



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

June 3, 2024

- ▶ **All documents for public review are on file in the Planning Department located in City Hall at 303 East “B” St., Ontario, CA 91764 and on the city’s website at ontarioca.gov/Agendas/DAB**

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

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

PUBLIC COMMENTS

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

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

AGENDA ITEMS

For each of the items listed below the public will be provided an opportunity to speak. The chairperson will open the public hearing. At that time the applicant will be allowed three (3) minutes to make a presentation on the case. Members of the public will then be allowed three (3) minutes each to speak. The Development Advisory Board may ask the speakers questions relative to the case and the testimony provided. The question period will not count against your time limit. After all persons have spoken, the applicant will be allowed three minutes to summarize or rebut any public testimony. The chairperson will then close the public hearing portion of the hearing and deliberate the matter.

CONSENT CALENDAR ITEMS

A. MINUTES APPROVAL

Development Advisory Board Minutes of May 6, 2024, approved as written.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE

NO. PDEV21-006: A public hearing to consider a Development Plan (File No. PDEV21-006) to construct 62 multiple-family residential units (5th Street Apartments) on 2.4-acres of land, located at 1466 East Fifth Street, within the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 108-511-16 and 108-511-17) **submitted by Fifth Avenue Developments, LLC. Planning Commission action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File No. PDEV21-006 (Development Plan)

Motion to recommend Approval/Denial

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

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

The next **Development Advisory Board** meets on **June 17, 2024**.

I, Gwen Berendsen, Administrative Assistant of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **June 13, 2024**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East “B” Street, Ontario.


Administrative Assistant

CITY OF ONTARIO

Development Advisory Board

Minutes

May 6, 2024

BOARD MEMBERS PRESENT

Henry Noh, Chairman, Planning Department
Elda Zavala, Community Improvement
Charity Hernandez, Economic Development Agency
Khoi Do, Engineering Department
Paul Ehrman, Fire Department
Christy Stevens, Municipal Utilities Company
Heather Lugo, Police Department

BOARD MEMBERS ABSENT

James Caro, Building Department

STAFF MEMBERS PRESENT

Gwen Berendsen, Planning Department
Jeanie Aguilo, Planning Department
Kim Ruddins, Planning Department
Henry Pham, Engineering Department

David Eoff IV, Planning Department
Edmelynne Hutter, Planning Department
Raymond Lee, Engineering Department
David Zurita, Engineering Department

PUBLIC COMMENTS

No person from the public wished to speak.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the April 15, 2024, meeting of the Development Advisory Board was made by Mr. Ehrman; seconded by Ms. Stevens; and approved unanimously by those present (7-0).

PUBLIC HEARING ITEMS

- B. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND ADMINISTRATIVE EXCEPTION REVIEW FOR FILE NOS. PDEV23-041 AND PADX23-002:** A hearing to consider a Development Plan (File No. PDEV23-041) to construct a fueling facility (Costco) composed of a fueling canopy with 15 fuel dispensers on 4.15-acres, in conjunction with an Administrative Exception (File No. PADX23-002) for a 10% reduction in required parking, for property located at 3580 East Guasti Road, within the Mixed Use land use designation of the Ontario Gateway Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Ontario Gateway Specific Plan Environmental Impact Report (State Clearinghouse No. 2006091039), certified by the Ontario City Council on

July 3, 2007. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 0210-212-65) **submitted by Therese Garcia**

Mr. Noh opened the public hearing.

Chris Ferko with Barghausen Consulting Engineering, Inc. was present.

Mr. Noh asked if Mr. Ferko had reviewed and agreed with the Conditions of Approval.

Mr. Ferko stated he agrees with the conditions of approval but would like to discuss the standard for the vent piping.

Mr. Ehrman stated that the issue was sent to both Fire and Building Departments to address. Building referred to Fire and the fire code doesn't address this.

Principal Planner Eoff IV requested that staff work with the applicant on this item, through the plan check process.

Mr. Noh asked the applicant if he agreed with this condition.

Mr. Ferko stated he agreed and thanked staff.

As there was no one else wishing to speak on this item, Mr. Noh closed the public hearing.

Motion to approve **File Nos. PDEV23-041 and PADX23-002**, subject to the revised conditions that include working with staff regarding the vent piping, was made by Mr. Do; seconded by Ms. Lugo; and approved unanimously by those present (7-0).

- C. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT22-022**: A public hearing to consider a Tentative Tract Map (TTM 20562) subdividing 64.21 acres of land into 8 numbered lots and 3 lettered lots for residential uses, private drives, landscape edges and common open space purposes, located at the southeast corner of Eucalyptus Avenue and Haven Avenue, within Planning Area 32 (Mixed-Residential) and Planning Area 34 (School) of the Subarea 29 Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with an Amendment to the Subarea 29 Specific Plan (File No. PSPA21-005), for which a Subsequent Environmental Impact Report (SEIR) (State Clearinghouse No. 2004011009) was adopted by the City Council on November 21, 2023. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan. The project site is also located within the Airport Influence area of Chino Airport and was evaluated and found to be consistent with the policies and criteria of the Chino Airport Land Use Compatibility Plan; (APNs: 1073-171-04, 1073-171-08, 1073-171-09 and 1073-171-10) **submitted by SL Ontario Development Company, LLC. Planning Commission action is required.**

Mr. Noh opened the public hearing.

Sage McCleve with Lewis Management / SL Ontario Development Company was present.

Development Advisory Board Minutes
May 6, 2024

Mr. Noh asked if Mr. McCleve had reviewed and agreed with the Conditions of Approval.

Mr. McCleve stated yes.

As there was no one else wishing to speak on this item, Mr. Noh closed the public hearing.

Motion to recommend approval of **File No. PMTT22-022**, subject to conditions, was made by Mr. Do; seconded by Ms. Stevens; and approved unanimously by those present (7-0).

There being no further business, the meeting was adjourned to the next meeting on May 20, 2024.

Respectfully submitted,



Gwen Berendsen
Recording Secretary



DEVELOPMENT ADVISORY BOARD DECISION

June 3, 2024

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

DECISION NO.: [insert #]

FILE NO.: PDEV21-006

DESCRIPTION: A public hearing to consider a Development Plan (File No. PDEV21-006) to construct 62 multiple-family residential units (5th Street Apartments) on 2.4-acres of land, located at 1466 East Fifth Street, within the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning district. (APNs: 108-511-16 and 108-511-17); **submitted by Fifth Avenue Developments, LLC. Planning Commission action is required.**

PART 1: BACKGROUND & ANALYSIS

FIFTH AVENUE DEVELOPMENTS, LLC., (herein after referred to as "Applicant") has filed an application requesting approval of a Development Plan, File No. PDEV21-006, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

PROJECT SETTING: The project site is comprised of 2.4-acres of vacant land located at 1466 East Fifth Street, which is depicted in Exhibit A: Project Location Map, attached. The project site is surrounded by residential uses of different types and intensities. The following table lists the existing land uses, Policy Plan (general plan) and zoning designations, and specific plan land designations on and surrounding the project:

	<i>Existing Land Use</i>	<i>Policy Plan Land Use Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use Designation</i>
Site:	Vacant Land	High Density Residential (25.1 to 45.0/du/ac)	HDR-45 (25.1 to 45.0/du/ac)	N/A
North:	Single Family Dwellings	Low Density Residential (2.1 to 5.0 du/ac)	LDR-5 (2.1 to 5.0 du/ac)	N/A
South:	Fernwood Mobile Home Park	Low Medium Density Residential (5.1 to 11.0 du/ac)	MHP (Mobile Home Park)	N/A
East:	Fernwood Mobile Home Park	Low Medium Density Residential (5.1 to 11.0 du/ac)	MHP (Mobile Home Park)	N/A
West:	Single Family Home & Multiple-Family Dwellings	High Density Residential (25.1 to 45.0/du/ac)	HDR-45 (25.1 to 45.0/du/ac)	N/A

(1) Background — On February 17, 2021, the Applicant submitted a Development Plan (File No. PDEV21-006) application to construct 62 multiple-family dwelling units, referred to as the 5th Street Apartments, on 2.4-acres of land within the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning district.

(2) Site Design/Building Layout — The project site consists of two adjoining parcels located on the south side of Fifth Street. Both parcels will be consolidated into one parcel through a lot-line adjustment to form the 2.4-acre site. The proposed site layout will include 12 structures total - two (2) residential buildings (Building Nos. 1 and 2), two (2) carriage residential buildings (Building Nos. 3 and 4), one (1) recreational building (Building No. 5), six (6) carport structures (Buildings 6, 7, 8, 9, 10, 11) and one (1) ancillary building for storage (Building No. 12). The buildings will be distributed around a centralized common open space/recreational area (see Exhibits B: Site Plan, attached). The Project proposes a mix of one, three and four-story building configurations. The Projects building characteristics are as follows:

- Buildings 1 and 2 – Four-story buildings consisting of 24 units each, for a total of 48 units.
- Buildings 3 and 4 – Three-story buildings consisting of two floors of dwelling units, with 7 units each, for a total of 14 units, over ground floor parking with 16 individual garage spaces.
- Building 5 – A single-story, 1,725-square-foot clubhouse.
- Buildings 6, 7, 8, 9, 10, 11 – Single-story carport structures; and
- Building 12- Storage space for residents.

