is located within the High Density Residential (HDR) land use district of the Policy Plan Land Use Map, and the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district. The proposed subdivision, as conditioned, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the Project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*).

(b) **The design or improvement of the proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.** The proposed Tentative Tract Map is located within the High Density Residential (HDR) land use district of the Policy Plan Land Use Map, and the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the Project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity, and safety;
 - Variable setbacks and parcel sizes to accommodate a diversity of housing types;
 - Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 *Neighborhood Design*).

(c) **The site is physically suitable for the density/intensity of development proposed.** The Project site is proposed for residential development at a density of 31.7 DUs/Acre. The Project site meets the minimum lot area and dimensions of the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district and is physically suitable for this proposed density / intensity of development.

(d) **The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.** The Project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(e) **The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.** The design of the proposed subdivision, and the residential development improvements existing or proposed on the Project site, are not likely to cause serious public health problems, as the Project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or Project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the Project site.

(f) **The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

(2) **Development Plan (File No. PDEV21-009):**

(a) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the High Density Residential (HDR) land use district of the Policy Plan Land Use Map, and the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district. As conditioned, the development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(b) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the HDR-45 zoning district, including standards relative to the particular land use proposed (multiple-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(c) **The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to**

protect the public health, safety and general welfare have been required of the proposed project.

The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

(d) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project, as conditioned, has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (multiple-family residential). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

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

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

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

APPROVED AND ADOPTED this 20th day of September 2021.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

