



# CITY OF ONTARIO ZONING ADMINISTRATOR AGENDA

March 20, 2023

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

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All documents for public review are on file with the Planning Department located at City Hall, 303 East "B" Street, Ontario, CA 91764 and on the City website at [www.ontarioca.gov/agendas/zoning](http://www.ontarioca.gov/agendas/zoning)

## PUBLIC HEARINGS


**A. ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP22-013:** A public hearing to consider a Conditional Use Permit to establish alcoholic beverage sales and live entertainment for a proposed restaurant and ancillary banquet facility, including beer, wine, and distilled spirits (Type 47 ABC License - On-Sale General - eating place) for consumption on the premises, along with live music, DJ, or karaoke, in conjunction with an existing 16,000-square-foot building on 1.23 acres of land located at 4175 East Inland Empire Boulevard, within the Garden Commercial land use district of the Ontario Center Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. The 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; (APN: 0210-501-33) **submitted by Mantra Events LLC.**

**B. ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP22-022:** A public hearing to consider a Conditional Use Permit to establish a 12,888-square-foot adult daycare facility (7 or more persons) on 3.01 acres of land, located at 1945 East Riverside Drive, Suites 8 thru 15, within the CN (Neighborhood Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 0113-564-25) **submitted by Ontario Del Sol ADHC.**

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

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

I, Mayra A. Angulo, Office Specialist of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **March 16, 2023**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



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Office Specialist



# ZONING ADMINISTRATOR DECISION: CONDITIONAL USE PERMIT

March 20, 2023

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

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

**FILE NO.:** PCUP22-013

**DESCRIPTION:** A public hearing to consider a Conditional Use Permit to establish alcoholic beverage sales and live entertainment for a proposed restaurant and ancillary banquet facility, including beer, wine, and distilled spirits (Type 47 ABC License - On-Sale General - eating place) for consumption on the premises, along with live music, DJ, or karaoke, in conjunction with an existing 16,000-square-foot building on 1.23 acres of land located at 4175 East Inland Empire Boulevard, within the Garden Commercial land use district of the Ontario Center Specific Plan; (APN: 0210-501-33) **submitted by Mantra Events LLC.**

## PART 1: BACKGROUND & ANALYSIS

MANTRA EVENTS, LLC, (herein after referred to as "Applicant") has filed an application requesting approval of a Conditional Use Permit, File No. PCUP22-013, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

**PROJECT SETTING:** The Project site is comprised of 1.23 acres of land located at 4175 East Inland Empire Boulevard, and is depicted in *Exhibit A: Aerial Photograph*, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site:	Commercial/Retail	Mixed Use – Ontario Center	Ontario Center Specific Plan	Garden Commercial
North:	Commercial/Retail (Sam's Club)	Mixed Use – Ontario Center	Ontario Center Specific Plan	Garden Commercial
South:	Commercial/Retail (Ortho Mattress)	Mixed Use – Ontario Center	Ontario Center Specific Plan	Garden Commercial
East:	Restaurants/Commercial	Mixed Use – Ontario Center	Ontario Center Specific Plan	Garden Commercial
West:	Office Complex	Mixed Use – Ontario Center	Ontario Center Specific Plan	Garden Commercial

## PROJECT ANALYSIS:

(1) Background — The Project site is currently developed with a commercial shopping center, including Sam's Club, Bob's Discount Furniture Store, and Staples (see Exhibit B: Site Plan). The existing shopping center was developed in phases, with Sam's Club being constructed as Phase 1 and the remaining pads subsequently followed in 2006.

On June 14, 2022, the Applicant submitted a Conditional Use Permit application to establish alcoholic beverage sales for a proposed restaurant and ancillary banquet facility, including beer, wine, and distilled spirits (Type 47 Alcoholic Beverage Control ("ABC") License – On-Sale General – eating place). The existing tenant space will be remodeled into a restaurant with ancillary banquet facility that offers a menu of Indian cuisine, including a wide selection of appetizers, main dishes, breads, salads, and desserts.

On August 1, 2022, the Applicant submitted construction plans into plan check with the Building Department for the proposed interior tenant improvements. The existing tenant space was previously occupied with a home furnishing store called Bassett Home Furnishings, which operated from approximately May 2010 to December 2021, according to business license records. The tenant space is currently vacant.

(2) Proposed Use — The Applicant is requesting approval of a Conditional Use Permit to establish alcoholic beverage sales within an existing 16,000-square-foot building. The Applicant has applied for a Type 47 ABC license, which authorizes the sale of beer, wine, and distilled spirits for consumption on the licensed premises. The subject property will be operating as a bona fide eating establishment, and the primary use will be a restaurant (Mantra Indian Cuisine) with an ancillary banquet facility. The banquet facility is located towards the rear of the building and is intended to host birthday parties, baby showers, weddings, graduations, Quinceañeras, Christmas parties, fundraisers, or other special events. The kitchen space will be available for the banquet facility and the proposed restaurant will cater the food for the events. The Applicant has indicated that there will be live music, DJ, or karaoke, and the location in the banquet room will be determined based on the individual event's need, no stage area or fixed dance floor is proposed. In addition, there will be two security personnel per 100 people present at the events to monitor on-site activities. The primary use of the building will be a restaurant and the banquet facility will be ancillary to the restaurant operations.

The Applicant has indicated that they currently operate at four locations including Corona, Riverside, Temecula, and Ontario (990 Ontario Mills Dr. #H, Ontario, CA). The location in Riverside, CA has similar operational characteristics as the proposed use and includes the ancillary banquet facility. The Applicant has indicated that their existing location in Ontario will remain as they currently have a lease agreement in place.

The existing tenant space is 16,000 square feet in size and two entrances are proposed, one for the banquet facility and one for the restaurant located along the southern portion of the building. Alcoholic beverages will be sold and served within the proposed bar area that is centrally located to provide access to the reception, restaurant, and banquet facility area (see Exhibit C: Floor Plan, attached). The proposed bar area is 276 square feet, which accounts for less than one percent of the square footage of the building. Excess alcoholic beverages will be stored within the proposed bar area and roll-up doors will be provided to lock the counter windows during the hours of operation where alcoholic beverages are not being sold. The hours of operation for the restaurant will be Monday through Sunday from 11:00 AM to 10:00 PM and the banquet hall will be open Monday through Friday, from 5:00 PM to 12:00 AM, and Saturday to Sunday, from 12:00

PM to 12:00 AM. Alcoholic beverages will only be served at the restaurant between 11:30 AM to 9:30 PM and at the banquet hall between 12:00 PM to 12:00 AM following ABC and Police Department enforcement guidelines. The proposed restaurant will operate with 3 full-time employees and 5 part-time employees, while the banquet facility will have 2 full-time employees and 5 to 8 part-time employees depending on the size of the event.

The Police Department reviewed the request and provided standard conditions of approval to ensure that the proposed business and operational characteristics do not have a detrimental effect on the public or to the surrounding businesses. The Police Department has added a Condition of Approval that limits the alcoholic beverage sales for the restaurant to Monday to Sunday, from 11:30 AM to 10:00 PM, with the last call for alcohol being made by 9:15 PM, and all alcoholic beverage sales must cease by 9:30 PM. In addition, the Police Department has indicated that the alcoholic beverage sales for the banquet facility are limited to Monday through Sunday from 12:00 PM to 12:00 AM with the last call of alcohol being made by 11:15 PM and alcoholic beverage sales must cease by 11:30 PM.

(3) Parking — The primary use for this building will be a restaurant with an ancillary banquet facility. The parking requirement for this use was based on the requirement for restaurants. The Ontario Center Specific Plan indicates that restaurants shall provide one space for each two seats, plus one space for each employee during the largest shift. Based on the number of seats (156 seats for the banquet facility and restaurant), a minimum of 78 parking spaces are required. In addition, the Ontario Center Specific Plan requires one space for each employee during the largest shift. A total of 10 employees will be present during the largest shift. Therefore, the Project is required to provide a minimum of 88 spaces (78 for customers and 10 for employees), and 42 parking spaces are available within the existing property lines of this parcel.

The Project site is located within a commercial shopping center where shared parking is provided amongst the tenants. The CC&Rs for the shopping center, dated May 16, 2000, indicates that the Project site is located on Parcel 4. According to CC&Rs Section 4.a, each parcel owner was granted "nonexclusive easements appurtenant to each Tract and Outparcel in the Project for the ingress, egress, driveway use, parking, loading and unloading of commercial and other vehicles, and otherwise for the enjoyment, comfort and convenience of customers, invitees, tenants and employees of all businesses and occupants of the buildings constructed on the Building Area, to pass over, through and around and use the Common Area and the parties' respective tracts in the Project, including but not limited to the right to use the driveways (including without limitation the areas depicted on the Site Plan as "Reciprocal Access Entry"), roadways, walkways, and parking spaces and other facilities constituting the Common Area...".

Additionally, CC&Rs Section 5.a(ii) states:

*"Parking Area" Ratio. Each party hereto agrees that at all times there shall be independently maintained on each Tract parking area sufficient to accommodate not fewer than five (5.0) car spaces for each one thousand (1,000) square feet of Building Area on such tract, except that the Outparcels shall maintain a parking ratio pursuant to the requirements set forth in Section 3.c(vii), except that there shall be maintained on Tract 5 parking areas sufficient to accommodate not fewer than one (1) parking space for each guest room or one (1) parking space for each two beds, whichever is greater, if Tract 5 is developed for Hotel purposes.*

Based on the parking area ratio calculation that is included in the CC&R's and the square footage of the building (16,000 square feet) the Project site is allocated 80 parking spaces within the

shopping center (16,000 square feet × 0.005). When the shopping center was developed, the resulting parking ratio was 6.12 spaces per 1,000 square feet of floor area. Therefore, the Project tenant space is allocated 97 parking spaces (16,000 square feet × 0.00612) and exceeds the minimum Ontario Center Specific Plan parking requirements. The proposed use will not adversely affect the existing parking supply onsite, as there is currently an excess number of parking spaces available within the shopping center.