The clubhouse will be located at the center of the Project site, the recreational amenities for the Project include a children's tot lot, spa, swimming pool, BBQ areas, and walking green paseos. The perimeter of the swimming pool and spa area will be enclosed with a decorative 6-foot-high wrought iron fence. The east, west and south property lines will be improved with new 6-foot-high block walls. The Project is not proposed to be a gated development.

The units will be accessed through interior corridors, which are accessible by stairs or elevators. Building No. 1 will have street frontage along Fifth Street, the other residential structures and the clubhouse will be located approximately 160 feet away from the Fifth Street (north) property line. The development proposes a density of 26.76 dwellings per acre, which complies with the HDR-45 zoning district density range of 25.1 to 45 dwelling units per acre.

The residential buildings will be comprised of 24 one-bedroom units, 26 two-bedroom units and 12 three-bedroom units. The Project will provide eight (8) floor plans, which range in size from 728 square feet to 1,229 square feet as described below in Table 1: Floor Plan Summary:

Table 1: Floor Plan Summary

Plan No.	Area (in SF)	No. Units	No. Bedrooms	No. Baths
No. 1	728	4	1	1
No. 2	750	4	1	1
No. 3	802	16	1	1
No. 4	1,045	4	2	2
No. 5	1,050	12	2	2
No. 6	1,052	8	2	2
No. 7	1,065	4	2	2.5
No. 8	1,229	10	3	2.5

(3) Site Access/Circulation — Access to the Project site will be provided from Fifth Street through a 26-foot-wide driveway. Interior access will be provided by a two-way, 26-foot-wide circular drive aisle that wraps around the centrally located clubhouse/recreational area and Building No. 2. pedestrian access will be provided by a 5-foot-wide sidewalk extending from 5th Street along the west side of Building 1. The site will also include internal sidewalks for additional pedestrian circulation throughout the residential complex.

(4) Parking — The Project has provided off-street parking pursuant to the multiple-family residential parking standards specified in the Development Code. The number of off-street parking spaces provided meets the minimum parking requirement for the Project. The off-street parking calculations for the Project are summarized in the table below:

Parking Summary

Type of Use	No. Units	Parking Ratio	Spaces Required	Spaces Provided
<i>One-bedroom</i>	24	1.75 spaces per dwelling, including one space in a garage or carport. <ul style="list-style-type: none"> • 24 garages or carports required. 	42	42
<i>Two-bedroom</i>	26	2.0 spaces per dwelling, including one space in a garage or carport. <ul style="list-style-type: none"> • 26 garages or carports required. 	52	52
<i>Three-bedroom</i>	12	2.5 spaces per dwelling, including one space in a garage or carport. <ul style="list-style-type: none"> • 12 garages or carports required. 	30	30
<i>Guest-parking</i>		<50 or less units: 0.25 spaces per unit 50 to 100 units: 0.20 spaces per unit	12.4 2.4	15

Parking Summary

Type of Use	No. Units	Parking Ratio	Spaces Required	Spaces Provided
Parking Type Provided		<ul style="list-style-type: none"> 31 Carports Provided 31 Garage Provided 77 Open Spaces Provided 		
TOTAL	62		139	139

(5) Architecture — The Project incorporates a contemporary Spanish Colonial architecture style. The mass and scale of the buildings are designed to be proportionate to the site, with special attention given to the incorporation of color, materials, massing, building form, and architectural details (see Figure 1: Project Front Perspective, below, and exterior building elevations contained in Exhibits I through U, attached). This is demonstrated through the use of:

- Articulation in each building's roof lines.
- Concrete S-tile roofs.
- Shaped corbels.
- Stucco exterior finish, Stone veneer along the buildings base.
- Recessed windows, Decorative trim at windows and doors.
- Clay barrel tile inserts at key third floor window balconies.
- Precast concrete trims at key locations, Arched and round elements.
- Decorative metal railings at balconies and key areas.
- Decorative window shutters at key locations.
- Decorative sconce lighting fixtures at key locations along the first floor.
- Decorative red clay barrel accent pipes at gabled roofs.
- Cantilevered architectural elements; and
- Incorporation of a color pallet appropriate to the architecture style.



Figure 1: Project Front Perspective

(6) Landscaping — The Project complies with the minimum landscape requirements established by the Development Code. A 10-foot-wide landscape setback area will be provided along the north property line, street frontage (Fifth Street). A 10-foot-wide landscape setback will be provided along the east and west property lines and a 10-foot-wide average landscape setback will be provided along the south property line. The plant pallet will consist of a mix of shade trees, ground cover and shrubs. In addition, the Project will provide decorative paving at the entry driveway, and around the recreational clubhouse area. The parkway along the street frontage will also be landscaped with groundcover and trees according to the street master plan for the area (see Exhibits V: Landscape Plans, attached).

(7) Open Space — The Project exceeds the minimum private and common open space requirements established by the Development Code. The Project will provide a minimum of 111 square feet (60 square-feet required) of private open space per unit in the form of private balconies/patios, and 268 square feet of common open space per unit (250 square feet required). The common open space will be provided in the form of:

- A 1,725 square foot clubhouse. The clubhouse will include an exercise room, activities room, manager's office, and two covered porches;
- Swimming pool;
- Spa;
- BBQ area;
- Children's tot lot area; and
- Green paseos along the east and west sides of the development.

(8) Signage — All project signage is required to comply with sign regulations provided in Ontario Development Code Division 8.1. Prior to the issuance of a Building Permit for the installation of any new on-site signage, the Applicant is required to submit Sign Plans for Planning Department review and approval.

(9) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground infiltration system that will be located along the parking spaces located to the north of the clubhouse. Any overflow drainage will be conveyed to the public street by way of parkway drains and culverts.

PUBLIC NOTIFICATION: Public notification is not required, as the Development Advisory Board is acting in its capacity as an advisory body to the Planning Commission. Public notification is required prior to the Planning Commission hearing on the Project.

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.

AGENCY/DEPARTMENT REVIEWS: Each City agency/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 included with this Decision.

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 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 recommending body for the Project, the Development Advisory Board 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 Development Advisory Board, 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.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (general plan), and City Council Priorities components of The Ontario Plan ("TOP"). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

- (1) City Council Goals.
 - Invest in the Growth and Evolution of the City's Economy
 - Operate in a Businesslike Manner
 - Focus Resources in Ontario's Commercial and Residential Neighborhoods

- (2) Vision.

Distinctive Development:

- Commercial and Residential Development

➤ Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

➤ G 1-2. Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision.

(4) Policy Plan (General Plan)

Land Use Element:

- Goal LU-1 Balance: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

➤ LU-1.1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, foster the development of transit, and support the expansion of the active and multimodal transportation networks throughout the City.

➤ LU-1.6 Complete Community. We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers, and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.

- Goal LU-2 Compatibility: Compatibility between a wide range of uses and a resultant urban patterns and forms.

Housing Element:

- Goal H-2 Housing Supply & Diversity: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

➤ H-2.5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices, and other best practices.

▪ Goal H-5 Special Needs: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age, or other status.

➤ H-5.2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation, and other amenities.

Community Economics Element:

▪ Goal CE-1 Complete Community: A complete community that provides for all incomes and stages of life.

➤ CE-1.6 Diversity of Housing. We collaborate with residents, housing providers, and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to encourage the development of housing supportive of our efforts to attract business in growing sectors of the community while being respectful of existing viable uses.

▪ Goal CE-2 Placemaking: A City of distinctive neighborhoods, districts, corridors, and centers where people choose to be.

➤ CE-2.1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE-2.2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional, and sustainable places that will compete well with their competition within the region.

➤ CE-2.4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE-2.5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Community Design Element:

- Goal CD-1 Image & Identity: A dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.

- CD-1.1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing, enhancing, and preserving the character of our existing viable neighborhoods.

- CD-1.3 Existing Neighborhoods. We require the existing character of viable residential and non-residential neighborhoods be preserved, protected, and enhanced.

- Goal CD-2 Design Quality: A high level of design quality resulting in neighborhoods, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct.

- CD-2.1 Quality Building Design and Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide context-appropriate scale and proportion;
 - A true architectural style which is carried out in plan, section, and elevation through all aspects of the building and site design and appropriate for its setting; and
 - Exterior building materials that are articulated, high quality, durable, and appropriate for the architectural style.

- CD-2.2 Neighborhood Design. We create distinct residential neighborhoods that promote a sense of community and identity by emphasizing access, connectivity, livability, and social interaction through such elements as:

- A pattern of smaller, walkable blocks that promote activity, safety, and access to nearby amenities and services;
 - Varied parcel sizes and lot configurations to accommodate a diversity of housing types;
 - Traffic calming measures to slow traffic and promote walkability while maintaining acceptable traffic flows and emergency evacuation access;
 - Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the "outdoor living room"), as appropriate; and
 - Landscaped parkways, with sidewalks separated from the curb and designed to maximize safety, comfort, and aesthetics for all users.