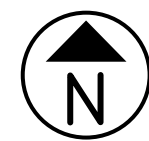


Exhibit B—TENTATIVE TRACT MAP

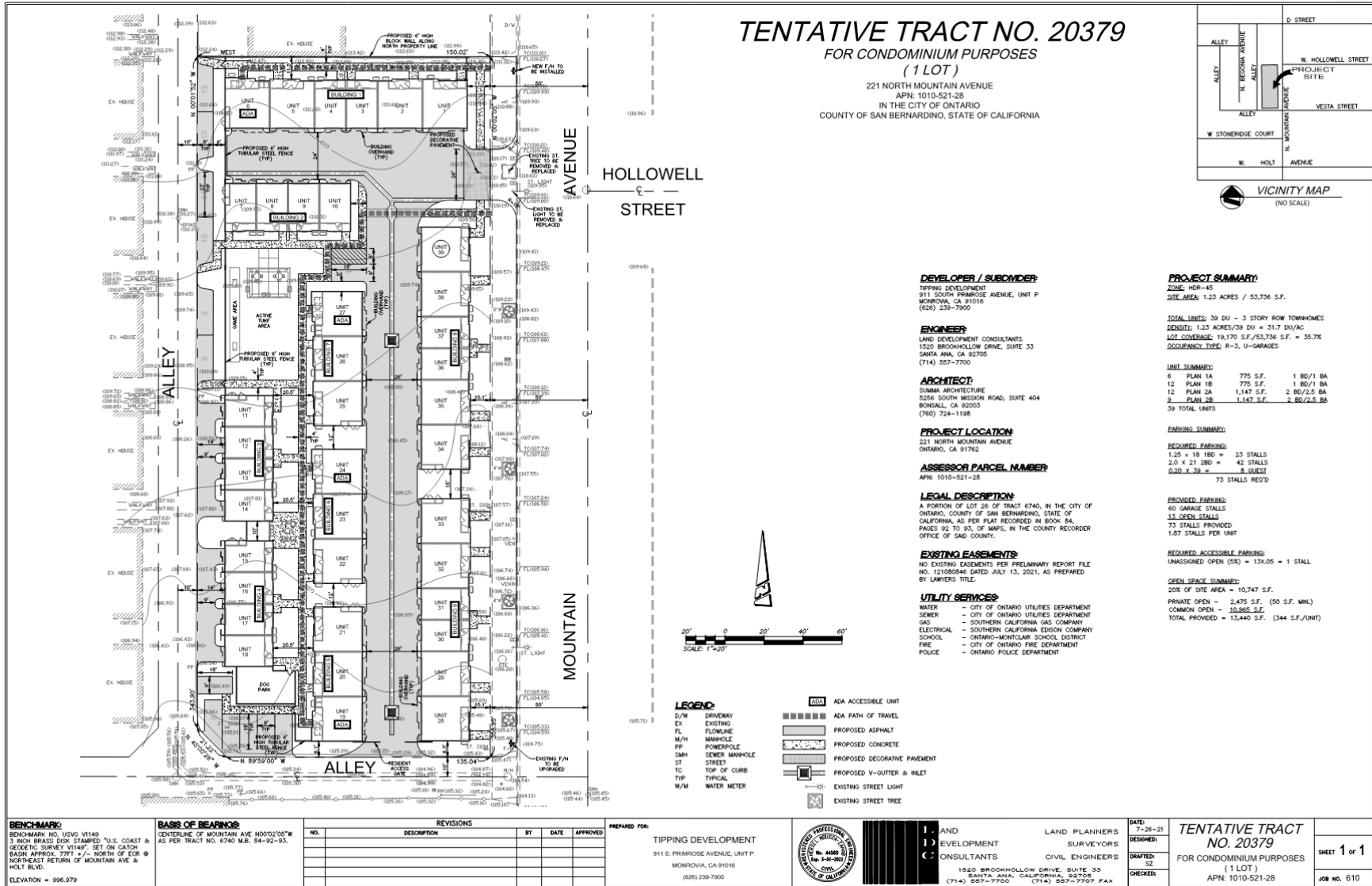


Exhibit C—SITE PLAN

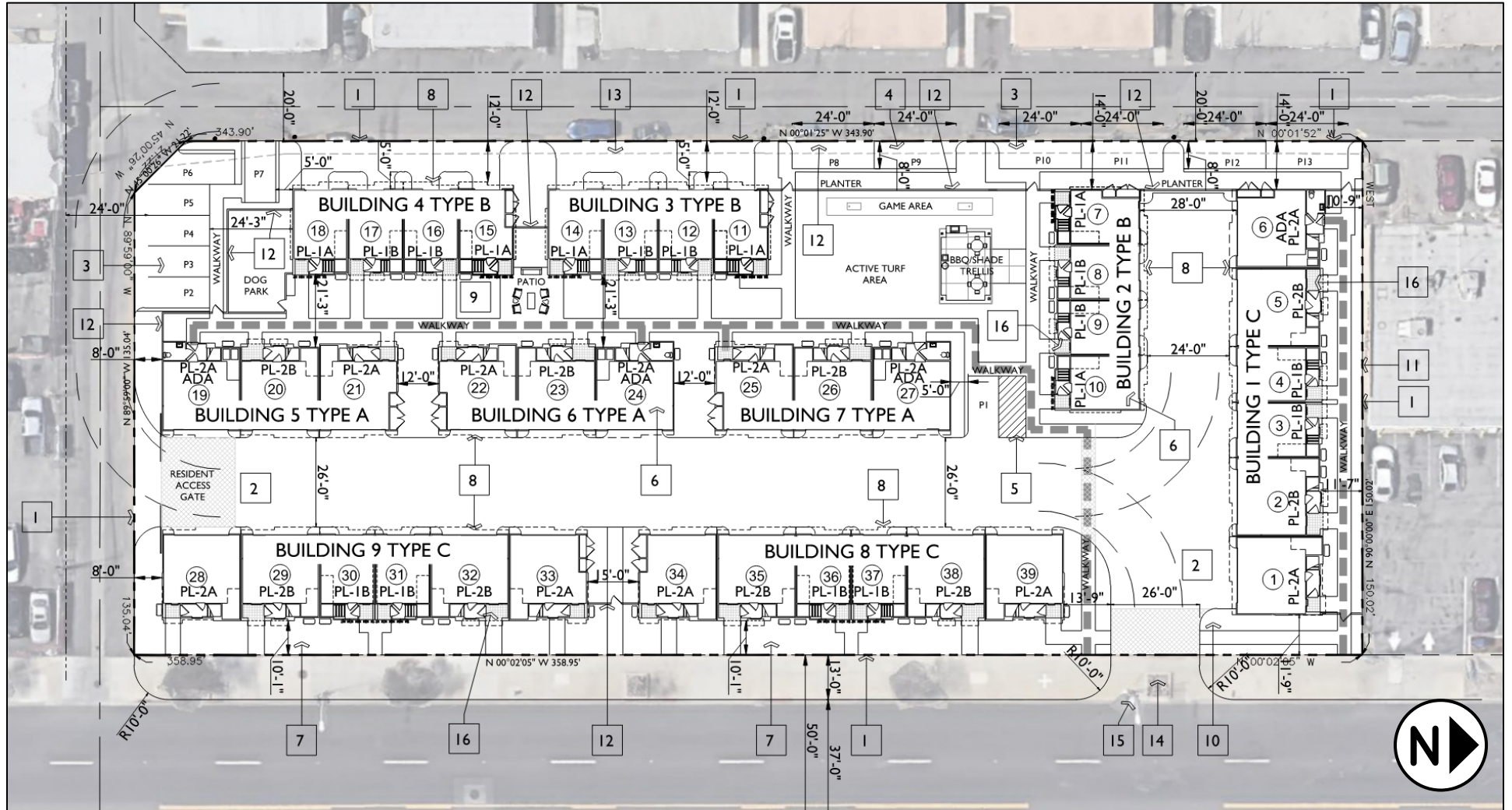