(4) ABC License Concentration — The California Department of Alcoholic Beverage Control (“ABC”) is the State entity responsible for granting, renewing, and revoking all ABC licenses. ABC determines how many on-sale and off-sale alcoholic beverage license types should be issued per census tract, based on its population. The Project site is located within Census Tract 21.09, which authorizes five on-sale licenses. There are currently 53 on-sale licenses; however, the majority of the on-sale licenses within this census tract are for eating establishments. There is currently an “over-concentration” of on-sale licenses within this census tract given that the Project site and the surrounding parcels are developed with commercial related uses, eating establishments, and restaurants. Ontario Development Code Section 5.03.025.F.3 grants the Approving Authority (the Zoning Administrator in this case) the authority to make a determination of Public Convenience or Necessity, allowing additional ABC licenses for on-premises alcoholic beverage sales in census tracts that have been determined to be over concentrated with such ABC licenses, if the following finding is met:

*Alcoholic Beverage License Issuance in Conjunction with a Bona Fide Restaurant. The issuance of an alcoholic beverage license in conjunction with a bona fide restaurant is hereby deemed to be provided as convenience to business patrons. The Reviewing Authority shall, therefore, establish that the public convenience would be served by the issuance of an ABC license in such cases.*

(5) Land Use Compatibility — A Conditional Use Permit review is required to ensure the compatibility of adjacent land uses by identifying potential nuisance activities and establishing appropriate measures for mitigation accordingly. The Project site is located within an existing commercial shopping center, which consists of a wide range of retail stores and restaurants to provide a walkable convenience to the residential neighborhoods surrounding the Project site. Additionally, the nearby businesses within the shopping center will not be exposed to any impacts resulting from alcoholic beverage sales, noise from live entertainment, or parking beyond those that would normally be associated with any other commercial business within the surrounding area. The proposed alcoholic beverage sales area is less than one percent of the total floor area of the tenant space and the associated Conditions of Approval will ensure that the proposed use does not have determinantal effect on the surrounding commercial businesses.

**AIRPORT LAND USE COMPATIBILITY PLAN:** This 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).

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

**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.

**CORRESPONDENCE:** As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the Project site or from the public in general, regarding the subject application.

## **PART 2: RECITALS**

WHEREAS, the City of Ontario has received a request for Conditional Use Permit approval as described in Part 1, above; and

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

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

WHEREAS, Ontario Development Code Table 2.01-1 (Review Matrix) establishes that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

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

WHEREAS, the Project is 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 March 20, 2023, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(1) Jocelyn Torres, Associate Planner, presented the staff report on the proposed use, indicating the staff recommendation of approval with conditions. Following staff's presentation, the Zoning Administrator opened the public hearing.

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

(3) [insert additional speaker info]

(4) [insert additional speaker info]

(5) There being no one else to offer testimony regarding the application, the Zoning Administrator closed the public hearing; and

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

### **PART 3: THE DECISION**

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND DECIDED by the Zoning Administrator of the City of Ontario as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Zoning Administrator 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 Zoning Administrator, the Zoning Administrator finds as follows:

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The proposed use is located within an existing building and does not include any alterations or expansions; 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 Zoning Administrator.

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

SECTION 3: Concluding Facts and Reasons. Based upon [1] the substantial evidence presented to the Zoning Administrator in the Background and Analysis of this Decision, [2] the oral information presented during the herein-referenced public hearing, and [3] the findings set forth in Sections 1 and 2, above, the Zoning Administrator hereby concludes as follows:

(1) *The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.* The proposed location of the Conditional Use Permit is in accordance with the objectives and purposes of the City of Ontario Development Code and the Garden Commercial land use district of the Ontario Center Specific Plan, 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 Type 47 ABC license and the banquet facility will be ancillary to the operational characteristics of the proposed restaurant. The proposed use will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the Garden Commercial land use district of the Ontario Center Specific Plan; and

(2) *The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.* The proposed restaurant with an ancillary banquet facility and Type 47 ABC license for the on-sale of beer, wine, and distilled spirits will operate in conjunction with a bona fide eating establishment. The Project site is located within the Garden Commercial land use district of the Ontario Center Specific Plan. With the applicable development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, the Project is consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan; and

(3) *The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.* The proposed restaurant and ancillary banquet facility with the on-sale alcoholic beverage sales including beer, wine, and distilled spirits is located within the Garden Commercial land use district of the Ontario Center Specific Plan, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use is consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and Ontario Center Specific Plan; and

(4) *The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.* The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Ontario Center Specific Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; and [iv] the Project will be in harmony with the surrounding area in which it is proposed to be located; and

(5) *For On-Sale alcoholic beverage license types located within overconcentrated census tracts (high density of alcoholic beverage sales locations as defined by the Alcoholic*

*Beverage Control Act (commencing with Business and Professions Code Section 23000 et Seq.)), the Zoning Administrator hereby makes the following Public Convenience and Necessity ("PCN") findings:*

Alcoholic Beverage License Issuance in Conjunction with a Bona Fide Restaurant. The issuance of an alcoholic beverage license in conjunction with a bona fide restaurant is hereby deemed to be provided as convenience to business patrons. The Reviewing Authority shall, therefore, establish that the public convenience would be served by the issuance of an ABC license in such cases.

SECTION 4: Zoning Administrator Action. Based on the findings and conclusions set forth in Sections 1 through 3, above, the Zoning Administrator 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 5: 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 6: 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.

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APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

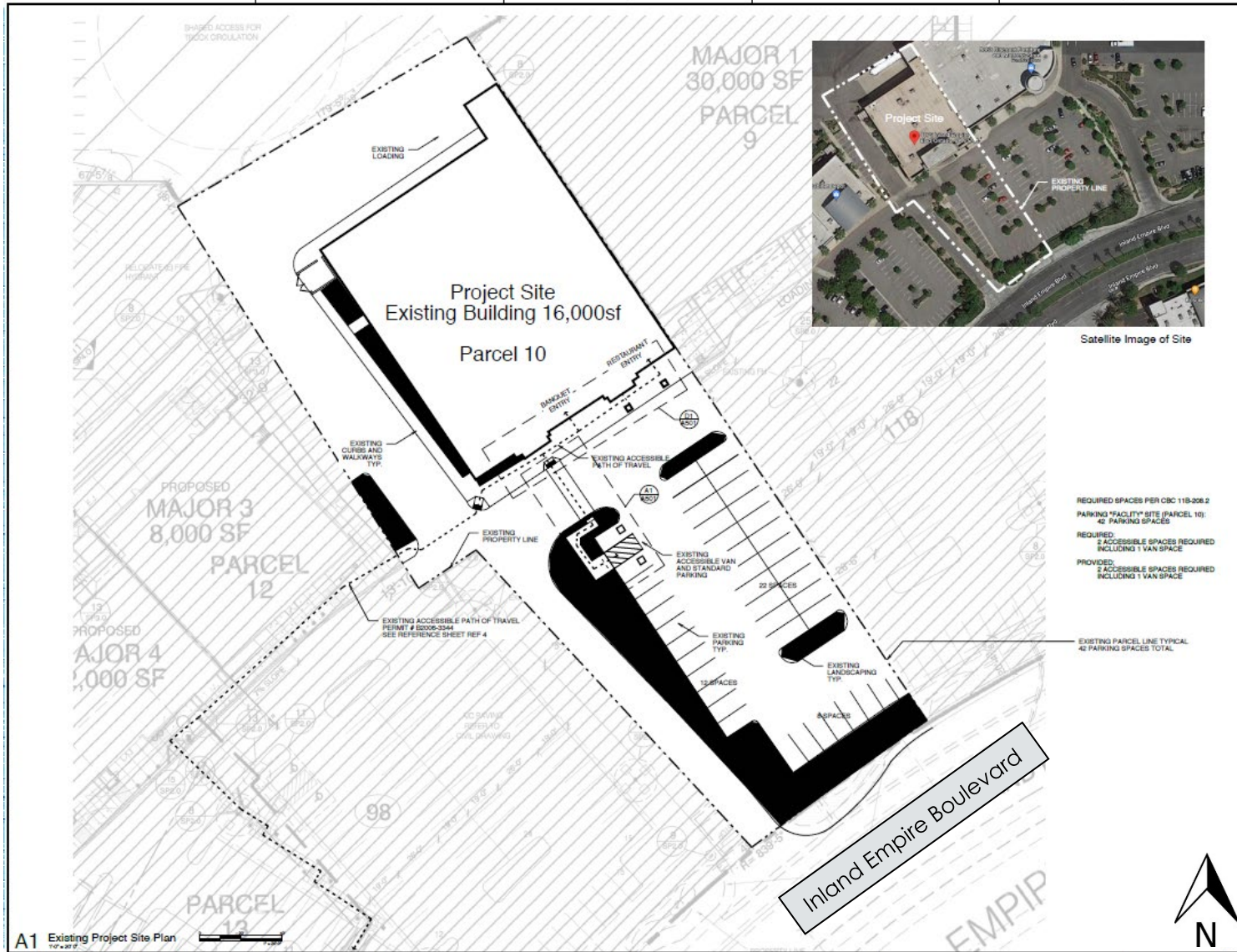
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Rudy Zeledon  
Zoning Administrator