- CD-2.7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping, and buildings to reduce energy demand through solar orientation, maximum use of natural

daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials, and construction techniques.

➤ CD-2.8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintaining visibility and accessibility, and using lighting.

➤ CD-2.9 Landscape Design. We encourage durable, sustainable, and drought-tolerant landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD-2.10 Parking Areas. We require all development, including single-family residential, to minimize the visual impact of surface, structured, and garage parking areas visible from the public realm in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include:

- Surface parking: Shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field;
- Structured parking: facade articulation, screening, appropriate lighting, and landscaping; and

➤ CD-2.13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD-3 Urban, Mixed Use, and Transit-Oriented Place Types: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD-3.2 Comfortable, Human-Scale Public Realm. We require that public spaces, including streets, parks, and plazas on both public and private property be designed to maximize safety, comfort and aesthetics and connect to the citywide pedestrian, vehicular, and bicycle networks.

➤ CD-3.3 Complete and Connected Network. We require that pedestrian, vehicular, and bicycle circulation on both public and private property be coordinated to provide connections internally and externally to adjacent neighborhoods and properties (existing and planned) through a system of local roads and trails that promote walking and biking to nearby destinations (including existing and planned parks, commercial areas, and transit stops) and are designed to maximize safety, comfort, and aesthetics.

➤ CD-3.4 Context-Aware and Appropriate Design. We require appropriate building and site design that complements existing development, respects the intent and identity of the Place Type, and provides appropriate transitions and connections between adjacent uses to ensure compatibility of scale, maintain an appropriate level of privacy for each use, and minimize potential conflicts.

▪ Goal CD-5 Protection of Investment: A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects property values and encourages additional public and private investments.

➤ CD-5.1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.

➤ CD-5.2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

PART 2: RECITALS

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

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

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

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration

of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "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 June 3, 2024, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

PART 3: THE DECISION

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

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

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, which consists of:

(a) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations. The Project proposes to develop a 62-unit residential apartment complex on 2.4-acres, which is consistent with all applicable Policy Plan policies, as well as the requirements of the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) land use designation, which allows up to 45 units per acre.

(b) The proposed development occurs within city limits, on a project site of no more than five acres and is substantially surrounded by urban uses. The Project is proposed within the established boundaries of the City of Ontario, on a project site totaling 2.4-acres of land, which is surrounded by established single family homes to the north, single-family and multiple-family dwellings to the west and a mobile home park (Fernwood Mobile Home Park) to the south and east.

(c) The project site has no value as habitat for endangered, rare, or threatened species. The project site is regularly cleared of overgrown weeds and debris by the property owner. Therefore, as a result the site is not suitable habitat for any endangered, rare, or threatened species.

(d) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. The Project is consistent with the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) land use designation similar to, and of no greater impact than other allowed uses and development projects within the HDR-45 land use designation. The Project is consistent with the findings of the TOP 2050 Supplemental Environmental Impact Report and would not result in any significant effects related to traffic, noise, air quality, or water quality. The Project was reviewed by the Engineering Department, Traffic Division, Planning Department, and Ontario Municipal Utilities Company ("OMUC"), and no significant effects were determined to be a result of the proposed Project; and

(e) The Project site can be adequately served by all required utilities and public services. All necessary wet and dry utilities are within the public street and are readily available for connection.

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

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

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

SECTION 3: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals),

above, and the determinations set forth in Sections 1 and 2, above, the DAB hereby concludes as follows:

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the High-Density Residential land use district and the HDR-45 (High Density Residential - 25.1 to 45.0 du/acre) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The Project will provide housing as envisioned by TOP Policy LU1-6 (Complete Community). In addition, the Project will contribute to the establishment of a dynamic, progressive city containing distinct neighborhoods and districts that foster a positive sense of identity and belonging among residents, visitors, and businesses (Goal CD1); and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed to be consistent with the requirements of the City of Ontario Development Code and the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning district, including standards relative to the proposed 62-unit apartment development at a density of 26.76 dwellings per acre, as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, among others. The Project will include full on-site and off-site infrastructure improvements that will improve the street frontage along Fifth Street; and

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

(4) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project. As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the

conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

SECTION 4: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 3, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Conditions of Approval 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.

APPROVED AND ADOPTED this 3rd day of June 2024.