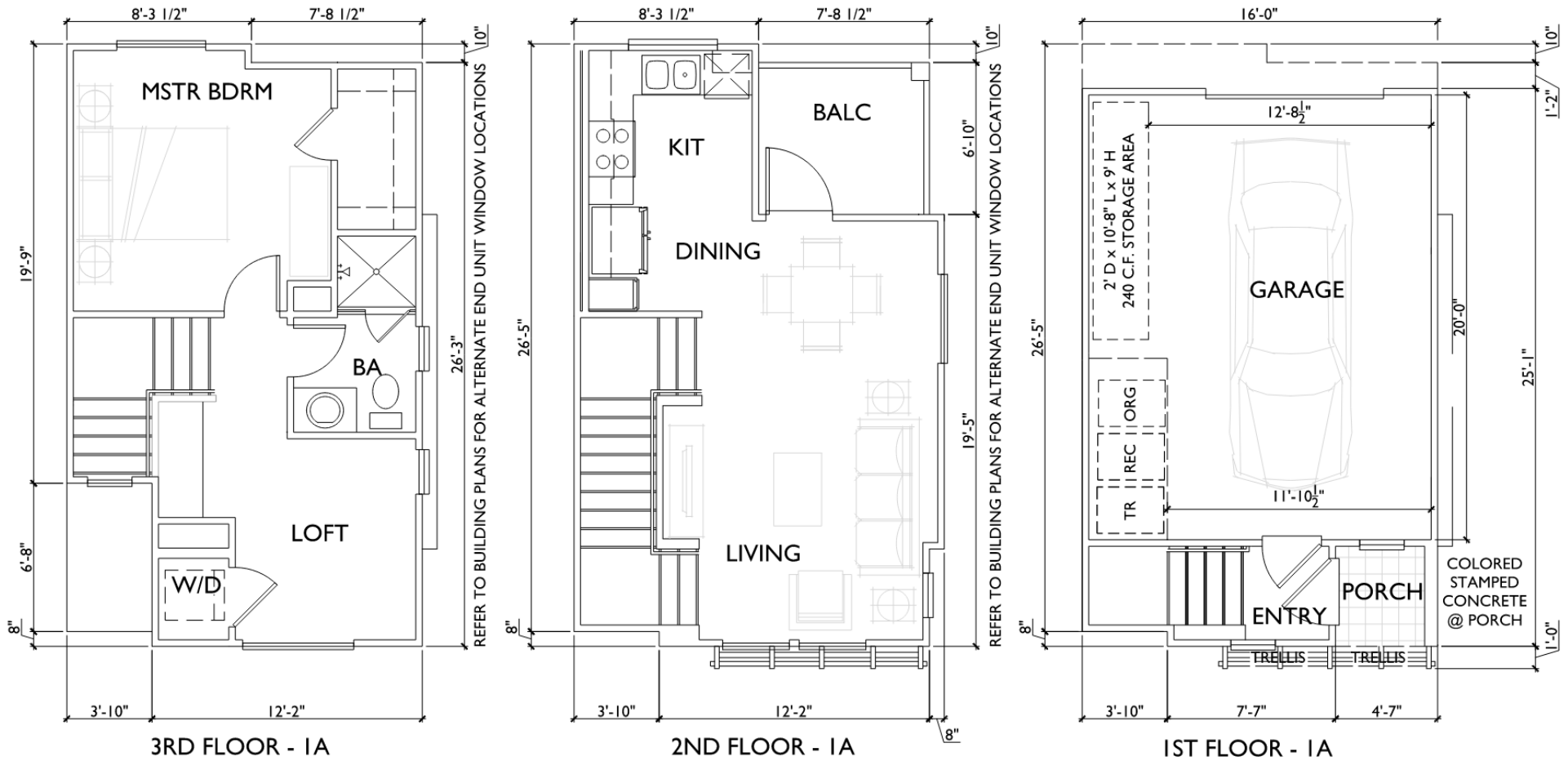
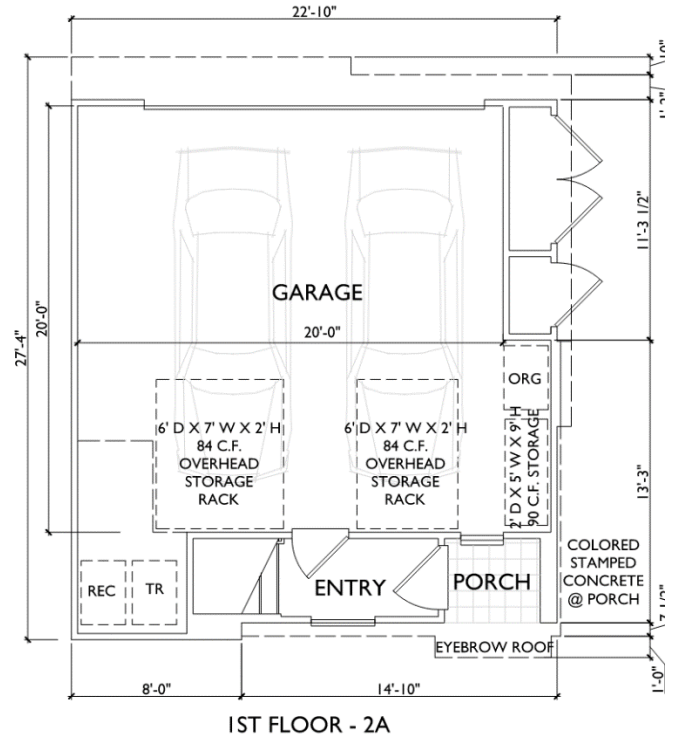
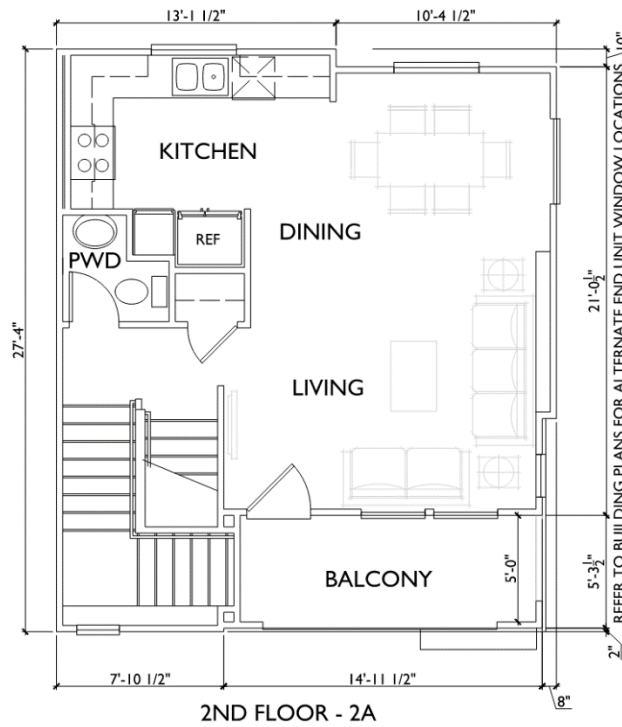
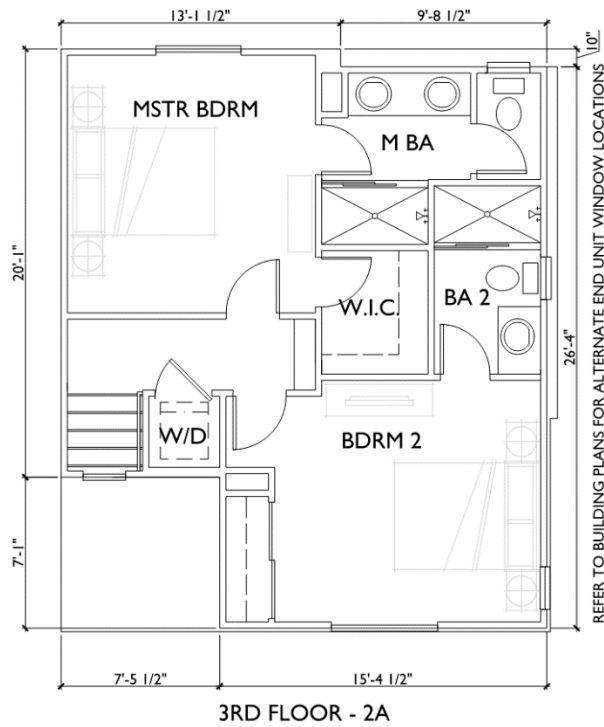


