



CITY OF ONTARIO ZONING ADMINISTRATOR AGENDA

June 3, 2024

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

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

PUBLIC HEARINGS

- A. **ENVIRONMENTAL ASSESSMENT, LAND USE DETERMINATION AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDET24-001 AND PCUP24-003**: A public hearing to consider a Land Use Determination (File No. PDET24-001) to establish whether a Charter School (7th to 12th grade) is similar to, and of no greater intensity, than other allowed land uses within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan, in conjunction with a Conditional Use Permit (PCUP24-003), to establish a Charter School within an existing two-story, 25,600 square-foot commercial building on 1.75 acres of land located at 4550 E. Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan. (APN: 0238-041-37); **submitted by Excelsior Charter Group.**

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

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

I, Angie Alvarez Cruz, Office Specialist of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **May 30, 2024**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

(Office Specialist)



**ZONING ADMINISTRATOR DECISION:
LAND USE DETERMINATION & CONDITIONAL
USE PERMIT
June 3, 2024**

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

DECISION NO.: [insert #]

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FILE NOS.: PDET24-001 & PCUP24-003

DESCRIPTION: A public hearing to consider a Land Use Determination (File No. PDET24-001) to establish whether a Charter School (7th to 12th grade) is similar to, and of no greater intensity, than other allowed land uses within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan, in conjunction with a Conditional Use Permit (PCUP24-003), to establish a Charter School within an existing two-story, 25,600 square-foot building on 1.75 acres of land located at 4550 E. Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan. (APN: 0238-041-37); **submitted by Excelsior Charter Group.**

PART 1: BACKGROUND & ANALYSIS

EXCELSIOR CHARTER GROUP, (herein after referred to as "Applicant") has filed an application requesting approval of a Determination of Use, File No. PDET24-001 and a Conditional Use Permit, File No. PCUP24-003, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

PROJECT SETTING: The Project site is comprised of 1.75 acres of land located at 4550 E. Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan, as depicted in Exhibit A: Project Location Map, attached. The Project site is surrounded to the east by a hotel (Country Inn & Suites), to the south by San Joaquin Valley College (SJVC), to the west by a restaurant (Outback Steakhouse), and to the north by a hotel (Hampton Inn & Suites) and Ontario Mills.

Existing land uses, Policy Plan (general plan), zoning designations, and specific plan land uses surrounding the Project site are as follows:

	Existing Land Use	Policy Plan Land Use Designation	Zoning Designation	Specific Plan Land Use
Site:	Multi-Tenant Office Building	Mixed Use – Ontario Mills	California Commerce Center	Commercial/Office

Prepared: RT 4/20/24

Reviewed: DE 5/30/24

	Existing Land Use	Policy Plan Land Use Designation	Zoning Designation	Specific Plan Land Use
			North (Ontario Mills) Specific Plan	
North:	Multi-Tenant Commercial Center (Ontario Mills)	Mixed Use – Ontario Mills	California Commerce Center North (Ontario Mills) Specific Plan	Regional Commercial
South:	Office Building (Educational Facilities - San Joaquin Valley College)	Mixed Use – Ontario Mills	California Commerce Center North (Ontario Mills) Specific Plan	Commercial/Office
East:	Hotel	Mixed Use – Ontario Mills	California Commerce Center North (Ontario Mills) Specific Plan	Commercial/Office
West:	Commercial Developments	Mixed Use – Ontario Mills	California Commerce Center North (Ontario Mills) Specific Plan	Commercial/Office

PROJECT ANALYSIS:

(1) Background— The California Commerce Center North (Ontario Mills) Specific Plan, approved in 1992, established the standards, regulations, and design guidelines for the development of the Project site. The objectives of the Specific Plan are to:

- Capture retail and office opportunities by utilizing the high traffic volumes along Interstate 10, Interstate 15, and local arterials, as well as by utilizing the visibility and notoriety of a unique regional commercial center; and
- Ensure the availability of such commercial services as are necessary to support development of a major employment center; and
- Strengthen the diversity of Ontario's employment base and improve the City's "jobs-to-housing" balance by providing a commercial area that creates administrative, professional, clerical, and white color technical jobs.