Development Advisory Board Chairman

Exhibit A: PROJECT LOCATION MAP



Exhibit B: SITE PLAN

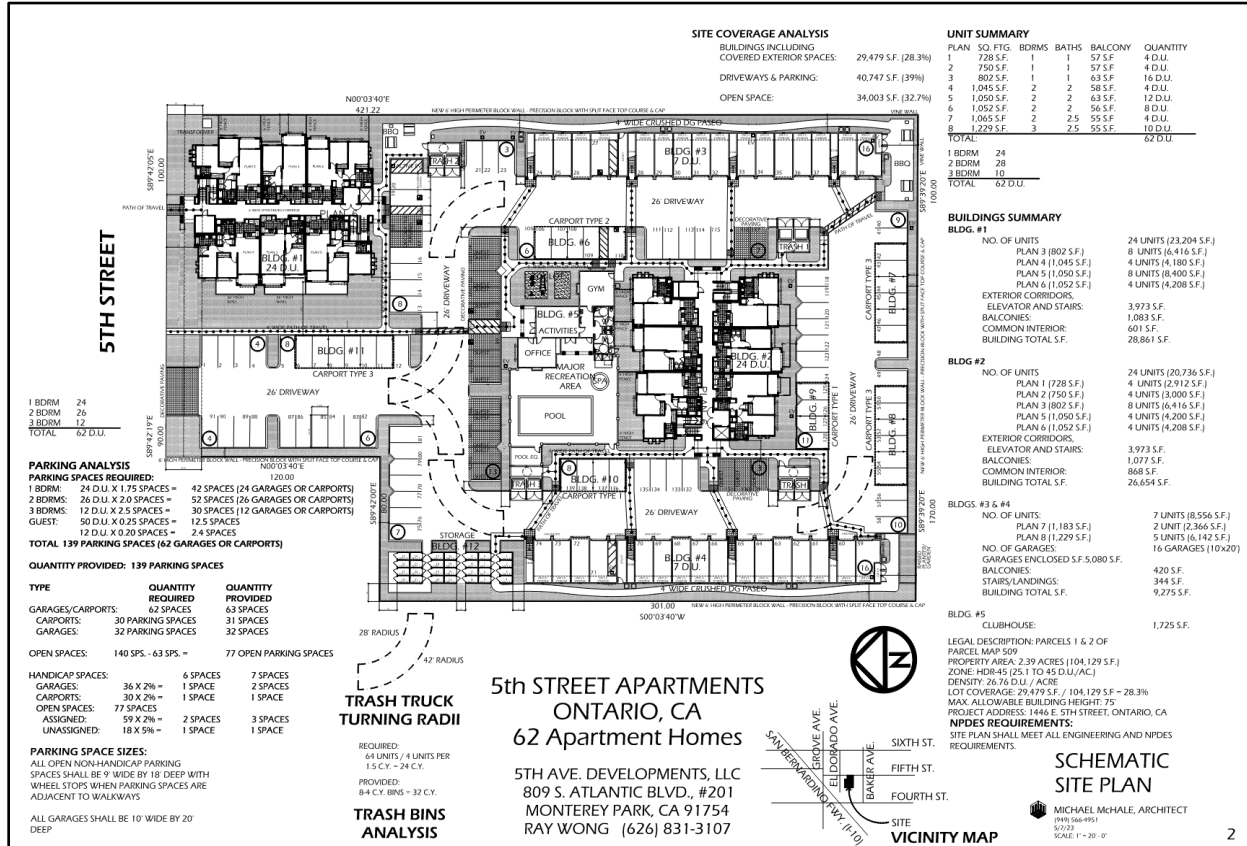


Exhibit C: FLOOR PLANS

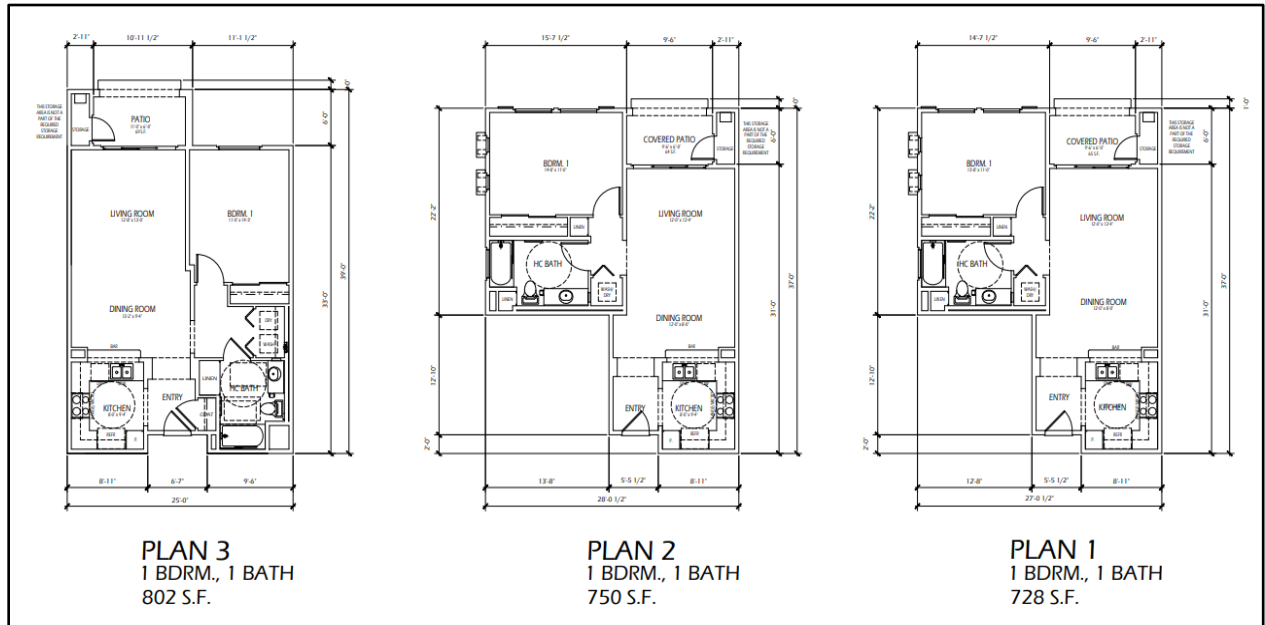


Exhibit D: FLOOR PLANS

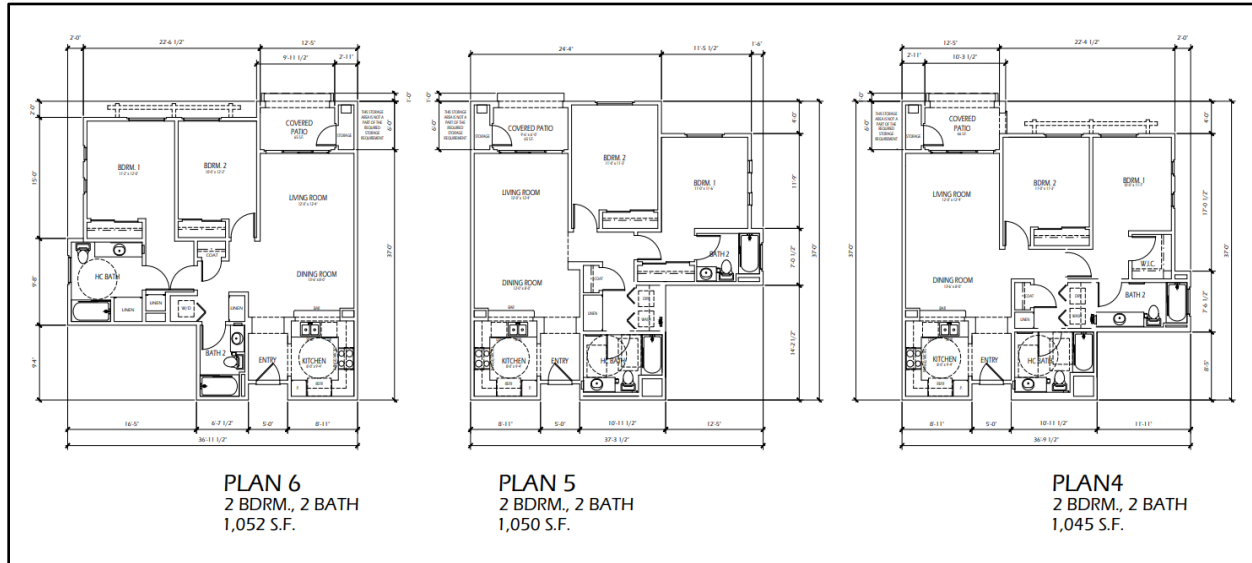


Exhibit E: FLOOR PLANS