Exhibit D—FLOOR PLANS



Plan 1: 1 Bedroom, 1 Bath

Exhibit D—FLOOR PLANS (CONT.)



Plan 2: 2 Bedroom, 2.5 Bath

Exhibit E—ELEVATIONS



Exhibit F—LANDSCAPE PLAN

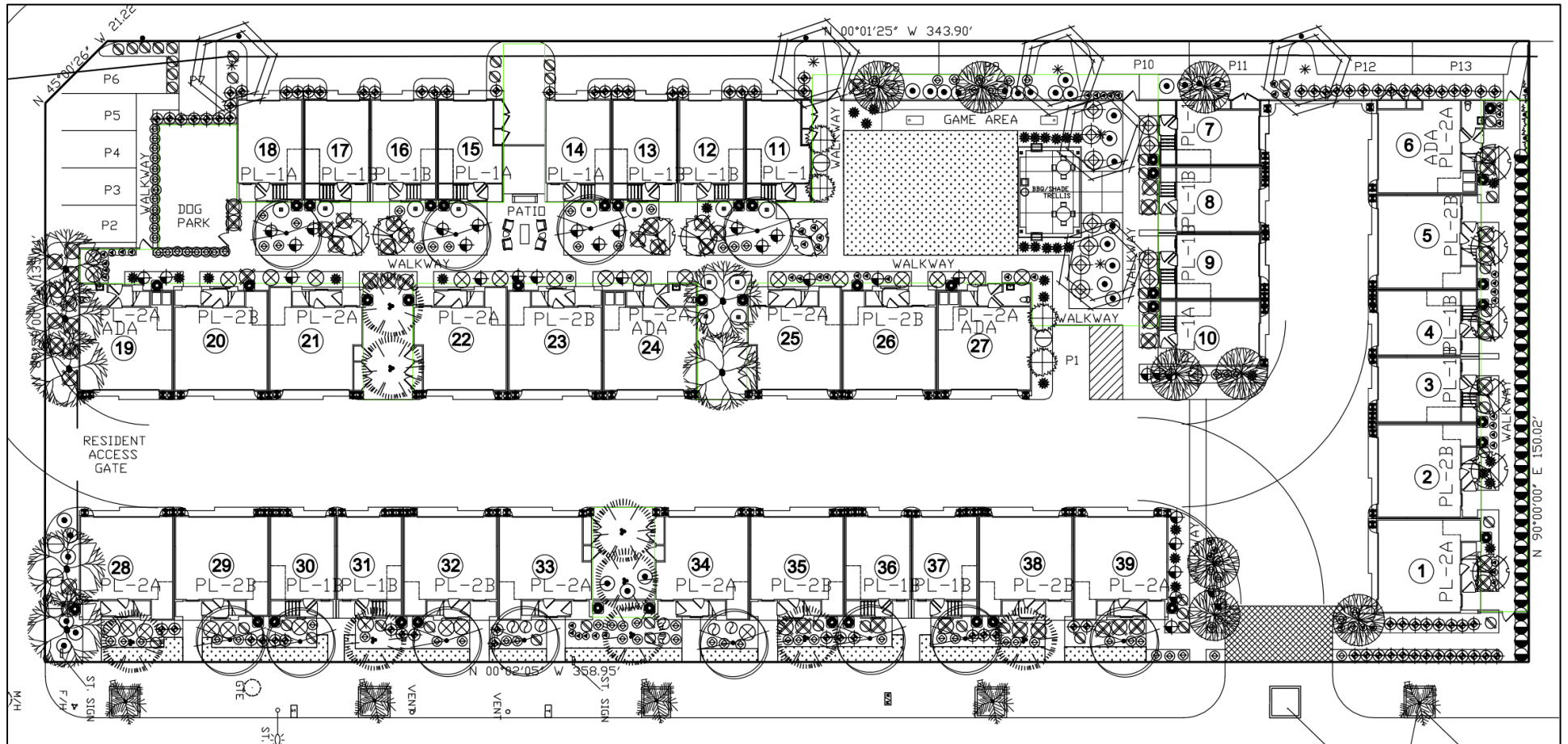
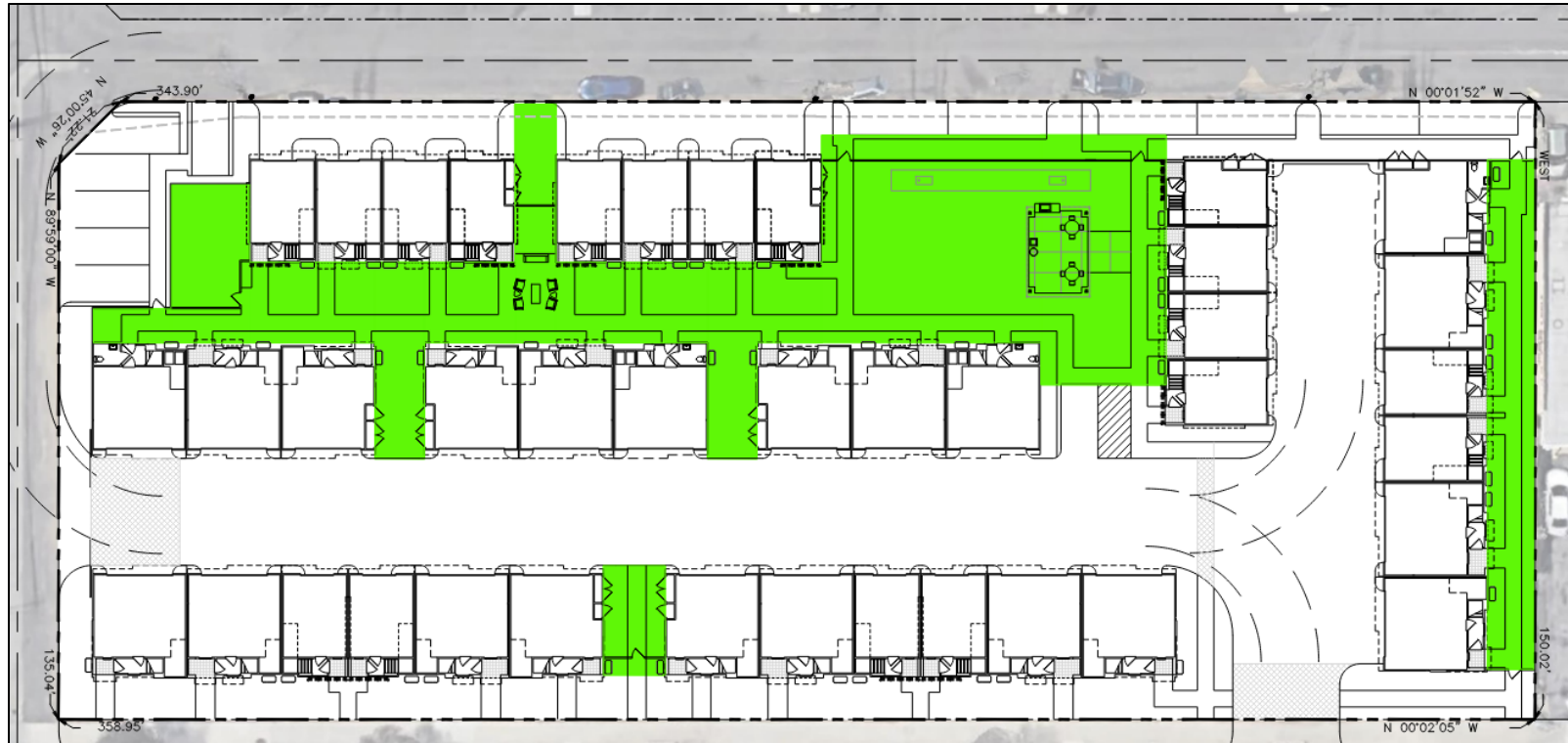



Exhibit G—OPEN SPACE PLAN



OPEN SPACE SUMMARY:	
SITE AREA: 1.23 ACRES / 53,736 S.F.	
	OPEN SPACE = 10,965 S.F. (20.4% OF SITE AREA)
	PRIVATE BALCONIES - 2,475 S.F. (50 SF MIN REQ'D)
	PLAN 1A/1B = 50 SF X 18 UNITS
	PLAN 2A/2B = 75 SF X 21 UNITS
TOTAL OPEN SPACE PROVIDED = 13,440 S.F.	
BUILDING COVERAGE	19,167 S.F.
DRIVES/APRONS/PARKING AREAS	16,282 S.F.
REMAINING LANDSCAPE/WALKWAYS	18,287 S.F.



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: September 20, 2021

File No: PMTT21-005

Related Files: PDEV21-009

Project Description: A Tentative Tract Map (TTM20379) for common interest subdivision purposes, subdividing 1.23 acres of land into common and private area for the construction of 39 condominium units, located at 221 North Mountain Avenue, within the HDR-45 (High Density Residential – 25.1 to 45.0 DU/ac) zoning district (APN: 1010-521-28); **submitted by Tipping Development**

Prepared By: Edmelynne V. Hutter, Senior Planner
Phone: 909.395.2429 (direct)
Email: ehutter@ontarioca.gov

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

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

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

2.1 Time Limits.

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

2.2 Subdivision Map.

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

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

(c) The subject Tentative Tract Map for condominium purposes shall require the recordation of a condominium plan (or 1st phase thereof) concurrent with the recordation of the Final Tract Map and CC&Rs.