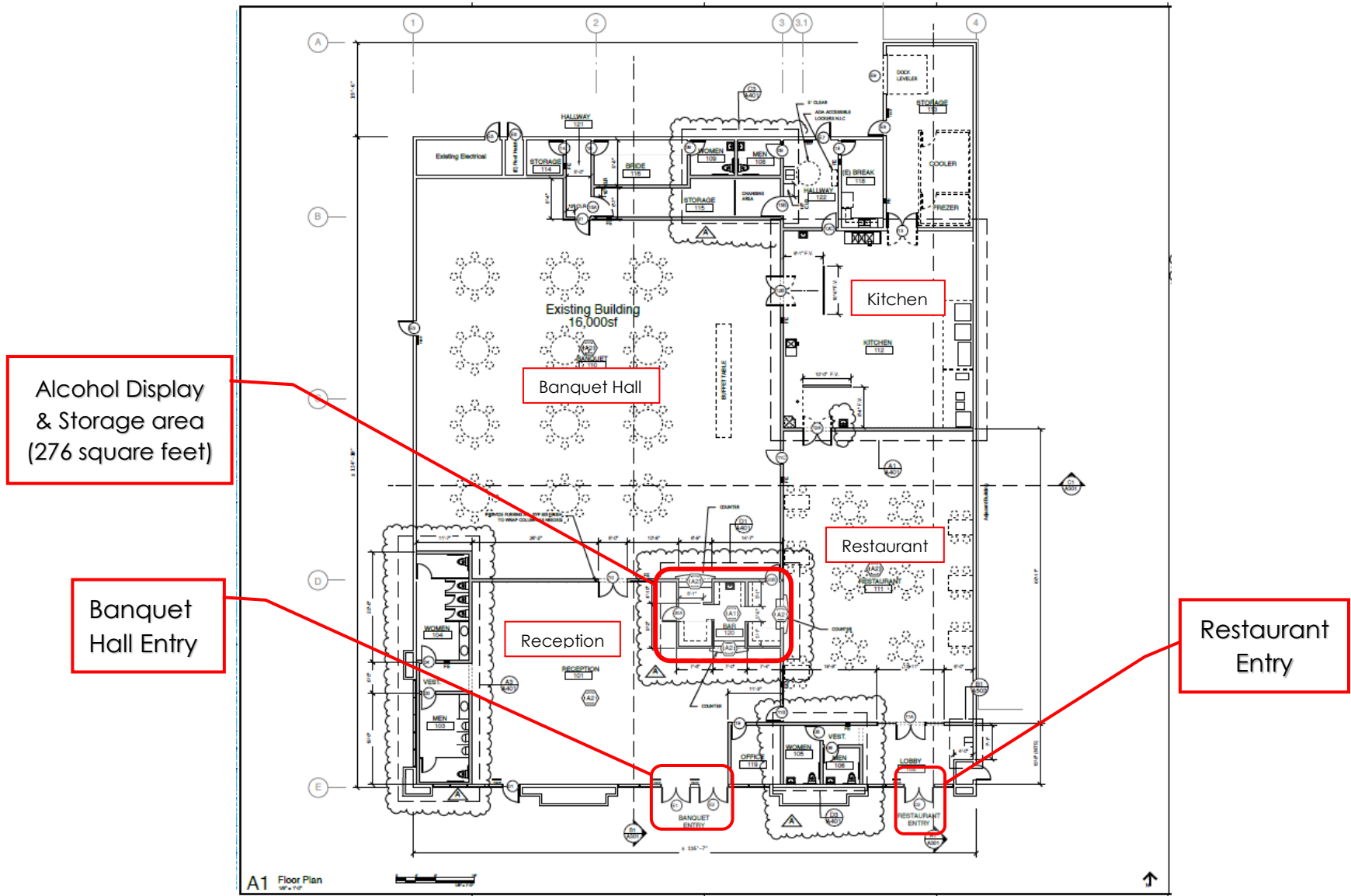
**Exhibit A: AERIAL PHOTOGRAPH**



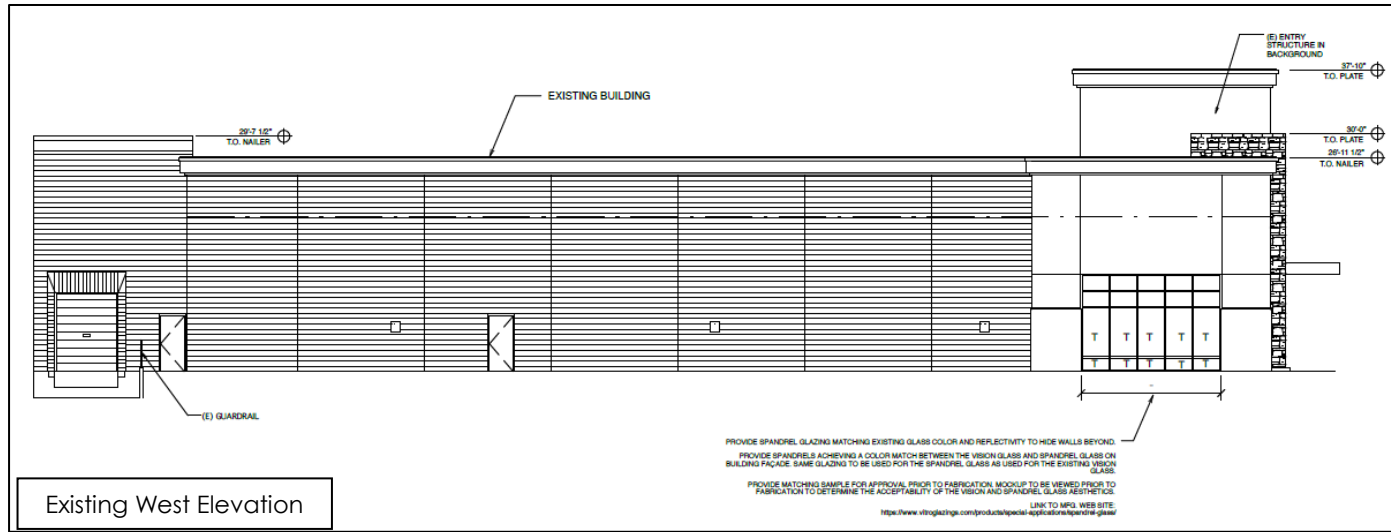
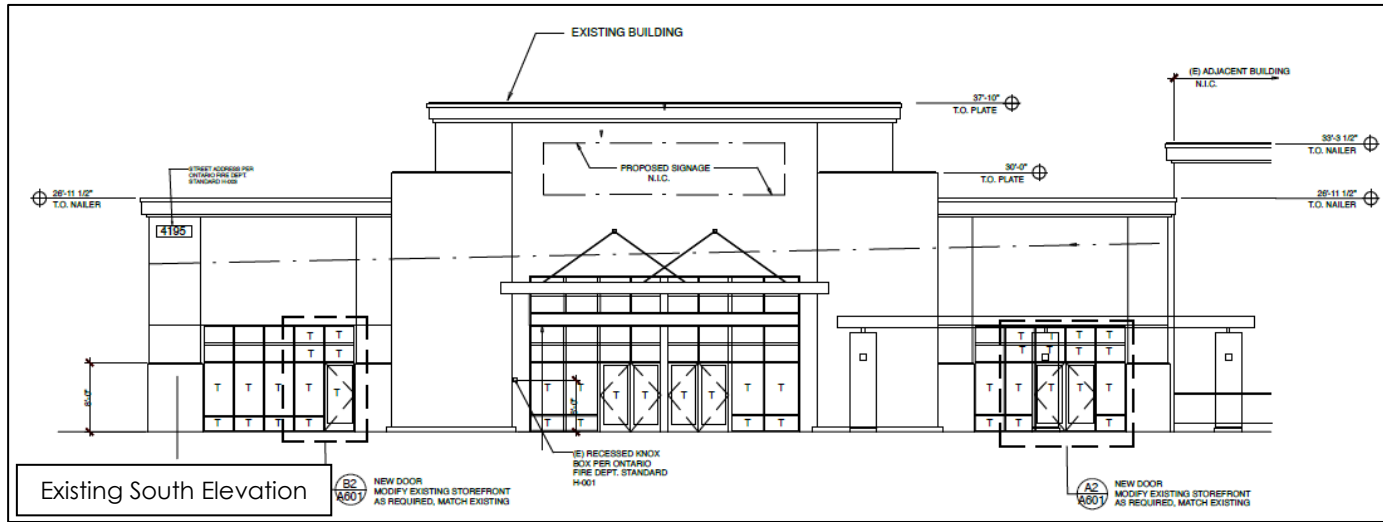
**Exhibit B: SITE PLAN**



**Exhibit C: FLOOR PLAN**



**Exhibit D: Existing Elevations**



## **Attachment A: Department Reports (Conditions of Approval)**

*(Department Reports containing 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:** 3/7/2023

**File No:** PCUP22-013

**Related Files:** N/A

**Project Description:** A Conditional Use Permit to establish alcoholic beverage sales and live entertainment for a proposed restaurant and ancillary banquet facility, including the sale beer, wine, and distilled spirits (Type 47 ABC License - On-Sale General - eating place) for consumption on the premises in conjunction with an existing 16,000-square-foot building on 1.23 acres of land located at 4175 East Inland Empire Boulevard, within the Garden Commercial land use district of the Ontario Center Specific Plan; (APN: 0210-501-33) **submitted by Mantra Events LLC.**

**Prepared By:** Jocelyn Torres, Associate Planner  
Phone: 909.395.2424 (direct)  
Email: [jocelyntorres@ontarioca.gov](mailto:jocelyntorres@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)** Conditional Use Permit approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Conditional Use Permit approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

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



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

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

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

### **2.3** Landscaping.

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

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

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

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

### **2.4** Parking, Circulation and Access.

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

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

**(c)** 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).

### **2.5** Site Lighting.

**(a)** All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (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.

**2.6**     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.

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

**2.8**     Signs.

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

**2.9**     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).

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

**(j)** All employees engaged in the sale or distribution of alcoholic beverages shall be 21 years of age or older.

**(k)** Signs shall be posted at the main entrance/exit doors stating no alcohol is allowed outside the business.

#### **2.11** Alcoholic Beverage Sales—Restaurants.

**(a)** The establishment shall be operated as a “bona fide public eating place” as defined by Business and Professions Code Section 23038. The restaurant shall contain full kitchen facilities for the cooking of an assortment of foods required for ordinary meals. The kitchen shall be open for the serving of meals to guests during all hours the establishment is open. The establishment shall provide an assortment of foods commonly ordered at various hours of the day. The service of sandwiches or salads shall not be deemed in compliance with this requirement.