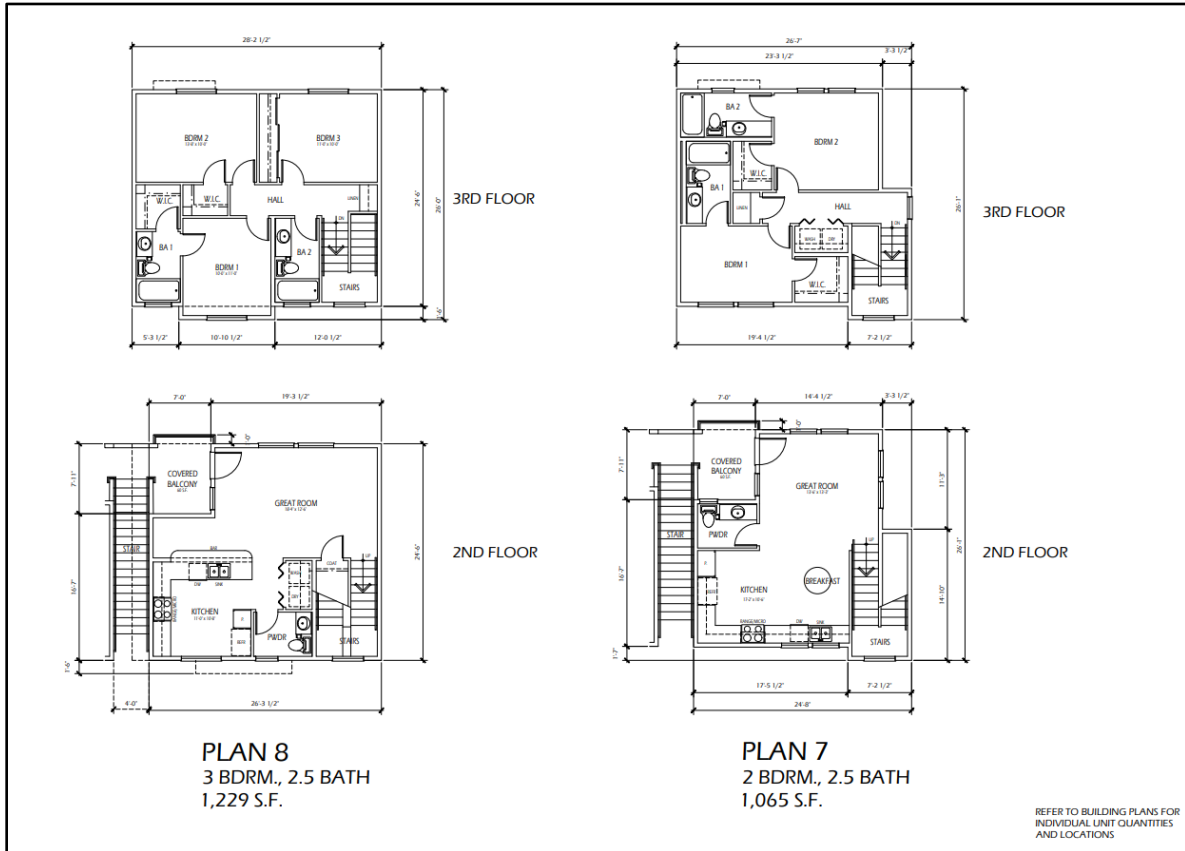


Exhibit F: BUILDING 1 FIRST FLOOR PLAN

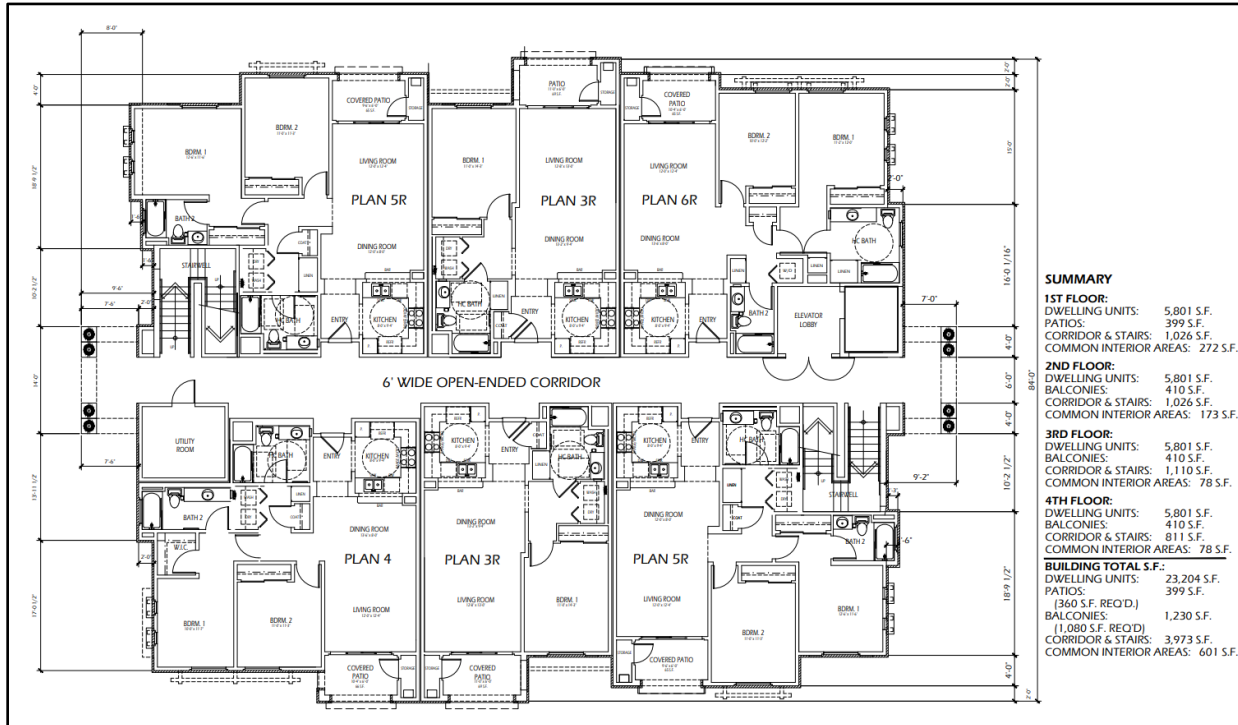


Exhibit G: BUILDING 2: FIRST FLOOR PLAN

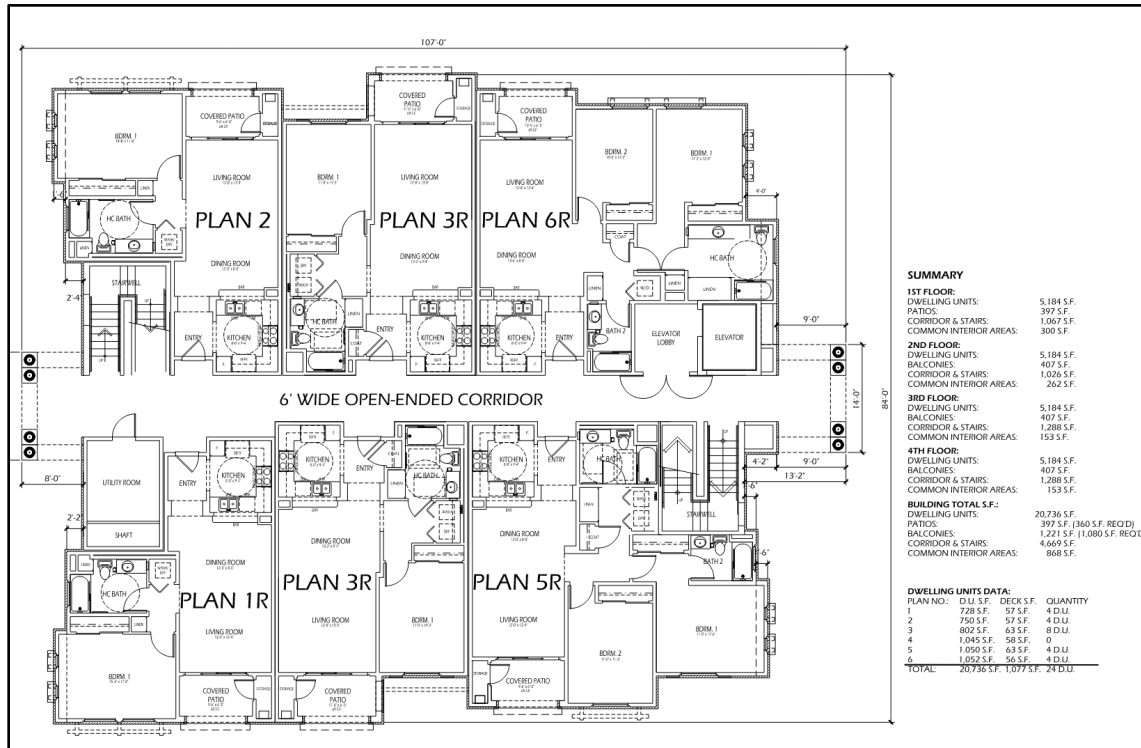
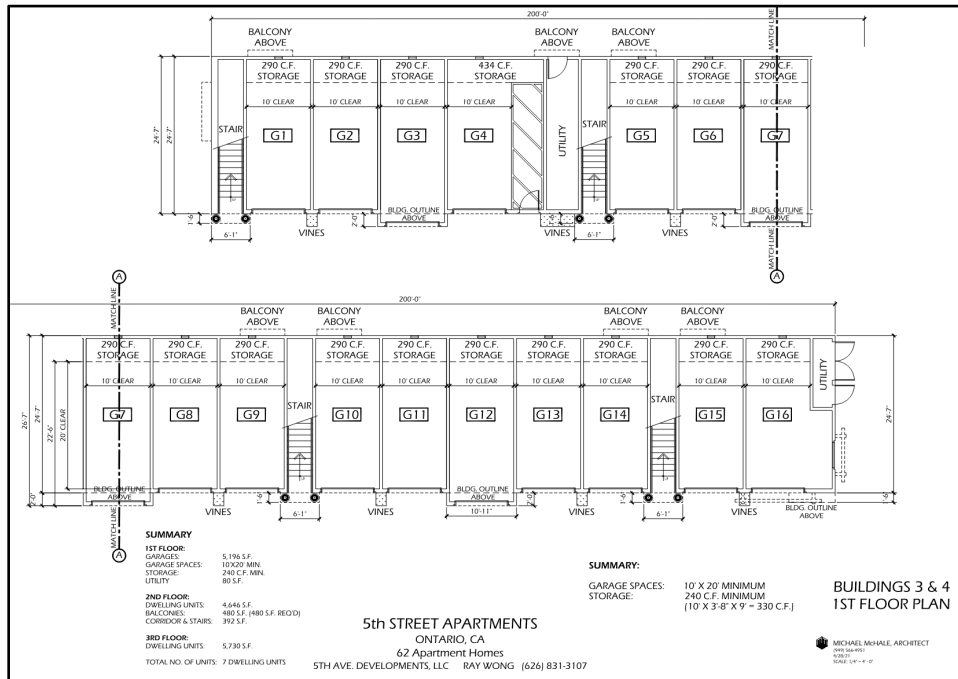
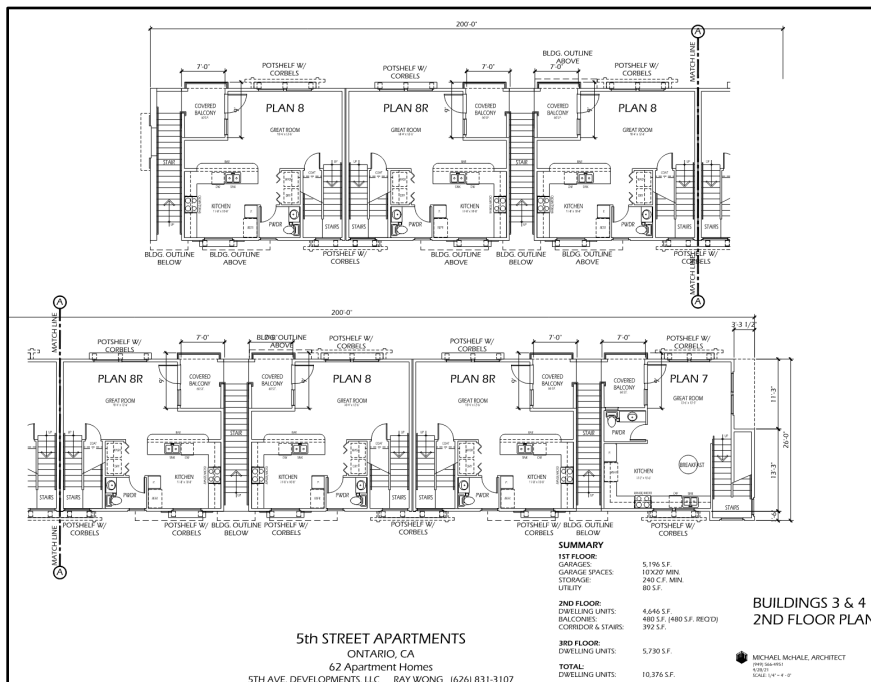