On February 2, 2024, the Applicant submitted a Land Use Determination (File No. PDET24-001), to establish whether a Charter School (7th to 12th grade) is similar to, and of no greater intensity, than other allowed land uses within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan, in conjunction with a Conditional Use Permit (PCUP24-003), to establish a Charter School within an existing two-story, 25,600 square-foot commercial building on 1.75 acres of land located at 4550 E. Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan.

The Applicant, Excelsior Charter Group, is a Charter School program that offers educational opportunities for 7-12 grade students through hybrid independent studies and distance learning with limited on-site educational support on campus.

Since 2014, Excelsior Charter Group has been leasing space within an existing commercial multi-tenant shopping center located at 1520 E. Mountain Avenue, in the City of Ontario (The Gateway at Mountain Village). Some of the other existing tenants include real estate offices, insurance offices, medical clinics, a children's center, and various retail stores and restaurants.

Excelsior Charter School administrators have noticed an increase in their student enrollment at their current Ontario campus. The Applicant hopes to relocate to the larger proposed location at 4550 E. Ontario Mills Parkway (Project site) in order to provide adequate classroom space to future anticipated student enrollment and staffing levels.

The Project site was developed in 2009 and is improved with a 25,600 square foot, two-story multi-tenant office building, mature landscaping, and parking (see Exhibit B: Site Plan, attached). Previously, the 25,600 square foot stand-alone building was occupied by a staffing agency, plastic surgical clinic, and medical offices. Currently, a medical office use occupies a portion of the first floor (3,025 square feet) of the building where the Charter School is proposing to relocate to and will continue to occupy the space for the next two (2) years. Thereafter, the Charter School is hoping to occupy the entire building.

The California Commerce Center North (Ontario Mills) Specific Plan lists "Trade and Vocational Schools" as permitted land uses by approval of a Conditional Use Permit under the Commercial/Office land use district. Charter Schools is not a listed land use under the Specific Plan, therefore, the Applicant is requesting approval of this *Determination of Use*, that finds that a Charter School use is similar, and of no greater intensity, than the allowable land uses within the Specific Plan.

(2) Land Use Determination Authority — The California Commerce Center North (Ontario Mills) Specific Plan and Ontario Development Code Section 2.02.005 states that the Zoning Administrator has the authority to review and approve Land Use Determinations when the uses are not listed as a permitted or conditionally permitted use. In addition, Ontario Development Code Section 1.02.010 (Interpretation and Land Use Determinations), provides that the Zoning Administrator retains the authority to interpret the meaning or applicability of code requirements, and may compare and measure a proposed land use against those listed in the Development Code or applicable Specific Plan, which have similar impacts, functions, and characteristics. Furthermore, Ontario Development Code Section 4.02.080, Specific Plan Minor Amendments, provides that minor departures from the strict application of the development standards and/or design guidelines established by a Specific Plan may be approved, provided the requested departure is in the interest of furthering the goals and policies of the affected Specific Plan and The Ontario Plan.

(3) Analysis — The Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan is intended to accommodate a wide range of commercial and office uses such as retail, service-oriented businesses, administrative (professional and medical), restaurants, automobile service stations, health clubs, day care facilities, personal services, and indoor sports and recreation facilities. Currently, the Specific Plan allows for Trade and Vocational Schools within the Commercial/Office land use district. The Specific Plan defines Trade and Vocational Schools as, "Activities [that] typically include, but not limited to, organized instruction of work-related skills. The Applicant is requesting to relocate and establish a Charter School at the Project site, that offers educational opportunities similar to Trade and Vocational Schools, and comparable to *San Joaquin Valley College (SJVC)*, an adjacent land use to the south of the Project site. SJVC is an established private college that offers several accelerated job training programs in Ontario for students interested in medical, dental, business, trade, and industrial programs.

Using the Trade and Vocational School definition as the basis and in context with the proposed charter school operation, it is staff's belief that a Charter School use is similar to and no more objectionable than the Trade and Vocational School uses currently permitted within the Commercial/Office of the California Commerce Center North (Ontario Mills) Specific Plan. Both uses offer educational opportunities to a specific target audience and do so in a manner that can be accommodating to the students. Additionally, the building that the charter school hopes to occupy is sufficient in size, has adequate site capacity to accommodate the educational use, and is similar to the existing school in the vicinity (San Joaquin Valley College).