**(b)** The sale of alcoholic beverages shall be incidental to the sale of food. The quarterly gross sales of alcoholic beverages shall be less than 50 percent of the restaurant's total sales, which includes all food, and alcoholic and non-alcoholic beverages. The owner of the establishment, upon request, shall provide the City of Ontario with an audited report of the sales ratio of food and non-alcoholic beverages to alcoholic beverages.

**(c)** No alcoholic beverage shall be consumed outside of the enclosed building.

#### **2.12** Environmental Requirements.

**(a)** The Project is categorically exempt from environmental review pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private

structures, facilities, mechanical equipment, or topographical features, involving negligible (less than 10,000 square feet) or no expansion, and is consistent with all of the following conditions:

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

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

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

**2.14** Additional Fees.

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

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

**2.15** Final Occupancy. The Project Architect of record will certify that construction of each building site and the exterior elevations of each structure shall be completed in compliance with the approved plans. Any deviation to approved plans shall require a resubmittal to the Planning Department for review and approval prior to construction. The Occupancy Release Request Form/Architect Certificate of Compliance shall be provided prior to final occupancy. After the receipt of this Certification, the Planning Department will conduct a final site and exterior elevations inspection. The Owner's Representative and Contractor shall be present.

**2.16** Additional Requirements.

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

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

(c) A copy of the conditions of approval and the ABC license shall be required to be kept on the premises of the establishment and presented to any law enforcement officer or authorized state or city official upon request.

**(d)** Any change of use or expansion of the activities associated with the approved use shall require a revision to this approval and/or conditions of approval for this Conditional Use Permit, subject to subsequent review and approval by the Zoning Administrator.

**(e)** Live entertainment, DJ, or karaoke may be permitted for the banquet facility; however, the sound emitted from the premises shall not be audible outside the walls of the business establishment and shall comply with Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

**(f)** The operation shall at all times be conducted in a manner not detrimental to surrounding properties or businesses as a result of noise, parking, or other activities.

**(g)** Appropriate security personnel shall be provided for the banquet facility to monitor all on-site activities and to ensure that the proposed use does not constitute public nuisance.

**(h)** The project shall comply with the California Building Code.



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



**TO:** Luis Batres, Senior Planner

**FROM:** Thomas Cho, Police Officer, ABC Enforcement

**DATE:** July 6, 2022

**SUBJECT:** PCUP22-013 – Mantra Events LLC 4175 Inland Empire Blvd,  
Ontario

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This location has applied for a type 47 On-Sale General Liquor License for a Bona Fide Public Eating Place located within Census Tract No. 21.09. According to the Department of Alcohol Beverage Control (ABC), five (5) on-sale type 47 licenses are allowed within this tract, there are currently forty-two (42). The census tract is currently over-concentrated. However, this census tract is considered an entertainment district by the City of Ontario, which allows for exceptions. The Police Department neither approves nor denies conditional use permits. On approval by the planning department, the location must follow all Department of Alcohol Beverage Control rules and conditions. In addition, the following conditions of approval shall be imposed by the Ontario Police Department:

**RESTAURANT/ BAR CONDITIONS**

1. Monday thru Sunday (7 days), alcohol sales will be from 11:30 A.M. to 10:00 P.M., Last call for alcohol shall be made by 09:15 P.M. and alcohol sales must cease by 09:30 P.M.

All alcohol shall be removed from the tables/patrons at the respective closing times daily.

2. At least 51% of sales at the establishment shall be food.
3. No sales or service of alcoholic beverages to minors.
4. No sales or service to obviously intoxicated patrons.

5. No alcoholic beverages are to be sold or removed from the establishment for outside consumption.
6. No smoking inside of establishment is permitted.
7. There will be no narcotic sales or usage on the premises at any time.
8. All restaurant employees servicing alcohol must be 18 years or older.
9. Employees engaged in servicing alcohol inside the bar lounge area must be 21 years of age or older.
10. There will be no stools allowed at the bar fixture in the bar lounge, based on the plans submitted.
11. Interior dining tables and chairs shall not be removed or rearranged to increase occupancy, and not to exceed fire departments occupancy limits.
12. The business is required to have and use driver license and/or ID card reading devices.
13. Lighting within the establishment must be kept at a reasonable level as determined by city officials.
14. Food sales and service must be always available for sale in the restaurant.
15. Back door must be alarmed and always closed.
16. The practice known as Bottle Service will not be allowed.
17. Address to establishment must be illuminated for easy identification of safety personnel.
18. Roof top numbers shall be installed on the commercial building. They shall be a minimum of 3 feet in length and 1 foot in width. Numbers shall be painted in reflective white paint on a flat black background away from roof obstacles. Roof top numbers must be maintained every 3 years.
19. Restrooms must be kept free of graffiti.
20. No Juke Boxes will be allowed in the restaurant area.
21. No arcade video game machines will be allowed in the restaurant area.

22. All hallways must be kept clear from merchandise, storage, and patrons blocking pathway.
23. Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated for more than 72 hours. Abatement shall take the form of removal or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.
24. No loitering shall be permitted on any property adjacent to the licensed premise, which is under the control of the applicant, "no loitering" signs must be posted on the exterior of the premise.
25. The applicant, and all employees, shall not encourage or permit alcoholic beverages to be consumed on any property adjacent to the licensed premises under the control of the applicant.
26. Applicant, security, and all employees serving alcohol must attend an Alcohol Beverage Control (ABC) Responsible Beverage Server (RBS) training class or a certified responsible beverage service class, which has been approved by ABC and Ontario Police Department, within three months of this dated conditional use permit. Proof of re-certification is required per ABC guidelines.
27. The restaurant manager shall be qualified per ABC rules. Anyone to whom a licensee delegates discretionary power to organize, direct, carry on, or control operations of the licensed business is presumed to be the manager of the business. (Business and Professions Code Section 23788.5, Rules 57.5 and 57.6).
28. A no trespass letter will be on file with the Police Department.
29. The parking lot is required to have adequate lighting (minimum 1-foot candle) from dusk to dawn. All exterior walkways and footpaths will require a minimum of 0.5-foot candle. All exterior and parking lot shall be on a photo sensor. Photometrics shall be submitted to the Ontario Police Department CET unit prior to approval. As required by City of Ontario's Planning Department.



### **BANQUET HALL CONDITIONS**

1. Monday thru Sunday (7 days), alcohol sales will be from 12:00 P.M. to 12:00 A.M., Last call for alcohol shall be made by 11:15 P.M. and alcohol sales must cease by 11:30 P.M.
2. All alcohol shall be removed from the tables/patrons at the respective closing times daily.
3. Interior dining tables and chairs shall not be removed or rearranged to increase occupancy, and not to exceed fire departments occupancy limits.
4. The last call for alcoholic sales will be no later than 45 minutes prior to the events closing time. All alcohol sales and service will stop at 11:15 P.M., as indicated on the application.
5. No sales or service of alcoholic beverages to minors.
6. No sales or service to obviously intoxicated patrons.
7. No alcoholic beverages are to be sold or removed from the establishment for outside consumption.
8. No smoking inside of establishment is permitted.
9. There will be no narcotic sales or usage on the premises at any time.
10. All restaurant/caterer employees **servng alcohol** must be **18** years or older.
11. The service commonly known as "Bottle Service" is not allowed.
12. Patrons are not allowed to supply their own alcohol.
13. A Code of Conduct will be required to be used and posted at all public entrances of the banquet hall. The Code of Conduct will include a dress code and shall be utilized on days/nights of entertainment and special events.

### **ENTERTAINMENT CONDITIONS**

1. Live entertainment/DJ/Karaoke will be allowed in the banquet area only, as part of this conditional use permit, as indicated on the application.
2. The entertainment area must be designated on a plan check and that area will only be allowed for entertainment purposes.
3. Any special event outside the scope of the Conditional Use Permit will require a Temporary Use Permit (TUP), which will be processed by the Planning Department and conditioned by the Ontario Police Department. (For example, a radio station promotion held at the restaurant, a car show, or an OUTDOOR event with alcoholic beverages would be a special event, requiring a TUP and/or ABC daily license) Situations may arise where the applicant/business owner will request an event that does not violate the intent of this Conditional Use Permit. The applicant/business owner will notify the Ontario Police Department within a reasonable time frame, but not less than 15 days prior to the event, to determine the necessity for a TUP.
4. No dance floor or stage will be allowed, per the plans that were submitted.