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

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

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

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

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

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

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

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

(c) CC&Rs shall include provisions establishing and enforcing of the following:

(i) Private use areas and common use areas;
(ii) Parking requirements;
(iii) No parking restrictions in front of garages; and
(iv) Trash cart storage, placement location for pick-up, and approved time window when trash carts are allowed to be placed outside for pick-up;

(d) CC&Rs shall ensure common maintenance of:

(i) Common Open Space Areas and community amenities such as, but not limited to, recreation facilities, site lighting, walls, fences, gates, and mailboxes;
(ii) Landscaping and irrigation systems within common areas;
(iii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;
(iv) Shared parking facilities and access drives; and

(v) Utility and drainage easements.

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

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

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

2.5 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

(i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

(ii) This tract is subject to roadway noise from Mountain Avenue and may be more severely impacted in the future.

2.6 Environmental Review.

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

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

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

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

2.7 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.

(c) At the time of CC&R submittal for City review, the Applicant shall submit payment of the applicable fee(s) at the rate established by resolution of the City Council.

2.9 Additional Requirements.

(a) Approval of the subject Tentative Tract Map is contingent on City Council approval of Development Code Amendment (File No. PDCA20-002) regarding reduced parking requirements for Small Lot Infill Subdivision projects.



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: September 20, 2021

File No: PDEV21-009

Related Files: PMTT21-005

Project Description: A Development Plan to construct 39 condominium units (9 buildings total) on 1.23 acres of land, located at 221 North Mountain Avenue, within the HDR-45 (High Density Residential – 25.1 to 45.0 DU/ac) zone (APN(s): 1010-521-28); **submitted by Tipping Development**

Prepared By: Edmelyne V. Hutter, Senior Planner
Phone: 909.395.2429 (direct)
Email: ehutter@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

(c) The Applicant shall submit a Construction Phasing Plan for review and approval.

(d) 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 Common and Active Open Space.

(a) The developer shall update the Major Recreation Facility plan to further define and open space area and incorporate placemaking features. Enhancements should include, but are not limited to, a solid roof or lattice picnic shelter, pony walls, raised planters and accent materials.

(b) Recreation facilities shall be completed and available for resident use at the time of Certificate of Occupancy issuance for the first dwelling unit and in accordance with the Construction Phasing Plan.

2.4 Landscaping.

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

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

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

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

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

2.6 Parking, Circulation and Access.

(a) Approval of the subject Tentative Tract Map is contingent on City Council approval of Development Code Amendment (File No. PDCA20-002) regarding parking requirements for Small Lot Infill Subdivision projects.

(b) 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).

(c) Striping of parking spaces, aisles, and driveways, and directional signs conforming to the provisions of Development Code Division 8.01 (Sign Regulations), shall be provided.

(d) The vehicle ingress and egress drives shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(e) 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.

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

(g) 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).

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

(i) The Applicant shall provide striping and/or signage informing residents and guests that parking in front of garages is not allowed.

2.7 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

2.8 Indoor Storage Areas.

(a) Each dwelling unit shall be provided with 240-CF of storage space. Adequate lockable private storage shall be provided within a garage or storage building, or a space directly accessible from the dwelling. Exterior closes accessed from patios or balconies may be used if screened from public view.

(b) Storage space and/or mechanical equipment shall not take away from interior garage minimum required dimensions (10-FTx20-FT per space). Overhead or hung storage facilities at the front of a parking space shall not encroach more than 4-FT into the space and shall not reduce the parking space to less than 4.5 FT in height.

2.9 Site Lighting.

(a) The design of light fixtures and their structural supports shall be architecturally compatible with the main structures on the site and architecturally integrated into the design of the structure. Site lighting shall be reviewed and approved by the Planning and Police Departments prior to the issuance of building permits.

(b) Along pedestrian movement corridors, the use of low mounted bollard light standards, which reinforce pedestrian scale, shall be used. Steps, ramps and seatwalls shall be illuminated wherever possible with built-in light fixtures.

(c) 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), 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.

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

(e) The maximum height of luminaires shall be as follows:

(i) When a light source or luminaire has no cutoff (the point at which all light rays are completely shielded), the maximum permitted height of the luminaire shall be 14 FT.

(ii) When a light source or luminaire has no cutoff of light at an angle of 90 degrees or greater, the maximum permitted height of the luminaire shall be 24 FT.

(iii) When a light source or luminaire has no cutoff of light at an angle of less than 90 degrees, the maximum permitted height of the luminaire shall be 30 FT.

2.10 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.

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

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

2.13 Sound Attenuation.

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

(b) Pursuant to Exhibit S-3a (Future Roadway Noise Contour Map) of the Policy Plan Safety Element, the Project is within the 60 through 75 dBA CNEL noise contours of Mountain Avenue. An acoustical analysis shall be required showing compliance with City noise standards for interior and exterior conditions, including Balconies. The analysis shall be approved by the Planning Department prior to permit issuance.

(c) Construction documents shall be approved and signed by an acoustical engineer to certify that the noise abatement measures required in Condition 2.13(b) have been incorporated.

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

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

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

(c) CC&Rs shall include provisions for establishing and enforcing of the following:

(i) Parking requirements;

(ii) No parking restrictions in front of garages; and

(iii) Trash cart storage, placement location for pick-up, and approved time window when trash carts are allowed to be placed outside for pick-up;

(d) CC&Rs shall ensure common maintenance of:

(i) Common Open Space Areas and community amenities such as, but not limited to, recreation facilities, site lighting, walls, fences, gates, and mailboxes;

(ii) Landscaping and irrigation systems within common areas;

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

(iv) Shared parking facilities and access drives; and

(v) Utility and drainage easements.

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

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

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

2.15 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

(i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

(ii) This tract is subject to roadway noise from Mountain Avenue and may be more severely impacted in the future.

2.16 Environmental Review.

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

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

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

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

2.17 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.

2.18 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.

2.19 Additional Requirements.

(a) Approval of the subject Tentative Tract Map is contingent on City Council approval of Development Code Amendment (File No. PDCA20-002) regarding reduced parking requirements for Small Lot Infill Subdivision projects.



CITY OF ONTARIO

MEMORANDUM

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

FROM: Edmelyne Hutter, Senior Planner

REVISION #1

DATE: July 30, 2021

SUBJECT: FILE #: PDEV21-009

Finance Acct#:

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

PROJECT DESCRIPTION: A Development Plan to construct 39 townhome units (9 buildings total) on 1.23 acres of land, located at 221 North Mountain Avenue, within the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zone (APN: 1010-521-28). Related File: PMTT21-005.

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

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

The plan does not adequately address the departmental concerns.