(4) Proposed Use/Operation — Excelsior Charter School operates as a hybrid-educational program that offers on-campus classes, independent studies, and distance learning. The program does not provide a full-day schedule for the students, as compared to traditional schools. Currently, the program has an enrollment of 150 students that intermittently attend campus, much like a community college. Excelsior Charter School is intended for 7th to 12th grade students, where approximately one-third of the students would be enrolled in full-time independent studies and will be attending the facility on an as-needed basis. Much of the support for the programs is provided virtually.

The proposed use will operate from 8 AM to 3:30 PM Monday to Friday, with a maximum capacity of 300 students and 25 staff members at any given time. Approximately one-third (100 students) of the students will be enrolled in distance learning and two-thirds (200 students) of the students will be enrolled in full-time on-campus independent studies. The facility will be closed to students on Mondays. The program operates on varied time frames allowing parents and students the flexibility to choose the program that best fits their schedules. On-site security will be provided at the school, as do many public and private schools. Excelsior Charter School does not participate in any sports programs for students, and only provides minimal after-school activities on campus.

(5) Floor Plan — The Project site is improved with a 25,600 square foot, two-story office building. The second floor will feature offices, classrooms, storage space, a food-prep area, a lunchroom, and restroom facilities. The first floor will feature a reception area, exercise room, and two (2) administration offices. The food-prepping area will not function as a full kitchen, as the food provided for the program will be prepackaged, refrigerated, and warmed up by microwaves when needed. The exercise room will have treadmills, bands for stretching, and yoga mats. Access to the second floor will be provided by an elevator and two (2) stairwells (see Exhibit B and C: Floor Plan, attached).

(6) Site Access/Circulation — The Project site is located within a large business center (Parkway Business Center) with street frontage along Ontario Mills Parkway. Access to the facility will be taken from seven (7) different driveways that are situated along Ontario Mills Parkway. However, primary access will be provided through two (2) driveways located adjacent to the subject site (east and west of the Project site). The two (2) driveways are classified as “right-in and right-out driveways”. Students are expected to be dropped off and picked up at various times of the day, which helps alleviate any potential traffic impact at the Project site. Four (4) of the existing parking spaces on the site will be reserved for student drop-off and pick-up. The Project site is an established development that has functioned with reciprocal vehicle access and parking with the adjacent other uses within the business center.

(7) Parking — The Charter School is a land use that is not listed in the Ontario Development Code or the California Commerce Center North (Ontario Mills) Specific Plan. To analyze the parking demands for the Charter School, staff relied upon the educational facilities “high school” parking ratios provided in the Development Code (Table 6.03-1 – Off Street Parking Requirements), which requires 0.26 spaces per student based on maximum enrollment and 1 space per staff member during the largest shift. There are currently a total of 109 parking spaces on-site, and the Applicant proposes to remove one (1) parking space to accommodate an accessible parking space, resulting in a total of 108 parking spaces. Based on the parking ratios established for the Project, and considering existing uses within the building, adequate parking will be provided. Unlike at a community college, many of the enrolled students will not be driving. Table 1, below, provides the off-street parking calculation for the proposed use under their initial operation (sharing the building) and after 2 years (occupying the entire building):

Table 1: Proposed Parking Summary (Initial 2 years)

Type of Use	Building Area	Max Number of Students and Staff	Parking Ratio	Spaces Required	Spaces Provided
Medical Offices (Existing)	3,025 SF		5.7 spaces per 1,000 SF (0.0057/SF) of GFA	18	108
Excelsior Charter School	22,575 SF	Current 150 Students & 15 Staff Members	0.26 spaces per student, plus 1 space per staff member.	39	

	25,600		57	108
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Proposed Parking Summary (after 2 years)

Type of Use	Building Area	Max Number of Students and Staff	Parking Ratio	Spaces Required	Spaces Provided
Excelsior Charter School	25,600 SF	300 Students & 25 Staff Members	0.26 spaces per student, plus 1 space per staff member.	108	108
	25,600			108	108

(8) Land Use Compatibility — A Conditional Use Permit review is required to ensure that the proposed use will be operated in a manner consistent with all local regulations and to ensure that the use will not be detrimental to the health, safety, or general welfare of the public, or improvements in the surrounding vicinity. The Project site is located within an established commercial and business center and surrounded by commercial, and office uses in all directions.