### **SECURITY CONDITIONS**

1. A Code of Conduct will be required and posted at all public entrances of the bar lounge.
2. The establishment will provide a minimum of one employee, or representative of the Banquet Hall, not part of the alcohol serving operation staff, to control and proactively monitor patrons inside the establishment during hours of entertainment (ex. Lounge Host, Bouncer, etc.).
3. Ontario Police Officers have the right to limit or reduce the occupancy inside the establishment, if situations arise that may compromise the safety of patrons and the officer. Any additional police resources requested to bring peace in the establishment may be charged to the business owner.
4. Any security personnel hired will be required to follow Ontario Municipal Code Article 6, Title 3, Section 3-1.601-621 (security regulations).
5. The business shall maintain a security camera surveillance system in proper working order. A minimum of three (3) cameras will record the banquet, restaurant, and bar areas. A minimum of one (1) camera will record the parking lot. Each camera will record at least 640x480 recording resolution levels, and at least fifteen (15) frames per second.

The field of view for each camera will be to maximize the coverage of patrons. Recorded video will be stored for a minimum of 30 days and made available to the Police Department upon request.

6. Any special event outside the scope of the Conditional Use Permit will require a TUP (Temporary Use Permit) which will be processed by the Planning Department and conditioned by the Ontario Police Department. (For example, a radio station promotion held at the restaurant, or an outdoor event with alcoholic beverages would be a special event requiring Police or security personnel, but a community service organization breakfast meeting would not be considered a special event and therefore would not require additional security.)

### **CONCLUSION**

1. If alcohol related crimes at this location are higher than other similar establishments in the overall City during any quarter, the CUP will automatically be referred to the Zoning Administrator for review and re-conditioning or revocation of the permit. The Police Department may, at their sole discretion, request a revocation hearing if they determine that the establishment is being operated in violation of this CUP or has violated the laws of the State or City are the intent of this action.
2. A copy of the listed conditions of approval must be always posted with your ABC license in a prominent place in the interior of the premises.
3. The Ontario Police Department and the Ontario Planning Department will conduct an inspection before the opening of the restaurant with the conditional use permit. Please contact the police department to schedule an inspection.
4. The Police Department will conduct a review in six months to determine whether additional conditions will be needed.

If you have any questions, please call Officer Cho at (909) 408-1671.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jocelyn Torres, Associate Planner  
Planning Department

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

**DATE:** February 13, 2023

**SUBJECT:** PCUP22-013 A Conditional Use Permit to establish alcoholic beverage sales for a banquet facility, including beer, wine, and distilled spirits (Type 47 ABC License – On Sale General – eating place) for on-premise consumption in conjunction with an existing 16,000 square-foot building on 1.23 acres of land located at 4175 E Inland Empire Blvd., within the Garden Commercial land use district of the Ontario Center Specific Plan (APN: 0210-50-33).

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

No comments

Report below.

1. Approval is given with the condition an inspection will be required by the Ontario Fire Department prior to occupancy.



# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)  
Rudy Zeledon, Planning Director (Copy of memo only)  
Diane Ayala, Advanced Planning Division (Copy of memo only)  
Charity Hernandez, Economic Development  
James Caro, Building Department  
Raymond Lee, Engineering Department  
Jamie Richardson, Landscape Planning Division  
Dennis Mejia, Municipal Utility Company  
Jeremy Phillips, Police Department  
Paul Erhman, Deputy Fire Chief/Fire Marshal  
Jay Bautista, Traffic/Transportation Manager  
Lorena Mejia, Airport Planning  
Tricia Espinoza, Engineering/NPDES  
Angela Magana, Community Improvement (Copy of memo only)  
Jimmy Chang, IPA Department  
Ben Mayorga, Integrated Waste

FROM: Luis Batres, Senior Planner

DATE: June 20, 2022

SUBJECT: FILE #: PCUP22-013

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 to establish alcoholic beverage sales for a banquet facility, including beer, wine, and distilled spirits (Type 47 ABC License - On-Sale General - eating place) for on-premise consumption in conjunction with an existing 16,000 square-foot building on 1.23 acres of land located at 4175 E. Inland Empire Blvd., within the Garden Commercial land use district of the Ontario Center Specific Plan (APN: 0210-50-33).

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

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

The plan does not adequately address the departmental concerns.

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

Landscape Planning Division J.P. Landscape Planner 7/26/22  
Department Signature Title Date



# CITY OF ONTARIO MEMORANDUM

## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

**PROJECT ENGINEER:** Ryan Lee, Engineering Assistant (909) 395-2125

**PROJECT PLANNER:** Jocelyn Torres, Associate Planner (909) 395-2424

**DAB MEETING DATE:** March 20<sup>th</sup>, 2023

**PROJECT NAME/DESCRIPTION:** PCUP22-013, a conditional use permit to establish alcoholic beverage sales for a banquet facility, including beer, wine, and distilled spirits (Type 47 ABC License – On-sale general – eating place) for on-premise consumption in conjunction with existing 16,000 square-foot building on 1.23 acres of land.

**LOCATION:** 4175 E. Inland Empire Blvd. (APN: 0210-50-33)

**APPLICANT:** Mantra Events LLC

**REVIEWED BY:**   
Raymond Lee, P.E.  
Assistant City Engineer  
2/23/23  
Date

**APPROVED BY:**   
Khoi Do, P.E.  
City Engineer  
2-23-23  
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 LISTED BELOW. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT. SEE ATTACHED EXHIBIT 'A' FOR PLAN CHECK SUBMITTAL REQUIREMENTS.

1. Grease Interceptor: Provide a grease interceptor (GI) for this project, with a sample box downstream of the GI. The GI and the sample box are to be on a separate sewer service, on-site, pipeline and be connected downstream of the existing domestic waste line.
2. Note the following:  
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. The application can be downloaded from the City's Utilities website in the drop-down of the "Pretreatment" section ([www.ontarioca.gov/OMUC/Utilities](http://www.ontarioca.gov/OMUC/Utilities)). Please select the appropriate application that applies to your type of business. Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as grease interceptors or clarifiers. For wastewater permit application questions, please contact:

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

**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

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**Project Number: PCUP22-013**

**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 Domestic 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 Public Street Light improvement plan
9.  Three (3) sets of Signing and Striping improvement plan
10.  **Two (2) sets of the Site plan with proposed public street and utility improvements**
11.  Two (2) sets of Delta Revision Plans to Record Street, Street Light, and/or Signing & Striping Drawings which reflect the proposed public street improvements
12.  Two (2) sets of Delta Revision Plans to Record Domestic Water, Recycled Water, and/or Sewer Drawings which reflect the installation of the proposed service laterals, and/or abandonment of unused existing service laterals
13.  Three (3) sets of Wet 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)
14.  Two (2) 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 AutoCAD electronic submittal)
15.  Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP)
16.  One (1) copy of Hydrology/Drainage study
17.  One (1) copy of Soils/Geology report
18.  Other: \_\_\_\_\_



# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)  
Rudy Zeledon, Planning Director (Copy of memo only)  
Diane Ayala, Advanced Planning Division (Copy of memo only)  
Charity Hernandez, Economic Development  
James Caro, Building Department  
Raymond Lee, Engineering Department  
Jamie Richardson, Landscape Planning Division  
Dennis Mejia, Municipal Utility Company  
Jeremy Phillips, Police Department  
Paul Erhman, Deputy Fire Chief/Fire Marshal  
Jay Bautista, Traffic/Transportation Manager  
Lorena Mejia, Airport Planning  
Tricia Espinoza, Engineering/NPDES  
Angela Magana, Community Improvement (Copy of memo only)  
Jimmy Chang, IPA Department  
Ben Mayorga, Integrated Waste

FROM: Luis Batres, Senior Planner

DATE: June 20, 2022

SUBJECT: FILE #: PCUP22-013

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 to establish alcoholic beverage sales for a banquet facility, including beer, wine, and distilled spirits (Type 47 ABC License - On-Sale General - eating place) for on-premise consumption in conjunction with an existing 16,000 square-foot building on 1.23 acres of land located at 4175 E. Inland Empire Blvd., within the Garden Commercial land use district of the Ontario Center Specific Plan (APN: 0210-50-33).

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.

env.eng  
Department

Signature

Title

Date

7/13/22  
Item A - 30 of 34





# CITY OF ONTARIO MEMORANDUM



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**DATE:** January 31, 2023

**TO:** Jocelyn Torres, Planning Department  
Ryan Lee, Engineering Department

**FROM:** Peter Tran, Utilities Engineering

**SUBJECT:** DPR #3 – Conditions of Approval (COA) - Utilities Comments (#8991)

**PROJECT NO.:** PCUP22-013 (Conversion from a Bassett Home Furnishings to a Banquet Hall, 16,000 sqft.)

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## BRIEF DESCRIPTION

*A Conditional Use Permit to establish alcoholic beverage sales for a banquet facility, including beer, wine, and distilled spirits (Type 47 ABC License - On-Sale General - eating place) for on-premise consumption in conjunction with an existing 16,000 square-foot building on 1.23 acres of land located at 4175 E. Inland Empire Blvd., within the Garden Commercial land use district of the Ontario Center Specific Plan (APN: 0210-50-33).*

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## OMUC UTILITIES ENGINEERING DIVISION CONDITIONS OF APPROVAL

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**CONDITIONS OF APPROVAL:** *The Ontario Municipal Utilities Company (OMUC) Utilities Engineering Division recommends this application for approval subject to the Conditions of Approval outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards. The Applicant shall be responsible for the compliance with and the completion of all the following applicable Conditions of Approval prior to the following milestones and subject to compliance with City's Design Development Guidelines, Specifications Design Criteria, and City Standards:*

1. Standard Conditions of Approval: Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017, or as amended or superseded by Council Resolution; as well as the project-specific conditions/requirements as outlined below.