Exhibit H: BUILDING 3 & 4: FLOOR PLANS



FIRST FLOOR



SECOND FLOOR

Exhibit I: BUILDING 1 ELEVATIONS



NORTH ELEVATIONS



SOUTH ELEVATION

Exhibit J: BUILDING 1 ELEVATIONS



EAST ELEVATION



WEST ELEVATION

Exhibit K: BUILDING 2 ELEVATIONS



NORTH ELEVATION



SOUTH ELEVATION

Exhibit L: BUILDING 2 ELEVATIONS



WEST ELEVATION



EAST ELEVATION

Exhibit M: BUILDING 3 ELEVATIONS



WEST ELEVATION



EAST ELEVATION

Exhibit N: BUILDING 3 ELEVATIONS



NORTH ELEVATION



SOUTH ELEVATION

Exhibit O: BUILDING 4 ELEVATIONS



EAST ELEVATION



WEST ELEVATION

Exhibit P: BUILDING 4 ELEVATIONS



SOUTH ELEVATION



NORTH ELEVATION

Exhibit Q: BUILDING 5: CLUBHOUSE ELEVATIONS



NORTH ELEVATION - 5TH STREET VIEW



SOUTH ELEVATION- REAR VIEW

Exhibit R: BUILDING 5: CLUBHOUSE ELEVATIONS



EAST ELEVATION



WEST ELEVATION

Exhibit S: BUILDINGS 6, 7, 8, 9, 10, 11: CARPORT ELEVATIONS



FRONT VIEW



SIDE VIEW

Exhibit T: BUILDINGS 12: ELEVATIONS



FRONT VIEW



SIDES & REAR VIEWS

Exhibit U: COLORS AND MATERIAL BOARD

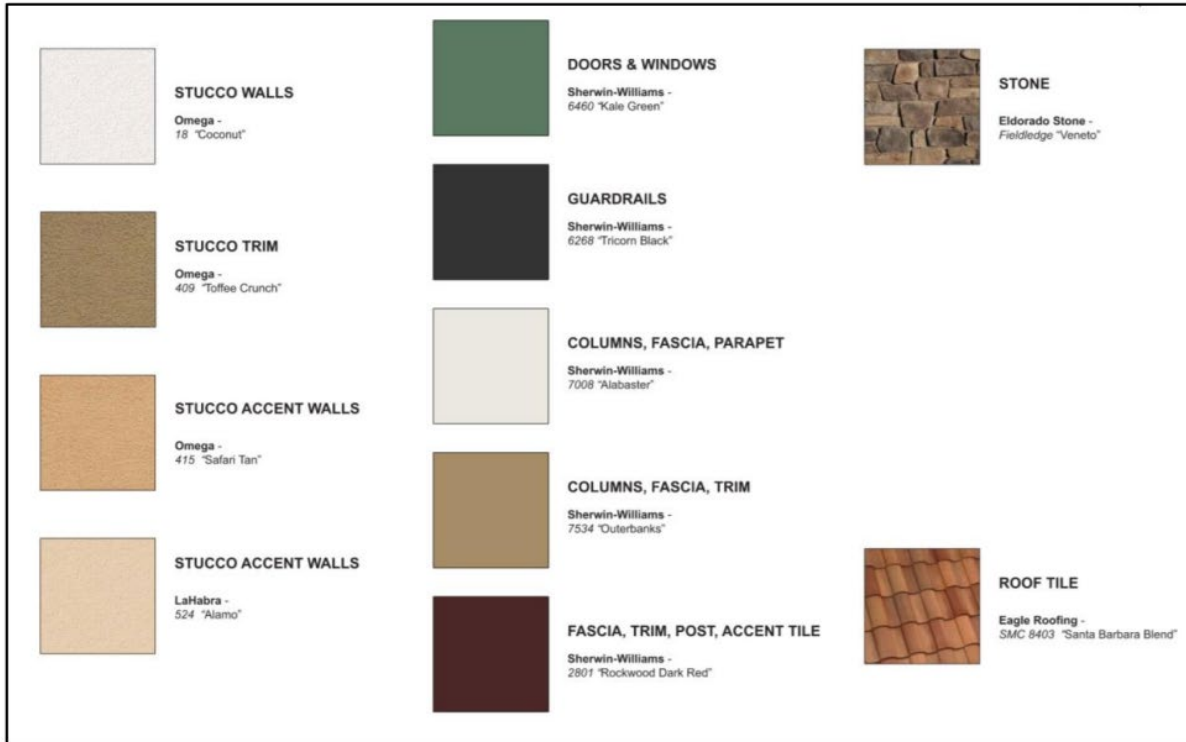


Exhibit V: LANDSCAPE PLAN



Attachment A: Conditions of Approval

(Conditions of Approval follow this page)

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

Date Prepared: 5/20/2024

File No: PDEV21-006

Related Files: N/A

Project Description: A public hearing to consider a Development Plan (File No. PDEV21-006) to construct 62 multiple-family residential units (5th Street Apartments) on 2.4-acres of land, located at 1466 East Fifth Street, within the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning district. (APNs: 108-511-16 and 108-511-17); **submitted by Fifth Avenue Developments, LLC.**

Prepared By: Luis E. Batres, Senior Planner
Phone: 909.395.2431 (direct)
Email: Lbatres@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

(e) Project shall incorporate attached guiding wires around all garage doors/units and shall incorporate vine pockets within the planter areas in front of them so that vines climb around the garage units/doors. Applicant shall work with staff during the plan check process to accomplish this.

(f) Project shall incorporate attached guiding wires on all trash enclosure walls so that vines can grow and attach to the walls.

(g) Project shall incorporate uplighting at key locations around the project entrance and recreational amenities areas /green paseos to enhance the Project in the evening hours. During plan check the applicant shall submit a separate electrical exhibit with cut-sheets that show locations and what is proposed.

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

2.5 Parking, Circulation and Access.

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

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

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

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

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

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11). 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 noise levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.11 Environmental Requirements.

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

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

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

2.13 Additional Fees.

(a) Within 5 days following final application approval, the Notice of 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 Public Art. The Project is subject to the requirements of the City's Public Art Ordinance (Ontario Municipal Code Section 5-33.05. Private Art for Public Enjoyment in Commercial and Industrial Development Projects).

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.

2.17 Prior to a Final Occupancy, the Applicant shall submit to the Planning Department-Project Planner an 11" x 17" hardcopy of the approved final Building and Safety plans for the Project.

2.18 Perimeter block walls shall provide a decorative cap that extends out 1.5 to 2 inches.

2.19 Applicant shall submit a Parking Plan during the plan check process that indicates what parking space/carport or garage unit will be assigned to each dwelling unit.

2.20 All mechanical equipment located within landscape areas shall be painted to blend with the landscape area.

2.21 All parking spaces along the north side of the clubhouse shall feature decorative paving. Decorative paving shall extend to the front door of the clubhouse.

2.22 All wrought iron/tubular steel used on project shall be powder coated to prevent rust.

2.23 The color of the precision block walls shall be an earthtone color to complement the architecture style of the project and shall incorporate two lines of split face block (top and mid-section) to add more interest.

2.24 All required guest parking spaces shall be property labeled as such with a sign in front of the parking space.

2.25 Applicant shall work with staff during the plan check process to finalize the type of stone/brick to be used along the base of the buildings.

2.26 All required paths of travel that run across the 26-foot-wide interior drive aisle shall also feature color decorative paving.

2.27 The Applicant shall work with staff during the plan check process to remove or relocated decorative window shutters from some of the windows.

2.28 All window openings shall be recessed 2 to 6-inches, they shall not be flush with the wall. Applicant shall work with staff during the plan check process to accomplish this.

2.29 The project's perimeter block walls shall be a minimum of 6-feet in height, measured from finish grade. Height shall be reduced to comply with HDR-45 zoning requirement within the required front setback area.

2.30 All posts to carports shall have a good mass so that they are in scale with the rest of the structure(s).

2.31 All windows and doors used on the project shall be of high-quality materials. Window and door design shall complement the architecture style.

2.32 All roof overhangs shall be a minimum of 12-inches.

2.33 During the plan check process, the Applicant shall coordinate all exhibits so that they match.

2.34 Gas meters shall be located away from public views.

2.35 Carports or garage units shall not be used for storage of goods or equipment, they shall only be used for vehicle parking.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV21-006</u> RELATED FILE NO(S). _____	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO:	David Zurita (909) 395-2155
CITY PROJECT PLANNER & PHONE NO:	Luis Batres (909) 395-2431
DAB MEETING DATE:	June 3, 2024
PROJECT NAME / DESCRIPTION:	A Development Plan to construct a 64-multifamily apartment complex on 2.41 acres of land located within the HDR-45 zoning district.
LOCATION:	1466 & 1480 East 5th Street (APN: 0108-544-16 & -17)
APPLICANT:	Fifth Ave Development LLC
REVIEWED BY:	<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;"> Raymond Lee, P.E. Assistant City Engineer </div> <div style="text-align: center;"> <u>5/20/24</u> Date </div> </div>
APPROVED BY:	<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;"> Khoi Do, P.E. City Engineer </div> <div style="text-align: center;"> <u>5/20/24</u> Date </div> </div>



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 HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

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

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

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



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

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcels are recognized parcels in the City of Ontario per Parcel Map 509 recorded in Map Book 8 Page 25 in the County of San Bernardino's Recorder's Office.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 **Apply for a:**
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment to merge the two lots. (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department.);**
 - Make a Dedication of Easement.