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

Landscape Planning Division
Department

[Signature]
Signature

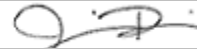
Landscape Planner
Title

9/2/2021
Date

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

CONDITIONS OF APPROVAL

Sign Off



09/02/2021

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV21-009

Case Planner:

Edmelyne Hutter

Project Name and Location:

39 Townhome (9 Buildings)
 221 North Mountain Ave.

Applicant/Representative:

Calland Engineering Inc./Peterzon Sy
 576 E. Lambert Road
 Brea, CA 92821



A Preliminary Plan (dated 07/30/2021) meets the Standard Conditions for New Development. It has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Plans (dated) has not been approved. Corrections noted below are required before Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/Site Plans

1. Provide an arborist report and tree inventory for existing trees include genus, species, trunk diameter, canopy width, and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings, or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall equal the trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
2. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
 - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required.
 - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
 - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
 - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal," approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking, and irrigating 15-gallon trees (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items.
3. Callout decorative paving at entries.
4. Parkway tree locations shall be shown on all plans. Show and note a 10' total space, 5' clearance each side of the tree from any utility or hardscape, including water, sewer, drain lines, driveways, and 10' clear from streetlights.
5. Before permit issuance, stormwater infiltration devices located in landscape areas shall be reviewed

and plans approved by the Landscape Planning Division. Any stormwater devices in parkway areas shall not displace street trees.

6. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
7. Show backflow devices set back 4' from paving all sides. Locate on level grade
8. Locate utilities including light standards, fire hydrants, water, drain, and sewer lines to not conflict with required tree locations—coordinate civil plans with landscape plans. Adjust utilities away from the center of the landscape area between Unit 33 and 24 to allow for landscape screening and trees.
9. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
10. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or stormwater infiltration areas are located shall be loosened by soil fracturing. For trees, a 12'x12'x18" deep area; for stormwater infiltration, the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference, see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

11. Provide an arborist report and tree inventory as noted in #1.
12. Provide details or exhibits for the open space areas, surfacing, paving, site furnishings, amenities, game area, etc.
13. Open space shall include amenities based on the marketed demographic; consider spaces for gathering and games such as permanent table tennis, bocce ball, shade structures, fire pits, BBQ. Identify types of equipment; provide exhibits.
14. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening. Do not encircle utility, show as masses and duplicate masses in other locations at regular intervals.
15. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
16. Show all utilities on the landscape plans. Coordinate, so utilities are clear of tree locations.
17. Note on landscape plans: for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
18. Show landscaping in the perimeter planters and trees spaced 30' apart.
19. Street trees for this project are *Cercis canadensis* 'Oklahoma' per the Master Street Tree Plan.
20. Turf areas less than 10' (in any direction) shall be irrigated with subsurface irrigation or a low-volume irrigation system.
21. Call out the type of proposed irrigation system (dripline and pop-up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet the water budget.
22. Show landscape hydrozones on plan or legend with plants per WUCOLS. Moderate water plants may be used for part shade north and east-facing locations, low water plants everywhere else.
23. Overhead spray systems shall be designed for plant material less than the height of the spray head.
24. Replace invasive, high water use, short-lived, high maintenance or poor performing plants: *Tulbaghia* (poor performing); consider *Dianella* 'Little Rev', *Phormium* (short-lived); consider *Diets*, Use *Hemrocallis* in accent areas only and identify an evergreen variety, use *Loropetalum* in shade areas and as a background shrub (gets 6' high and wide, avoid blocking windows or other plant

material), Bougainvillea (sensitive to frost); consider Distictis, Eriogonum (easily overwatered); consider Bulbine or Cistus.

25. Remove turf from the units along Mountain Ave. Use accent plants such as Festuca mareri or Dianella r. 'Little Rev.'
26. Identify tall, narrow screening trees appropriate for a 3' planter space along the northern perimeter planter; consider Hymenosporum flavum, Podocarpus henkelii, or Callistemon citrinus to match the entry.
27. Identify tall, narrow deciduous screening trees along the south and west perimeter planters; consider Platanus wrightii, Fraxinus o. 'Raywood,' or Koelreuteria.
28. Provide broad canopy shade trees in the open lawn area.
29. Tighten up spacing for shrubs and groundcovers. Plant material shall be designed to fill to 100%, shown at 2/3 mature diameter.
30. Show 8' diameter of mulch only at new trees—detail irrigation dripline outside of mulched root zone.
31. Designer or developer to provide agronomical soil testing and include a report on landscape construction plans.
32. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, etc.) in appropriate locations.
33. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
34. Provide phasing map for multi-phase projects.
35. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council.



CITY OF ONTARIO

MEMORANDUM

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

REVISION #1

FROM: Edmelyne Hutter, Senior Planner

DATE: July 30, 2021

SUBJECT: FILE #: PMTT21-005

Finance Acct#:

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

PROJECT DESCRIPTION: A Tentative Tract Map (TTM 20379) for common interest subdivision purposes, subdividing 1.23 acres of land into common and private area for the construction of 39 townhome units, located at 221 North Mountain Avenue, within the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning district (APN: 1010-521-28). Related File: PDEV21-009.

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

Landscape Planning Division
Department

Signature *J.P.*

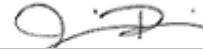
Title Landscape Planner

Date 9/2/2021

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

TRACT MAP CORRECTIONS

Sign Off



Jamie Richardson, Sr. Landscape Planner

09/02/2021

Date

Reviewer's Name:
Jamie Richardson, Sr. Landscape Planner

Phone:
(909) 395-2615

D.A.B. File No.:
 PMTT21-005

Related Files:

Case Planner:
 Edmelynn Hutter

Project Name and Location:

39 Townhome (9 Buildings)
 221 North Mountain Ave.

Applicant/Representative:

Calland Engineering Inc./Peterzon Sy
 576 E. Lambert Road
 Brea, CA 92821



A Tentative Tract Map (dated 07/30/2021) has been approved considering that the following conditions below be met upon submittal of the landscape construction documents.



A Tentative Tract Map (dated) has not been approved. Corrections noted below are required before DAB approval.

CORRECTIONS REQUIRED

1. Parkway tree locations shall be shown on all plans. Show and note a 10' total space, 5' clearance each side of tree from any utility or hardscape including water, sewer, drain lines, and driveways; and 10' clear from streetlights.
2. Open space shall include amenities based on the marketed demographic; consider spaces for gathering and games such as permanent table tennis, bocce ball, shade structures, fire pits, BBQ. For families with children, provide unique, challenging play equipment for the playground. Consider Nature-inspired equipment from Landscape Structures, Play World, etc. Consider a small splash pad in the play area, if possible. Identify types of equipment; provide exhibits.

On Grading or Utility Construction Plans:

3. Note for compaction to not be greater than 85% at landscape areas; all finished grades 1 1/2" below finished surfaces; landscaped slopes to be max 3:1.
4. Show or note transformers shall be located in planter areas and set back 3' from paving for small transformers less than 4' high and 5' setback for large transformers greater than 4' high. Locate on level grade. Coordinate with landscape plans.
5. Show or note backflow devices shall be located in planter areas and set back min 3' from paving. Locate on level grade. Coordinate with landscape plans. Adjust utilities away from the center of the landscape area between Unit 33 and 24 to allow for landscape screening and trees.
6. Show light standards 15' away from required tree locations.
7. Wall footings shall not restrict landscape; max 12" in front of footing with 12" of cover.