***Prior to Issuance of Any Permits (Grading, Building, Demolition and Encroachment), unless other timeline milestones are specified by individual conditions below, the Applicant Shall:***

***General Conditions (Section 2.A, Other conditions): The Applicant shall comply with the following:***

2. Final Utilities Systems Map (USM): Submit a Final Utilities Systems Map (FUSM) as part of the precise grading plan submittal that 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, DCDAs, etc.), sizes, points of connection, and any easements. The final utility design shall comply with all Division of Drinking Water (CCR §64572) Separation Requirements. See Utility Systems Map (USM) Requirements document for details.
  - a. The proposed utilities, utility alignments, and Public Rights-of-Way/Public Utility Easements shown on the Conceptual Utilities Systems Map (CUSM) and other Entitlement documents are not considered final and shall be revised during Final Design to meet all City Design Guidelines, Standards, City Requirements, and all of the Conditions of Approval contained in this document.

**Sanitary Sewer Conditions (Section 2.C): The Applicant shall comply with the following:**

3. Grease Interceptor: Provide a grease interceptor (GI) for this project, with a sample box downstream of the GI. The GI and the sample box are to be on a separate sewer service, on-site, pipeline and be connected downstream of the existing domestic waste line.
4. Note the following:  
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. The application can be downloaded from the City's Utilities website in the drop-down of the "Pretreatment" section ([www.ontarioca.gov/OMUC/Utilities](http://www.ontarioca.gov/OMUC/Utilities)). Please select the appropriate application that applies to your type of business. Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as grease interceptors or clarifiers. For wastewater permit application questions, please contact:

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



# CITY OF ONTARIO MEMORANDUM



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**DATE:** July 13, 2022  
**TO:** Luis Batres, Planning Department  
**FROM:** Blaine Ishii, Integrated Waste Department (via Transtech Engineers)  
**ADDRESS:** 4175 Inland Empire Boulevard  
**PROJECT NO.:** PCUP22-013  
**ATTACHMENTS:** None

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**BRIEF DESCRIPTION**

*CUP FOR BEER AND WINE SALES*

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**THIS SUBMITTAL ADEQUATELY ADDRESSES THE  
CONCERNS OF THIS DEPARTMENT.**

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There are no conditions at this time.

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PCUP22-013

Address: 4175 East Inland Empire Blvd

APN: 0210-50-33

Existing Land Use: Commercial shopping center

Proposed Land Use: CUP to establish ancillary alcohol sales for a banquet facility (Type 47 ABC license)

Site Acreage: 1.23 Proposed Structure Height: Existing Building

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jocelyn Torres

Date: 1/30/2023

CD No.: 2022-056

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="checkbox"/> 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="checkbox"/> Zone 4		Allowable Height: <u>80 FT</u>	
<input type="checkbox"/> Zone 5			

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: \_\_\_\_\_



# ZONING ADMINISTRATOR DECISION: CONDITIONAL USE PERMIT

March 20, 2023

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

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

**FILE NO.:** PCUP22-022

**DESCRIPTION:** A public hearing to consider a Conditional Use Permit to establish a 12,888-square-foot adult daycare facility (7 or more persons) on 3.01 acres of land located at 1945 East Riverside Drive, Suites 8-15, within the CN (Neighborhood Commercial) zoning district; (APN: 0113-564-25) **submitted by Ontario Del Sol ADHC.**

## PART 1: BACKGROUND & ANALYSIS

ONTARIO DEL SOL ADHC, (herein after referred to as "Applicant") has filed an application requesting approval of a Conditional Use Permit, File No. PCUP22-022, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

**PROJECT SETTING:** The Project site is comprised of 3.01 acres of land located at 1945 East Riverside Drive, Suites 8-15, 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:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site:	Multi-Tenant Commercial/Retail	CN Neighborhood Commercial	Neighborhood Commercial (CN)	N/A
North:	Single-Family Residential	LDR Low Density Residential	LDR-5 (Low Density Residential – 2.1 to 5 du/ac)	N/A
South:	Vacant	LDR Low Density Residential	Armstrong Ranch Specific Plan (SP)	PA 1 (3.5 to 5.0 du/ac)
East:	Single-Family Residential	LDR Low Density Residential	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac)	N/A
West:	Multi-Tenant Commercial/Retail	CN Neighborhood Commercial	CN (Neighborhood Commercial)	N/A

## PROJECT ANALYSIS:

(1) Background— The Project site is located within an existing commercial shopping center (Vineyard Village Shopping Center) comprised of four parcels of land that were developed with a commercial shopping center in 1979, as shown on Exhibit B: Site Plan. The shopping center is currently occupied by a variety of businesses, including personal services, tax and insurance offices, retail, and restaurants. The eastern half of the shopping center consists of two buildings

Prepared: JA – 2/27/2023	Reviewed: CM – 3/14/2023	Decision: RZ [insert Date]
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totaling 32,583 square feet and an off-street parking area with 214 parking stalls that serve both buildings. Building 1 (1919 East Riverside Drive) is a standalone 5,572-square-foot restaurant building currently occupied by Not Your Mama's Kitchen and Building 2 (1945 East Riverside Drive) is a multi-tenant commercial building totaling 27,011 square feet. The adult day health care center ("ADHC") is proposed within the northeast portion of Building 2 (previously occupied by Bargain Plaza) and is 12,888 square feet in area.

On November 1, 2022, the Applicant submitted a Conditional Use Permit application requesting to establish an adult day health care center (Ontario Del Sol ADHC). The Applicant currently operates other locations throughout Los Angeles and Orange Counties. Their first location (Salida Del Sol ADHC) was established in 2016 within the City of Long Beach and has the capacity to serve 180 participants. In July 2019, the Applicant opened their second location (Angeles Del Sol ADHC) within the City of Diamond Bar and has a capacity to serve 160 participants. Their Pomona facility (Prime One ADHC) was established shortly thereafter in 2020 and currently has the capacity to serve 138 participants. Their newest location, in Tustin, was approved in January 2022 and is scheduled to open once tenant improvements are complete.

Per the California Department of Aging (CDA), there are presently nine ADHC facilities within San Bernardino County, which includes one ADHC facility in Ontario. Mission Adult Day Health Care Center (File No. PCUP10-054), located at 214 West E Street, is currently the only ADHC facility in operation within the city. According to the Applicant, there is an unmet need for these services in the area and this would be their first operation within San Bernardino County.

(2) Proposed Use/Operation — Ontario Del Sol ADHC will provide a medical care outpatient day program for older adults and adults with chronic medical, cognitive, or mental health conditions and/or disabilities that are at risk of needing institutional care. ADHC centers serve as an alternative to institutionalization for such individuals who are capable of living at home with the aid of supplemental services. Ontario Del Sol ADHC is anticipating that there will be an average of 140 to 180 participants with a maximum capacity of 200 participants. Participants will be driven to and from their homes to the facility. The program focuses on:

- Transportation to and from individual residences and the facility,
- Social Services,
- Recreational and therapeutic group activities, and
- Specialized classes and counseling programs.

The proposed 12,888-square-foot adult daycare facility is divided into four main areas, as shown in Exhibit C: Floor Plan and as further described below:

- **Primary Common Areas** — The primary common areas include a lobby, reception, multipurpose areas with stage, and dining area. The multipurpose areas are for communal recreational and therapeutic programming and activities, including meal services, group exercises, bingo games, arts and crafts, and meditation. Meal services are provided daily for all participants in the multi-purpose rooms and will include breakfast, lunch, and snacks.
- **Secondary Common Areas** — Secondary common areas consist of activity rooms, a classroom, exam room, quiet room, nursing room, and occupational therapy/physical therapy room. The smaller activity rooms and classrooms will be dedicated to hosting specialized group and individualized activities for singing, painting, music classes, nutritional counseling, psychological counseling, and other social services. In addition, the

nursing room and occupational therapy/physical therapy rooms will be for physical and mental rehabilitation, through the supervision of licensed medical staff.

- Administrative Offices and Staff Rooms — The facility will also include administrative offices for program staff, storage rooms, and kitchen. The Program Director, administrator, social workers, and nurses will utilize these rooms to prepare for daily programming, classes, and various clerical tasks.
- Miscellaneous and Service Rooms — The balance of the facility will include storage rooms, restrooms, and service areas, including electrical and maintenance rooms.

The facility's licensed professionals include nurses, social workers, physical therapists, occupational therapists, and speech therapists. The staff focus on aiding participants with medical, preventive, social, and mental health care needs that may include:

- Nursing services and monitoring of health conditions;
- Medication management;
- Physical, occupational, and/or speech therapy;
- Social work;
- Assistance with daily tasks such as eating, walking, and personal care;
- Hot meals and nutritional counseling; and
- Other services such as caregiver support groups, community education, and health professionals training may also be provided.