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

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

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

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

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

_____ feet on _____

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

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

- 2.12 **Vacate the following street(s) and/or easement(s):**
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.**
 - B. Quitclaim easements dedicated to the City of Ontario for fire fighting apparatus access and other municipal services.**

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



maximum 3-foot high retaining wall.

- 2.14** Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.15** The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.16** Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan and the DIF rate at the time of payment.
- 2.17** Other conditions:
 - A. See Exhibit B for additional Conditions of Approval from the Ontario Municipal Utilities Company (OMUC).



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

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

Improvement	5th Street	Street 2	Street 3	Street 4
Curb and Gutter	<input checked="" type="checkbox"/> New; 20-ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input checked="" type="checkbox"/> Replacement (see 2.19) <input checked="" type="checkbox"/> Widen along frontage to achieve a 20-ft half-width street.	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, incl	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation) (see 2.18.A)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral



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

Specific notes for improvements listed in item no. 2.18, above:

A. Remove retaining curb along the landscape parkway and install new landscape up to the driveway of neighboring property (1464 E 5th Street APN: 0108-511-02)

- 2.19 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):**
- A. 5th Street along the entire project frontage from centerline to curb face.**
- 2.20 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.**



- 2.21 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.22 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.302.e of the City's Municipal Code.
- 2.23 Other conditions: _____

C. SEWER

- 2.24 **An 8-inch sewer main is available for connection by this project in East 5th Street. (Ref: Sewer Drawing Number: S12991)**
- 2.25 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.26 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.27 **Other conditions:**
A. See Exhibit B for additional Conditions of Approval from OMUC.

D. WATER

- 2.28 **A 6-inch water main is available for connection by this project in East 5th Street. (Ref: Water Drawing Number: W10591)**
- 2.29 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.30 **Other conditions:**
A. See Exhibit B for additional Conditions of Approval from OMUC.

E. RECYCLED WATER

- 2.31 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water Drawing Number: _____)
- 2.32 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.33 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.34 Submit one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water to OMUC's Water Quality Programs at OMUCWQPlanCheck@ontarioca.gov for review and subsequent submittal to the California State Water Board (Division of Drinking Water) for final approval.

Note: Review and approval process may take up to three (3) months. Contact the OMUC's Water Quality Programs at (909) 395-2678 or email OMUCWQPlanCheck@ontarioca.gov regarding this requirement.
- 2.35 Submit one (1) electronic copy, in PDF format, of the Landscape Plans (on-site & off-site) to OMUC's Water Quality Programs at OMUCWQPlanCheck@ontarioca.gov for review and approval.



2.36 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.37 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer

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

- 2.39 Other conditions:
 - A. **The Applicant/Developer shall be responsible to design and construct street improvements along property frontages of 5th Street in accordance with conditions issued by City's Land Development Division. These, and all other street improvements required herein, shall include, but not be limited to, concrete curb and gutter, sidewalk, and parkway landscaping.**

 - B. **Design and construct proposed driveways in accordance with City of Ontario Standard Drawing No. 1205 for Residential Driveway.**

 - C. **All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.**

 - D. **Parking shall be restricted 40 feet on either side of the project driveway on 5th Street with "No Parking Any Time" signs with arrows (R28(CA)(L) & (R)). Signs shall be in accordance with all applicable standards and to the satisfaction of the City Engineer.**

G. DRAINAGE / HYDROLOGY

- 2.40 A _____ inch storm drain main is available to accept flows from this project in _____.
(Ref: Storm Drain Drawing Number: _____)

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

- 2.42 **An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100-year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.**

- 2.43 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.

- 2.44 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100-year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.



2.45 Other conditions: _____

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

2.46 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

2.47 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**

2.48 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.

2.49 **Other conditions:**
A. **All Priority Land Use (PLU): Land use consisting of high-density residential, defined as a land use with at least ten (10) dwelling units per acre, industrial, commercial, mixed urban, and public transportation station land uses within the project area shall comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB) and trash requirements in the most current San Bernardino County Area-Wide MS4 Permit. Certified Trash Treatment/Pretreatment Devices shall be included in the BMP Design and Construction.**
https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/trash_implementation/certified_fcsdevicelist_16Feb2021.pdf

J. SPECIAL DISTRICTS

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

2.51 Other conditions: _____

K. FIBER OPTIC

2.52 A _____ fiber optic line is available for connection by this project in _____ (Ref: Fiber Optic Drawing Number: _____)



- 2.53 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.
- 2.54 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

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

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

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV21-006

All plan check submittals are to be done digitally through the City Of Ontario Citizen Portal Access. The following items are to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **Project Conditions of Approval**
5. Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. **Public Street improvement plan with street cross-sections**
7. Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
8. Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
9. Public Sewer improvement plan
10. Public Storm Drain improvement plan
11. Public Street Light improvement plan
12. Signing and Striping improvement plan
13. **Fiber Optic plan (include Auto CAD electronic submittal)**
14. HOA Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
15. CFD Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
16. **Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
18. **Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **Hydrology/Drainage study**
20. **Soils/Geology report**
21. Payment for Final Map/Parcel Map processing fee



- 22. Final Map/Parcel Map
- 23. Approved Tentative Map
- 24. **Preliminary Title Report (current within 30 days)**
- 25. Traverse Closure Calculations
- 26. **Set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
- 27. Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use.
- 28. **Other:**
 - a. **Lot Line Adjustment**
 - b. **Quitclaim firefighting apparatus access easements granted to the City of Ontario.**



EXHIBIT 'B'



**CITY OF ONTARIO
MEMORANDUM**



DATE: July 11, 2023
TO: David Zurita, Engineering
Luis Batres, Planning
FROM: Peter Tran, Utilities Engineering
SUBJECT: DPR #6 - Utilities Comments – Conditions of Approval (COA) (#9314)
PROJECT NO.: PDEV21-006 (A Development Plan to construct 64 multiple-family apartment complex)

BRIEF DESCRIPTION

A Development Plan to construct a 64 multiple-family apartment complex on 2.41 acres of land, located at 1466 and 1480 East 5th Street, within the HDR-45 (High Density Residential) zoning district (APNs: 0108-511-16 and 0108-511-17).

**OMUC UTILITIES ENGINEERING DIVISION
CONDITIONS OF APPROVAL**

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.



3. Design Utilities to comply Department of Drinking Water (DDW) Separation Requirements and California Code of Regulations (CCR) § 64572 Compliance: All DDW Separation Requirements under CCR § 64572 must be met. In order to assure compliance with CCR § 64572, on all design documents and plans: label the separation dimensions, measure from outside wall of the conveyances, between public potable water to any other public or private non-potable conveyance (sewer, storm drain, storm water, storm water infiltration, recycled water, recycled water irrigation, high pressure gas/petroleum, etc) whether publicly or privately maintained; provide one label per sheet per conveyance and additional labels where separation dimensions and alignments change; and, for any facilities not currently meeting the separation requirements, revise plans/documents so that the facilities meet the separations requirements.

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

4. Sanitary Sewer Mains Improvements:
 - a. N/A.
5. Sanitary Sewer Service:
 - a. The proposed project and its onsite private sewer system shall discharge wastewater to the Public Sanitary Sewer System through a Public Sewer Lateral per Standard #2003.
 - b. Public Sewer Laterals and Storm Water Quality Improvements: No storm water quality improvements (infiltration, detention, retention, bioswale, etc) shall be installed above or with 5 feet of any Public Sewer Lateral.
6. Private Onsite Sewer System and Plumbing: The Onsite Sewer System along with the **Lift/Pump Station** shall be privately maintained by the property owner and shall meet the following requirements:
 - a. For wastewater flows for residential uses:
 - i. Construct a manhole downstream from the proposed Lift/Pump Station for force main, then a sewer manhole for gravity flow, in that order and all on private property. Also, construct another manhole in public right of way at the point of connection with the Public Sewer System. The total manholes to be constructed is three.
 - b. Private Onsite Sewer and Storm Water Quality Improvements: No storm water quality improvements (infiltration, detention, retention, bioswale, etc) shall be installed above or with 5 feet of any Private Onsite Sewer pipes.