Staff does not anticipate any land use compatibility issues with the Charter School use based on the proposed hours of operation, the availability of on-site parking, and the Applicant's experience in operating the Charter School program in the City of Ontario. Staff believes that the businesses within the immediate area will not be exposed to any impacts beyond those that would normally be associated with a community college or vocational school. Staff further believes that the floor plan has been adequately designed and conditions of approval have been placed to mitigate any potential negative impacts that may be associated with the proposed use.

RECOMMENDATION: As noted earlier, the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan is intended to accommodate a wide range of commercial and office uses such as retail, service-oriented businesses, administrative (professional and medical), restaurants, automobile service stations, health clubs, day care facilities, personal services, and indoor sports and recreation facilities. Currently the permitted uses do not permit a Charter School outright or as a conditionally permitted use. However, with the determination of use application, the proposed Charter School will be a conditionally permitted use, similar to Trade and Vocational schools. The proposed use is for educational purposes, which is aligned with the Specific Plan intent as a regional commercial center with a full-range of retail and offices to support the regional economy.

Staff is recommending that the Zoning Administrator determines that the Charter School land use is similar to and of no greater intensity than other allowed uses within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan. Staff believes that the use is also similar to Trade and Vocational Schools as permitted within the Commercial land use zoning districts of the Specific Plan.

Staff is also recommending that the Zoning Administrator approve the Conditional Use Permit request to establish a charter school for 7th to 12th grade within the existing building at 4550 E. Ontario Mills Parkway.

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

DEPARTMENTAL REVIEW: Each City 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 attached to this report.

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

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

PART 2: RECITALS (Land Use Determination)

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

WHEREAS, The California Commerce Center North (Ontario Mills) Specific Plan and Ontario Development Code Table 2.01-1 (Review Matrix) establishes that the Zoning Administrator has the responsibility and authority to review and act upon interpretations and Land Use Determinations; and

WHEREAS, it has been recognized that every conceivable use cannot be identified by the City of Ontario Development Code and The California Commerce Center North (Ontario Mills) Specific Plan, and anticipating that new uses will evolve over time, Ontario Development Code Section 1.02.010 (Interpretations and Land use Determinations) establishes the Zoning Administrator's authority to review and act upon a Determination of Use, comparing and measuring a proposed use against those listed in the Development Code, which have similar impacts, functions and characteristics; and

WHEREAS, in comparing and measuring the proposed use against those listed in the Development Code, the Zoning Administrator has fully considered each of the following aspects of the use:

a) Volume and type of sales (retail or wholesale), the size and type of items sold and nature of inventory on the premises; and

b) Processing, assembly, manufacturing, smelting, warehousing, shipping and distribution done on the premises; and dangerous, hazardous, toxic or explosive materials used in processing; and

c) Nature and location of storage and display of merchandise (enclosed, open, inside or outside the principal building), and the predominant types of items stored (business vehicles, work-in-progress, inventory and merchandise, construction materials, scrap, and junk); and

d) Type, size and nature of buildings and structures supporting the use; and

e) Number and density of employees and customers, business hours and employment shifts; and

f) Transportation requirements (including modal split of people and freight) by volume, type and characteristics of traffic generation to and from the site and trip purposes; and

g) Parking characteristics, turnover and generation, and the ratio of the number of spaces required per unit area or activity; and

h) Predilection for attracting or repelling criminal activity; and

i) Amount and nature of nuisances generated on the premises (smoke, noise, odor, glare, vibration, radiation, fumes, etc.); and

j) Special public utility and services requirements (water supply, wastewater discharge, pretreatment of waste or emissions, power structures, communications towers/antennas).

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

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

PART 2: RECITALS (Conditional Use Permit)

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

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

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

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

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

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

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

WHEREAS, on June 3, 2024, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(1) Rafael Torres, Assistant Planner, presented the staff report on the proposed use, indicating the staff recommendation of [insert staff recommendation]. Following the staff's presentation, the Zoning Administrator opened the public hearing.

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

(3) [insert additional speaker info]

(4) [insert additional speaker info]

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

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

PART 3: THE DECISION (Land Use Determination)

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

(1) All facts set forth in this Determination of Use are true and correct.