The facility will have a maximum of 15 employees and a maximum of 200 participants at the location at any given time. It is anticipated that the facility will typically have between 140 to 180 clients per day. Days and hours of operation are Monday through Friday, from 8:30 AM to 4:00 PM. Pick-up time starts at 7:00 AM and drop-off time starts at 2:00 PM. Non-ambulatory or overnight care will not be provided at the site, nor will there be any outdoor services. A condition of approval has been placed on the project requiring a change of occupancy to accommodate the adult daycare facility. Occupancy will not be allowed until all improvements are approved and permits have been finalized. In addition, prior to the operation of the facility, all required permits and licenses shall be obtained from the State of California.

(3) Parking — As required by State law, the Applicant must provide shuttle services to transport participants to and from individual residences to the facility (see Exhibit E: Shuttle Van Photo). Participants are otherwise unable to drive themselves due to their health conditions; therefore, parking is needed to accommodate participant loading in addition to the maximum of 15 employees working on-site. A condition of approval has been placed on the project requiring that adequate loading spaces are provided to accommodate the anticipated accessibility needs of the participants. The proposed adult daycare facility is a land use that is not specifically listed in the Development Code. In order to analyze the parking demands for the adult daycare use, staff relied upon the "adult daycare home" parking ratio provided in the American Planning Association – Parking Standards PAS Report Number 510/511, which requires one space for each employee, plus one space per 10 attendees, for a minimum of 35 parking spaces. Sufficient parking will be provided, as the number of shared parking spaces provided for the eastern portion of the shopping center is more than adequate. There are a total of 214 parking spaces being provided on-site and a minimum of 177 parking spaces are required, exceeding the minimum parking requirements. Table 1, below, provides the off-street parking calculations for the proposed Project.

<b>Table 1: On-Site Parking Summary Table</b>					
<b>Building Suite</b>	<b>Type of Use</b>	<b>Building Area</b>	<b>Parking Ratio</b>	<b>Spaces Required</b>	<b>Spaces Provided</b>
Building 1	Restaurant (1919 East Riverside Drive)	5,572 SF	13.3 spaces per 1,000 SF (0.0133/SF) of GFA (includes outdoor seating area up to 25 percent of GFA)	74	214 (shared parking)
Building 2	Adult Daycare Home (Units 8-15)	12,888 SF	1 space for each employee, plus 1 space per 10 attendees, per the American Planning Association Parking Standards, Planning Advisory Services (PAS) Report 510/511	35	
	Personal Care Services (Units 1, 2, and 7)	3,000 SF	4 spaces per 1,000 SF (0.004/SF) of gross floor area (GFA)	8	
	Professional / Technical Services (3, 4, and 20)	3,400 SF	4 spaces per 1,000 SF (0.004/SF) of gross floor area (GFA)	12	
	Restaurant (Nataly's Tacos – Unit 5)	1,579 SF	13.3 spaces per 1,000 SF (0.0133/SF) of GFA (includes outdoor seating area up to 25 percent of GFA)	21	
	Dentist Office (Unit 6)	1,200 SF	5.7 spaces per 1,000 SF (0.0057/SF) of GFA	7	
	General and Convenience Retail (Units 16-19)	4,944 SF	4 spaces per 1,000 SF (0.004/SF) of gross floor area (GFA)	20	
<b>TOTAL</b>		<b>32,583 SF</b>		<b>177</b>	<b>214</b>

(4) Land Use Compatibility — A Conditional Use Permit review is required to ensure the compatibility of adjacent uses by identifying potential nuisance activities and establishing measures for mitigation, accordingly. The Project site is located within an established commercial area and is surrounded by residential uses to the north and east, commercial uses to the west, and vacant land to the south. The nearby businesses within and surrounding the Project site will not be exposed to any impacts resulting from the adult daycare that would normally be associated with any other similarly allowed land use within the same zoning district. Staff anticipates that no land use compatibility issues will result with the proposed adult daycare use given the proposed hours of operation, the availability of off-street parking, strict eligibility requirements, and the Applicant's past experience in supporting older adults and/or adults with disabilities. In addition, the proposed adult daycare use entails less parking demand to the Project site in comparison to the last retail land use occupant and maintains similar hours of operation with the existing adjacent businesses. Staff believes that the recommended conditions of approval will sufficiently mitigate any potential impacts that may be associated with the proposed use.



**AIRPORT LAND USE COMPATIBILITY PLAN:** This Project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan ("ONT ALUCP"). Any special conditions of approval associated with uses in close proximity to the airport are attached to this report.

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

**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.

**CORRESPONDENCE:** As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the Project site or from the public in general, regarding the subject application.

## **PART 2: RECITALS**

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

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

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

WHEREAS, Ontario Development Code Table 2.01-1 (Review Matrix) establishes that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

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

WHEREAS, the Project is 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 ONT 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 March 20, 2023, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(1) Jeanie Irene Aguilo, Associate Planner, presented the staff report on the proposed use, indicating the staff recommendation of approval. Following staff's presentation, the Zoning Administrator opened the public hearing.

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

(3) [insert additional speaker info]

(4) [insert additional speaker info]

(5) There being no one else to offer testimony regarding the application, the Zoning Administrator closed the public hearing.

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

### **PART 3: THE DECISION**

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND DECIDED by the Zoning Administrator of the City of Ontario as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the Zoning Administrator 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 Zoning Administrator, the Zoning Administrator finds as follows:

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines, which consists of operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The proposed use is located within an existing building and does not include any alterations or operational changes; 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 Zoning Administrator.

SECTION 2: ONT 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 ONT 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. As the decision-making body for the Project, the Zoning Administrator has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the ZA, 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 ONT ALUCP.

SECTION 3: Concluding Facts and Reasons. Based upon [1] the substantial evidence presented to the Zoning Administrator in the Background and Analysis of this Decision, [2] the oral information presented during the herein-referenced public hearing, and [3] the findings set forth in Sections 1 and 2, above, the Zoning Administrator hereby concludes as follows:

(a) *The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district. The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the Neighborhood Commercial (CN) zoning district, 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 adult day-care land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the Development Code; 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 adult day-care land use will be located within the Neighborhood Commercial (CN) land use district of the Policy Plan Land Use Map, and the Neighborhood Commercial (CN) zoning district. 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 adult day-care land use is located with the Neighborhood Commercial (CN) land use district, and the Neighborhood Commercial (CN) zoning district, 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*

(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 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 4: Zoning Administrator Action. Based on the findings and conclusions set forth in Sections 1 through 3, above, the Zoning Administrator 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 5: 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 6: 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.

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APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

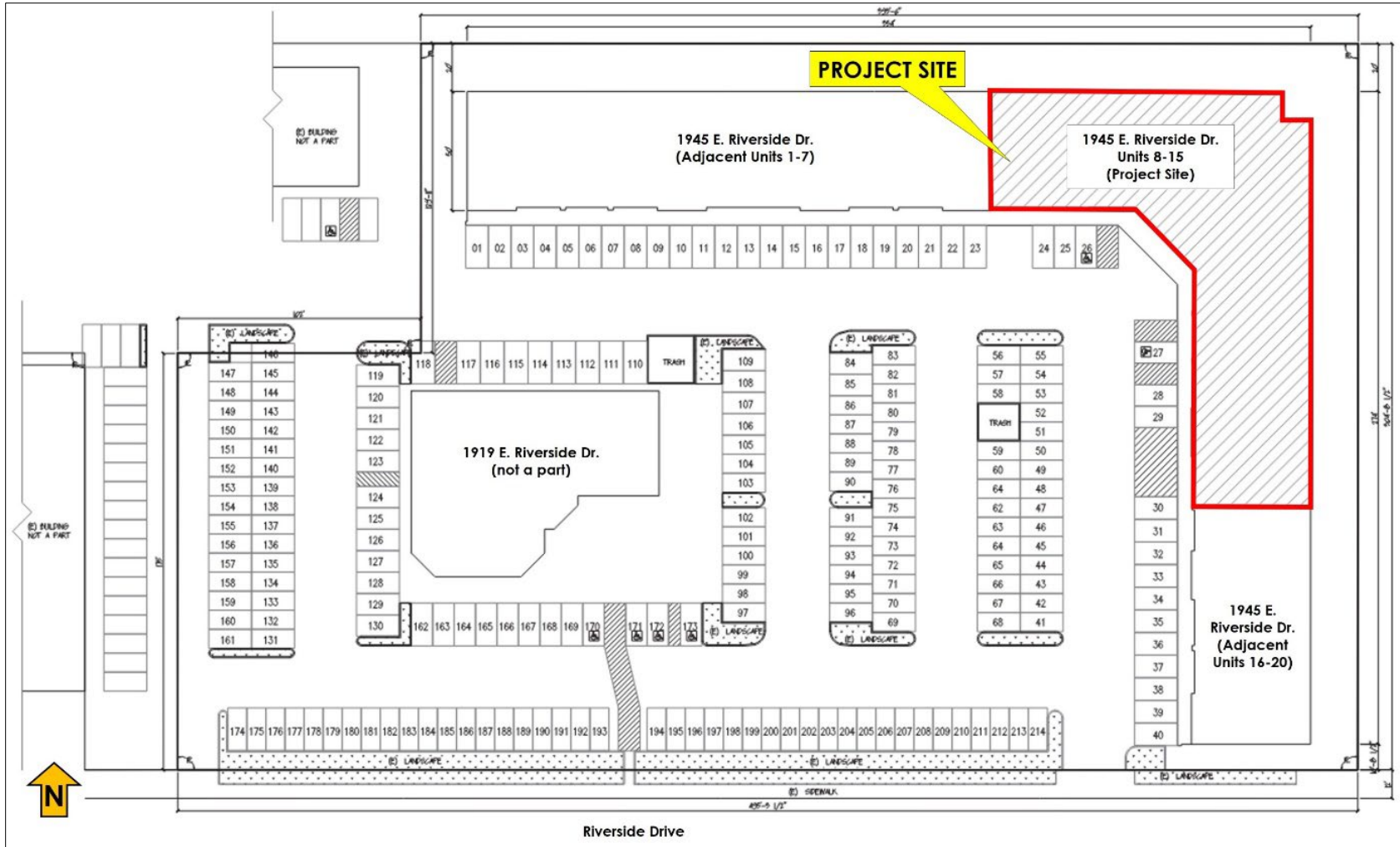
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Rudy Zeledon  
Zoning Administrator

**Exhibit A: PROJECT LOCATION MAP**



**Exhibit B: SITE PLAN**



**Exhibit C: FLOOR PLAN**



**Exhibit D: SITE PHOTOS**



Existing shopping center Units 1-7 facing northeast.