8. Show on plans step-outs at parking spaces adjacent to planters; 12" wide monolithic curb, 12" compacted decomposed granite or pavers adjacent to the 6" curb.
9. Before installation, stormwater infiltration devices located in landscape areas shall be reviewed and approved by the Landscape Planning Division.
10. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width, and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings, or on-site tree planting. Add tree protection notes on construction and demo plans.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input checked="" type="checkbox"/> TRACT MAP
PROJECT FILE NO. PMTT21-005/TM-20379 and PDEV21-009 RELATED FILE NO(S). _____		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: Eric Woosley, P.E. (909) 395-2134

CITY PROJECT PLANNER & PHONE NO: Edmelynne Hutter, AICP (909) 395-2429

DAB MEETING DATE: September 20, 2021

PROJECT NAME / DESCRIPTION: TM-20379, a Tentative Tract Map to subdivide 1.23 acres of land into common and private areas for the construction of 39 townhome units.

LOCATION: 221 North Mountain Avenue

APPLICANT: Tipping Development

REVIEWED BY: 9/13/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: 9-13-21
 Khoi Do, P.E. Date
 City Engineer



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

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

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



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Tract Map No. 20379 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);
 - Make a Dedication of Easement.



- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.

- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 2.08 **Submit a soils/geology report.**

- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____

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

_____ feet on _____

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

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

- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).



- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Final fee shall be determined based on the approved site plan.**
- 2.16 Other conditions: _____



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

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

Improvement	Mountain Avenue	Southerly Alley (E-W)	Westerly Alley (N-S)	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace broken panels	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

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

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s)/alley(s): the westerly alley (N-S) and southerly alley (E-W), full width, from the northerly property limit of the westerly alley to the easterly property limit of the southerly alley and extending to the drive approach at Mountain Avenue.



- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition of the alleys. If the structural section is determined to be substandard, the limits of the reconstruction will from the northerly property limit of the westerly alley (N-S) to the easterly property limit of the southerly alley (E-W) and extending to the approach at Mountain Avenue, full width of the alley. If the structural section is determined to be standard, condition 2.18 shall apply.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.302.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 An 8-inch sewer main is available for connection by this project in Mountain Avenue. (Ref: Sewer plan bar code: S10635)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 1. As part of the submittal package, provide a colored Final Utilities Systems Map (USM) that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.
 2. All sewer lateral connections shall be connected to the public sewer main in Mountain Avenue; and not to the alley.

D. WATER

- 2.27 A 10-inch water main is available for connection by this project in Mountain Avenue. (Ref: Water plan bar code: W11152)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:
 1. Construct a direct connection to the water main in Mountain Avenue with a master meter and back flow device for each building, and submetering for each individual unit onsite.
 2. Construct a separate direct irrigation service connection to the water main in Mountain Avenue, with a backflow device on private property within 5-feet of the proposed meters.
 3. Construct a separate direct fire service connection to the water main in Mountain Avenue, with a double check detector assembly (DCDA) on private property, immediately behind the property line.
 4. Construct one new fire hydrant on Mountain Avenue, fronting the project site and near



the northerly project property line, and upgrade the existing fire hydrant located towards the southerly property line on Mountain Avenue.

E. RECYCLED WATER

- 2.30 **No recycled water main is available for connection by this project.**
(Ref: Recycled Water plan bar code: N/A)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

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

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
 - 1. **Design and construct proposed driveways at Mountain Avenue in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway. Proposed driveway location onto Mountain Ave shall be consistent with turning exhibits approved by the City.**
 - 2. **The Applicant/Developer shall relocate the existing streetlight conflicting with the proposed driveway on Mountain Avenue per City of Ontario Standard Drawing No. 5104.**
 - 3. **The Applicant/Developer shall be responsible to replace any existing street light fixtures along its project frontage of Mountain Avenue with the current City approved LED equivalent fixture per the City of Ontario Approved Material List LED Luminaires.**
 - 4. **Parking within the alley shall be restricted along the property frontages at both alleys with R28(CA)(L) and R28(CA)(R) signs.**
 - 5. **Property frontage along Mountain Avenue shall be signed "No Parking Anytime".**

G. DRAINAGE / HYDROLOGY

- 2.38 **A 54-inch storm drain main is available to accept flows from this project in Mountain Avenue.**
(Ref: Storm Drain plan bar code: D11205)



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

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 **Other conditions:**
 1. **The underground water quality system shall be equipped with an adequately sized pretreatment device and shall be a device listed on the certified list of approved trash treatment control devices by the SWRCB. For a list of approved devices please visit the following website:**
https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/trash_implementation/certified_fcsdevicelist_16Feb2021.pdf
 2. **Activities resulting in a land disturbance of one acre, or more is required to obtain coverage under the Construction General Permit (CGP). The site shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at: <https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml>.**



J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole, currently located at the location of the proposed drive approach on Mountain Avenue. The hand hole will be required to be relocated north of the proposed drive approach. See Fiber Optic Exhibit herein.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:
<https://www.ontarioca.gov/OMUC/IntegratedWaste>
- 2.53 Other conditions:
 1. Prior to approval of any building permits, submit a final Solid Waste Handling Plan (SWHP) with the Precise Grading Plan for review and approval by the Integrated Waste Department.
 2. The Developer/Applicant shall submit to the Ontario Municipal Utilities Company (OMUC) an Integrated Waste Management Report (IWMR) in accordance with the IWMR Requirements.

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

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.



- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 **Confirm payment of all Development Impact Fees (DIF) to the Building Department.**
- 3.06 **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).**

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 **Complete all Conditions of Approval listed under Sections 1-3 above.**
- 4.02 **Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**
- 4.03 **The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**
- 4.04 **Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.**



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV21-009 and Tract Map No.20379

The following items are required to be included with the first plan check submittal:

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

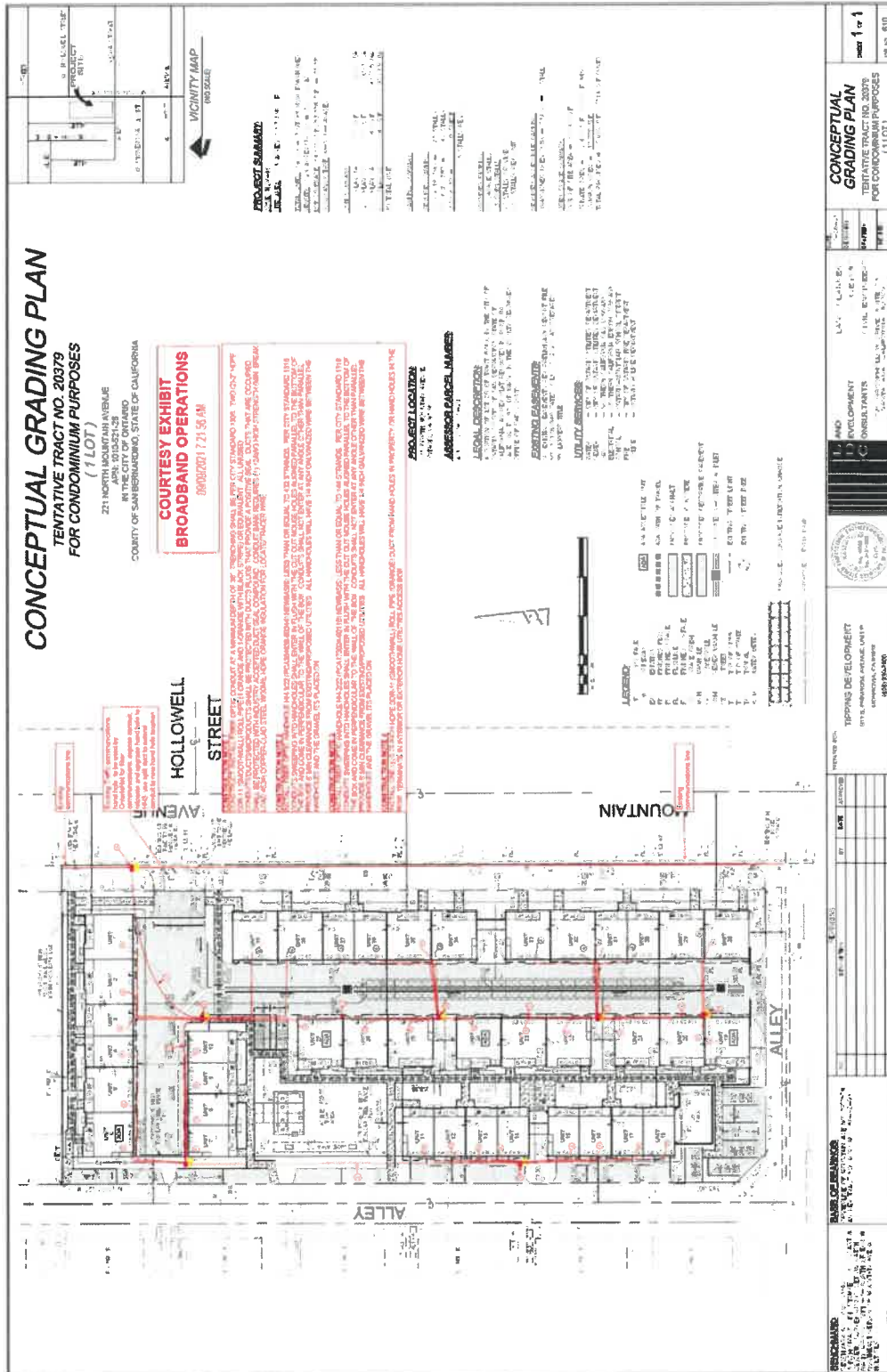


21. **One (1) copy of Soils/Geology report**
22. **Payment for Final Map/Parcel Map processing fee**
23. **Three (3) copies of Final Map/Parcel Map**
24. **One (1) copy of approved Tentative Map**
25. **One (1) copy of Preliminary Title Report (current within 30 days)**
26. **One (1) copy of Traverse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



EXHIBIT 'B'

**BROADBAND OPERATIONS DEPARTMENT
 Fiber Optic Exhibit**





CITY OF ONTARIO

MEMORANDUM

TO: Edmelynne Hutter, Senior Planner
Planning Department

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

DATE: March 29, 2021

SUBJECT: PDEV21-009 - A Development Plan to construct 39 townhome units (9 buildings total) on 1.23 acres of vacant land, located at 221 North Mountain Avenue, within the HDR-45 (High Density Residential) zone. APN: 1010-521-28. RELATED FILE: PMTT21-005

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies, 9 Buildings
- D. Number of Stories: 3 Story
- E. Total Square Footage: Not Listed For Buildings. Varies
775 Sq. Ft. – 1,147 Sq. Ft. Per Unit
- F. 2019 CBC Occupancy Classification(s): R-3, U-Garages

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov/Fire/Prevention.
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

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

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2019 California Fire Code, Appendix B, is 2000 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13 D. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.



CITY OF ONTARIO

MEMORANDUM

TO: Edmelynne Hutter, Senior Planner
Planning Department

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

DATE: March 29, 2021

SUBJECT: PMTT21-005 - A Tentative Tract Map for condominium purposes to subdivide 1.23 acres of land into common and private area for the construction of 39 townhome units, located at 221 North Mountain Ave, within the HDR-45 (High Density Residential) zone. APN: 1010-521-28.
RELATED FILE: PDEV21-009

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies, 9 Buildings
- D. Number of Stories: 3 Stories
- E. Total Square Footage: Not Listed for Buildings
Varies – 775 Sq. Ft. – 1,147 Sq. Ft. Per Unit
- F. 2019 CBC Occupancy Classification(s): R-3, U-Garages

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario website at www.ontarioca.gov/Fire/Prevention.
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2019 California Fire Code, Appendix B, is 2000 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300’) apart, per Engineering Department specifications.
- ☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

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

5.0 BUILDING CONSTRUCTION FEATURES

- 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Homes that do not front street shall be provided with an address entry sign at the street. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.



CITY OF ONTARIO

MEMORANDUM

TO: Edmelyne Hutter, Senior Planner

FROM: Officer Bill Lee, Police Department

DATE: April 6, 2021

SUBJECT: PDEV21-009: A DEVELOPMENT PLAN TO A CONSTRUCT 39 TOWNHOME UNITS AT 221 NORTH MOUNTAIN AVENUE. RELATED FILE: PMTT21-005.

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.

- Areas outside apartments, duplexes, and condominiums, are to be provided with a photocell operated exterior lighting system, which switches on at sunset and switches off at sunrise. This is to include walkways, doorways, and other areas used by the public and common areas. Minimum 0.5 foot-candle of light shall be maintained in all common areas. Planned landscaping shall not obstruct lighting.
- During hours of darkness, all parking lots and carports shall be provided with minimum one foot-candle of light, measured on the parking surface. Lighting devices shall be fully protected with weather and vandalism resistant covers.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.

The Applicant is invited to call Bill Lee at (909) 408-1672 with any questions regarding these conditions.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT21-005 & PDEV21-009
 Address: 221 North Mountain Ave
 APN: 1010-521-28
 Existing Land Use: Vacant
 Proposed Land Use: Tentative Tract Map to subdivide 1.23 acres for condominium purposes & Development Plan to construct 39 Multi-Family Residential Units
 Site Acreage: 1.23 Proposed Structure Height: 36 FT
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Edmelyne Hutter
 Date: 5/11/2021
 CD No.: 2021-017
 PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 160 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.

See attached condition.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2021-017
PALU No.: _____

PROJECT CONDITIONS

New Residential land uses are required to have a Recorded Overflight Notification appearing on the Property Deed and Title incorporating the following language:

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.