Potable Water Conditions (Section 2.D): The Applicant shall comply with the following:

7. Potable Water Main Improvements:
 - a. Fire Hydrants: Fire Hydrants along Potable Water Mains shall be spaced a maximum of 300 feet apart or per Fire Department Standards/Requirements, whichever is closer.
 - i. Fire Hydrant Construction: Install a new fire hydrant west of the proposed driveway approach, minimum 5' beyond the ECR.
8. Potable Water Service:
 - a. Backflow Prevention:
 - i. A Backflow Prevention Device is required for each Meter connected to the Public Potable Water System that: serves any residential use that is more than one (1) single family residential unit; or, any non-residential use; or, only irrigation use.
 - ii. Backflow Prevention Device Location: A Backflow Prevention Device location shall comply with the following requirements:



1. In order to reduce the risk of backflow contamination to the Public Potable Water System, the length of pipe between the Public Potable Water Main and the Backflow Device shall be as minimally short as possible.
 1. Along Public Streets within Publicly Dedicated Right-of Way: as measured along the pipe connecting to the Backflow Prevention Device, the Backflow shall be located a minimum of 3 feet and a maximum of 5 feet from the backflow concrete pad to the property line or back of sidewalk, whichever is closer.
 2. Only one single bend of up to 90 degrees maximum is allowed along the pipe to the Backflow and the single bend must be located at one of the following places: either the along the 90-degree riser connecting at the backflow assembly; or, at the end of the 12-inch stub at the back of the meter box.
 3. All the minimum DDW Separations also apply to the pipeline connecting between the Main/Meter-Box to a Backflow Device (or DCDA) and any Backflow Device (or DCDA). This also includes storm water quality improvements (infiltration, detention, retention, bioswale, etc). Also, no public or private non-potable water conveyances (private utilities, plumbing lines, sewer, private fire system, storm drain) shall cross the pipeline connecting between the Main/Meter-Box to a Backflow Device (or DCDA) or under any Backflow Device (or DCDA).
- b. Domestic Service: For domestic water uses:
 - i. The proposed project shall have a domestic water service and meter connected to the Public Potable Water System.
- c. Irrigation Service: For landscape irrigation uses that are not served by Recycled Water, the landscape irrigation uses shall have a separate irrigation water service and meter with backflow prevention device connected to the Public Potable Water System separate from the domestic water uses and the onsite plumbing systems and irrigation systems shall be also separate from each other.
 - i. The proposed project shall have an irrigation water service and meter connected to the Public Potable Water System
- d. Fire Water Service: For onsite private Fire System uses:
 - i. The proposed project onsite private fire system is required, a separate Fire Service with Double Check Detector Assembly (DCDA) per City Standard #4208 connected to the Public Potable Water System is required to serve the onsite private fire system; and the onsite fire system and onsite domestic water plumbing system shall be separate. DCDA's are a type of Backflow prevention device.
- e. Protection of above ground public water appurtenances: For any above ground public water appurtenances (fire hydrants, blowoffs, airvacs, etc) that are behind non-raised curbs (no curb, 0" curb, roll curb, v-curb, or non-raised curb) or not far enough back from curb or in a curve return, install bollard protect posts per Standard #4303 as required by Ontario Municipal Utilities Company field staff.
- f. Blow-Off Installation: Install a new Blow-Off (B/O) off the existing 36" domestic water main by abandoning, removing the existing in the ground temporary B/O and constructing a new B/O sized to match existing per city's standards, from the existing in the ground B/O valve to behind back of curb.

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

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

07/10/2023

Date

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

D.A.B. File No.: **PDEV21-006** Case Planner: **Luis Batres**

Project Name and Location:
64 Multiple-Family Apartment Complex
1466 and 1480 East Fifth Street

Applicant/Representative:
Fifth Ave Developments LLC, Attn: Polly Wong
940 E Main Street, #B
Alhambra, CA 91801

- A Preliminary Landscape Plan (dated 06/07/2023) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**
- A Preliminary Landscape Plan (dated 06/07/2023) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

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

Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/Site Plan Conditions of Approval

1. Show and dimension transformers set back 5' from paving all sides. Coordinate with landscape plans.
2. Show and dimension backflow devices set back 4' from paving on all sides. Locate on level grade.
3. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1. Note for compaction to be no greater than 85% in landscape areas.
4. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or stormwater infiltration areas are located shall be loosened by soil fracturing. For trees, a 12'x12'x18" deep area; for stormwater infiltration, the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference, see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans Conditions of Approval

5. Provide details for play equipment; show fall zones. Consider nature play elements that do not require large fall zones within the small space; see Landscape Structures, Play World, etc. Provide details and specifications from the proposed play equipment manufacturer.
6. Show backflow devices with 36" high strappy leaf shrub screening, trash enclosures and transformers, and a 4'-5' high evergreen hedge screening. Do not encircle utility; show as masses

and duplicate masses in other locations on regular intervals.

7. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
8. Street trees for this project are *Liriodendron tulipifera*, *Eucalyptus nicholii*, *Parkinsonia* x 'Desert Museum' (**choose one species**) per the Master Street Tree Plan.
9. Limit the use of rock to accent areas (maximum 5% of total landscape area). Gravel shall not be located adjacent to walkways, drive aisles, or paving. Eliminate Artificial Turf at the entry of the project. Artificial turf and gravel shall be limited to 5% of the total landscape area; cannot count towards the overall requirement.
10. Omit root watering system (OK for palms). Trees shall be irrigation on a separate valve with overhead stream sprays such as RainBird 5HB or 5FB with an appropriate PC screen to allow consistent wetting of the rootball. Add a note to use the RainBird 3QTR SQ nozzles; in the case that the PC screens are not available at the time of construction,
11. Show 6-8' diameter of mulch only at new trees. Detail irrigation dripline outside of mulched root zone.
12. Designer or developer to provide agronomical soil testing and include report on landscape construction plans.
13. Show concrete mowstrips to identify property lines along open areas or to separate ownership or between maintenance areas.
14. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon.
15. Show 25% of trees as California native (*Platanus racemosa*, *Quercus agrifolia*, *Quercus wislizenii*, *Quercus douglasii*, *Cercis occidentalis*, etc.) in appropriate locations.
16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
17. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council.

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-006
 Address: 1466 & 1480 East Fifth Street
 APN: 0108-511-16 & 17
 Existing Land Use: Vacant
 Proposed Land Use: Development Plan to construct 64 Multiple family units
 Site Acreage: 2.41 Proposed Structure Height: 52 FT
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Luis Batres
 Date: 4/5/2021
 CD No.: 2021-014
 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 checked="" type="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input type="checkbox"/> 60 - 65 dB CNEL	<input type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 70 FT	
<input type="radio"/> Zone 5			

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Real Estate Transaction Disclosure

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT

CD No.: 2021-014
PALU No.: _____

PROJECT CONDITIONS

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 Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Department of Real Estate and include the following language within the NOI:

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.



CITY OF ONTARIO

MEMORANDUM



TO: Luis Batres, Senior Planner

FROM: Heather Lugo, MA, Police Department

DATE: June 7, 2023

SUBJECT: A DEVELOPMENT PLAN TO CONSTRUCT A 62-UNIT MULTIPLE-FAMILY RESIDENTIAL APARTMENT COMPLEX ON 2.41 ACRES OF LAND, LOCATED AT 1466 AND 1480 EAST FIFTH STREET, WITHIN THE HDR-45 (HIGH DENSITY RESIDENTIAL) ZONING DISTRICT (APNS: 0108-511-16 AND 0108-511-17).

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

- Areas outside apartments, duplexes, and condominiums, are to be provided with a photocell operated exterior lighting system, which switches on at sunset and switches off at sunrise. This is to include walkways, doorways, and other areas used by the public and common areas. Minimum 0.5 foot-candle of light shall be maintained in all common areas. Planned landscaping shall not obstruct lighting.
- During hours of darkness, all parking lots and carports shall be provided with minimum one foot-candle of light, measured on the parking surface. Lighting devices shall be fully protected with weather and vandalism resistant covers.
- First floor and all common stairwells shall be constructed to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells. Prevention of public access shall not be constructed to allow for easy disregard of barrier and shall fully prohibit access to area.
- Trash enclosure shall be fully secured with screens/grates to reduce crime and encampment opportunities for homeless persons.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street. Each building shall be labeled with the corresponding address and letter if applicable.



CITY OF ONTARIO MEMORANDUM



DATE: June 20, 2022
TO: Luis Batres, Planning Department
FROM: Blaine Ishii, Integrated Waste Department (via Transtech Engineers)
PROJECT NO.: PDEV21-006
ATTACHMENTS: None

BRIEF DESCRIPTION

64 APARTMENT UNITS

**THE INTEGRATED WASTE DEPARTMENT
HAS THE FOLLOWING CONDITIONS.
RESUBMITTAL OF PLANS IS NOT REQUIRED**

The plan submitted adequately addressed the concerns of the Integrated Waste Department, but the Department is proposing the following conditions of approval.

Integrated Waste Conditions of Approval:

1. Gate stop bollards shall be installed to prevent enclosure gates from swinging into adjacent parking stalls.



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

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

DATE: March 11, 2021

SUBJECT: PDEV21-006 - A Development Plan to construct a 64 multiple-family apartment complex on 2.41 acres of land, located at 1466 and 1480 East Fifth Street, within the HDR-45 (High Density Residential) zoning district (APNs: 0108-511-16 and 0108-511-17).

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies
- D. Number of Stories: Varies 1, 3 and 4 Stories
- E. Total Square Footage: Varies, 802 Sq. Ft. to 1,183 Sq. Ft. Per Unit.
Approximately 23,000 Sq. Ft. Per 4 Story Building
- F. 2019 CBC Occupancy Classification(s): R-2

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

2.0 FIRE DEPARTMENT ACCESS

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

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2019 California Fire Code, Appendix B, is 2000 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

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

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.

- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.