Existing shopping center towards proposed facility entrance facing east.



**Exhibit D: SITE PHOTOS (continued)**



Existing shopping center Units 16-20 facing southeast.

**Exhibit E: Shuttle Van Photo**



Front view of shuttle van.

## **Attachment A: Department Reports (Conditions of Approval)**

*(Department Reports containing conditions of approval follow this page)*

**Date Prepared:** 3/7/2023

**File No:** PCUP22-022

**Project Description:** A public hearing to consider a Conditional Use Permit to establish a 12,888 square-foot adult day-care (7 or more persons) on 3.01 acres of land, located at 1945 East Riverside Drive, Suites 8-15, within the Neighborhood Commercial (CN) zoning district; (APN: 0113-564-25); **submitted by Ontario Del Sol ADHC.**

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

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

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

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

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

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

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

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

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

### **2.3** Landscaping.

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

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

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

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

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

### **2.5** Parking, Circulation and Access.

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

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

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

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

**(e)** Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current

regulations contained in CALGreen (CAC Title 24, Part 11). Final design and placement of bicycle parking facilities shall be subject to Planning Department review and approval.

**2.6** Site Lighting.

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

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

**2.7** Mechanical and Rooftop Equipment.

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

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

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

**2.9** Signs.

(a) 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 Requirements.

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

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

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

**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 Exemption ("NOE") filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act ("CEQA"). The filing of a NOE is voluntary; however, failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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

(b) Prior to the operation of the facility, all required permits and licenses shall be obtained from the State of California.

(c) A City Business License must be reviewed and approved by the Ontario Planning Department prior to operation of the facility.

(d) The occupancy change of the subject tenant space to accommodate the adult daycare facility shall be completed and all applicable permits shall be finalized prior to commencement of use.

(e) Building and use shall comply with all Building and Safety requirements prior to opening for business.


(f) All tenant/site improvements shall be completed prior to operation of the facility.

(g) Adequate loading spaces shall be provided to accommodate the accessibility needs of the participants, subject to the Planning Director review and approval.

**(h)** The conducting of any special event which is beyond the scope of this Conditional Use Permit, such as outdoor events or special promotional events, shall require approval of a Temporary Use Permit by the City prior to commencement of that special event.



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

<b>CONDITIONS OF APPROVAL</b>	
Sign Off	
	2/23/23
Jamie Richardson, Sr. Landscape Architect	Date

Reviewer's Name: <b>Jamie Richardson, Sr. Landscape Architect</b>	Phone: <b>(909) 395-2615</b>
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D.A.B. File No.: PCUP22-022	Related Files:	Case Planner: Jeanie Aguilo
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Project Name and Location:  
 Adult Day Care  
 1945 East Riverside

Applicant/Representative:  
 ADIRC Capital L.L.C. [liu.boyu@hotmail.com](mailto:liu.boyu@hotmail.com)  
 820 N Diamond Bar Blvd  
 Diamond Bar, CA 91765

<input checked="" type="checkbox"/>	<b>A site plan (dated 2/9/2023) meets the Standard Conditions for New Development and has been approved considering that the following conditions below be met.</b>
<input type="checkbox"/>	<b>A site plan (dated) has not been approved. Corrections noted below are required before DAB approval.</b>



# CITY OF ONTARIO

## MEMORANDUM

*Trevor*

TO: Scott Murphy, Community Development Director (Copy of memo only)  
 Rudy Zeledon, Planning Director (Copy of memo only)  
 Diane Ayala, Advanced Planning Division (Copy of memo only)  
 Charity Hernandez, Economic Development  
 James Caro, Building Department  
 Raymond Lee, Engineering Department  
 Jamie Richardson, Landscape Planning Division  
 Dennis Mejia, Municipal Utility Company  
 Jeremy Phillips, Police Department  
 Paul Erhman, Deputy Fire Chief/Fire Marshal  
 Jay Bautista, Traffic/Transportation Manager  
 Lorena Mejia, Airport Planning  
 Tricia Espinoza, Engineering/NPDES  
 Angela Magana, Community Improvement (Copy of memo only)  
 Jimmy Chang, IPA Department  
 Ben Mayorga, Integrated Waste

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: November 08, 2022

SUBJECT: FILE #: PCUP22-022 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 to establish a 12,888 square-foot adult day-care (7 or more persons) on 3.01 acres of land located at 1945 East Riverside Drive, Suite 8 through 15, within the Neighborhood Commercial (CN) zoning district (APN(s): 0113-564-25).

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.

ENG. Land Development  
Department

*Trevor Rivero*  
Signature

Administrative Intern - Engineering  
Title

11/14/2022  
Date



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Trevor Rivero, ENGINEERING DEPARTMENT  
**FROM:** Celia Corral  
**DATE:** December 1, 2022  
**SUBJECT:** File No. PCUP22-022

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The Conditional Use Permit for this project is approved for DAB based by Environmental Engineering.



# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)  
 Rudy Zeledon, Planning Director (Copy of memo only)  
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FROM: Jeanie Irene Aguilo, Associate Planner

DATE: November 08, 2022

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- The plan does adequately address the departmental concerns at this time.
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  - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
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Engineering  
 Traffic/Transportation *[Signature]*  
 Department Signature

Engineering  
 Intern  
 Title

11/09/2022  
 Date

## Jeanie Irene T. Aguilo

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**From:** Heather A. Young  
**Sent:** Wednesday, November 30, 2022 4:02 PM  
**To:** Jeanie Irene T. Aguilo  
**Cc:** Trevor A. Rivero; Dennis Mejia; Christy L. Stevens; Eric Woosley  
**Subject:** PCUP22-022 - DPR1 - 1945 E Riverside Drive - Utilities (#8830)

Jeanie & Trevor,

Regarding: PCUP22-022 - DPR1 - 1945 E Riverside Drive - Utilities Comments (#8830)

**NOTE: Ontario Municipal Utilities Company (OMUC) Utilities Engineering Division has no comment on this submittal. The Project shall comply with the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017.**

Let me know if you have any questions.

Thank you,

*Heather Young*  
Assistant Engineer



1425 S. Bon View Avenue, Ontario, CA 91761  
Tel: (909) 395-2600 ext. 2646 | Fax: (909) 395-2601  
Email: [hyoung@ontarioca.gov](mailto:hyoung@ontarioca.gov) | Website: [www.ontarioca.gov/omuc](http://www.ontarioca.gov/omuc)



# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)  
Rudy Zeledon, Planning Director (Copy of memo only)  
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Tricia Espinoza, Engineering/NPDES  
Angela Magana, Community Improvement (Copy of memo only)  
Jimmy Chang, IPA Department  
Ben Mayorga, Integrated Waste

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: November 08, 2022

SUBJECT: FILE #: PCUP22-022

Finance Acct#:

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- The plan does adequately address the departmental concerns at this time.
  - No comments
  - Report attached (1 copy and email 1 copy)
  - Standard Conditions of Approval apply

- The plan does not adequately address the departmental concerns.
  - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Police  
Department

Heather Hugo  
Signature

CSO  
Title

11-15-2022  
Date



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Associate Planner

**FROM:** Officer Anthony Galban, C.E.T.  
CSO Heather Lugo, C.E.T.

**DATE:** November 15, 2022

**SUBJECT:** PCUP22-022: A Conditional Use Permit to establish a 12,888 square-foot adult day care at 1945 E. Riverside Dr., Ste. 8 through 15

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

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. LED lighting will be required for all lighting fixtures. Optimal lighting for visibility and video color rendering is approximately 3400 degrees Kelvin. The lighting shall be as close to 3400 degrees Kelvin as possible. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry/exits and the parking lot. 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.
- 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 shall comply with all construction site security requirements as stated in the Standard Conditions.
- Outdoor services and activities are prohibited in the absence of a Temporary Use Permit.

The Applicant is invited to contact Heather Lugo at (909) 408-1074 with any questions or concerns.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Associate Planner  
Planning Department

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

**DATE:** December 7, 2022

**SUBJECT:** PCUP22-022 A Conditional Use Permit to establish a 12,888 square-foot adult day-care (7 or more persons) on 3.01 acres of land located at 1945 East Riverside Drive, suite 8 through 15, within the Neighborhood Commercial (CN) zoning district (APN(s): 0113-564-25).

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

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



# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PCUP22-022

Address: 1945 East Riverside Drive, Suite 8-15

APN: 0113-564-25

Existing Land Use: Commercial Shopping Center

Proposed Land Use: CUP to establish a 12,888 SF adult day care center

Site Acreage: 3.01 Proposed Structure Height: Existing Building

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 3/13/2023

CD No.: 2022-063

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 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: <u>200 FT +</u>	
<input type="radio"/> Zone 5			

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: \_\_\_\_\_