(2) Based upon the evidence presented, the Zoning Administrator hereby concludes as follows:

a) The proposed use meets the intent of, and is consistent with, the goals, objectives, and policies of the adopted General Plan. The Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan is intended to accommodate a wide range of commercial, office, and services uses. Currently, the Specific Plan allows for Trade and Vocational Schools within the Commercial/Office land use district and defines Trade and Vocational Schools as, "Activities [that] typically include, but not limited to, organized instruction of work-related skills". Using the Trade and Vocational School definition in context with the proposed charter school operation, it is staff's belief that a Charter School use is similar to and no more objectionable than the Trade and Vocational School uses currently permitted within the Commercial/Office of the California Commerce Center North (Ontario Mills) Specific Plan. Both uses offer educational opportunities to a specific target audience and do so in a manner that is accommodating to the students and the subject property. The building that the charter school proposes to occupy is sufficient in size, has adequate site capacity to accommodate the educational use, and is similar to an existing school in the vicinity (San Joaquin Valley College).

b) The proposed use meets the stated purpose and general intent of the zoning district in which the use is proposed to be located. The Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan is intended to accommodate a wide range of commercial, office, and services uses. The charter school will offer educational uses for 7th to 12th grade in a manner that is suitable for the project location and supports the intent of the Specific Plan. Additionally, the Specific Plan allows Trade and Vocational schools with a CUP, and as such is similar to the use and operation of the proposed charter school.

c) The proposed use will not adversely impact the public health, safety, or general welfare of the City's residents. The charter school will offer educational services

for 7th to 12th and is suitable for the size and location of the subject site. Additionally, the Specific Plan which regulates the site allows for similar education uses through a conditional use permit, and the proposed charter school use has been analyzed and conditioned to operate in a similar manner to ensure the use will not endanger the public health, safety, or general welfare.

d) The proposed use shares characteristics common with, and is not of a greater intensity, density or generates more environmental impacts than, those listed in the land use district of the California Commerce Center North (Ontario Mills) Specific Plan.

The proposed uses are similar to the operation of Trade and Vocational Schools, which is currently a conditionally permitted use in the California Commerce Center North (Ontario Mills) Specific Plan. The proposed charter school will offer educational services to 7th to 12th grade in a similar manner as Trade and Vocational school, including schedule, enrollment, general operation, parking, among others. As such, Staff believes the use is not of greater intensity, density or will generate more environmental impacts than those are listed.

(3) The Zoning Administrator hereby finds and determines that the project identified in this Land Use Determination is not subject to the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to Section 15060(c)(2) of the State CEQA Guidelines, as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

(4) Based upon the findings and conclusions set forth in Parts 1, 2, and 3 above, the Zoning Administrator hereby approves File No. PDET24-001.

(5) 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.

(6) The documents and materials that constitute the 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.

PART 3: THE DECISION (Conditional Use Permit)

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

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the Zoning Administrator has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts

and information contained in the administrative record, including all written and oral evidence presented to the Zoning Administrator, the Zoning Administrator finds as follows:

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of uses beyond that are existing at the time of the lead agency's determination. The proposed use will be located within an existing commercial building and does not include any alterations or operational changes; and

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

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

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

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

(a) The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use

district. The proposed location of the Conditional Use Permit is in accordance with the objectives and purposes of the City of Ontario Development Code and the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed Charter School land use will be established and operated consistent with the City of Ontario Development Code and the California Commerce Center North (Ontario Mills) Specific Plan, and its objectives and purposes, and development standards and guidelines; and

(b) The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed Charter School will be located within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan and the Mixed-Use land use designation of the Policy Plan Land Use Map. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan; and

(c) The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development. The proposed Charter School, in conjunction within an existing 25,600 square-foot multi-tenant office building, located within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan has been reviewed and conditioned to ensure the establishment, operation, and maintenance of the proposed land use is consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and the California Commerce Center North (Ontario Mills) Specific Plan; and

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

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

Application subject to each and every condition set forth in the Department reports included as "Attachment A" of this Decision and incorporated herein by this reference.

SECTION 5: Indemnification. The Applicant shall agree to defend, indemnify, and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers, or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 6: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 3rd day of June 2024.

Henry K. Noh
Zoning Administrator

Exhibit A: PROJECT LOCATION MAP



Exhibit B: SITE PLAN

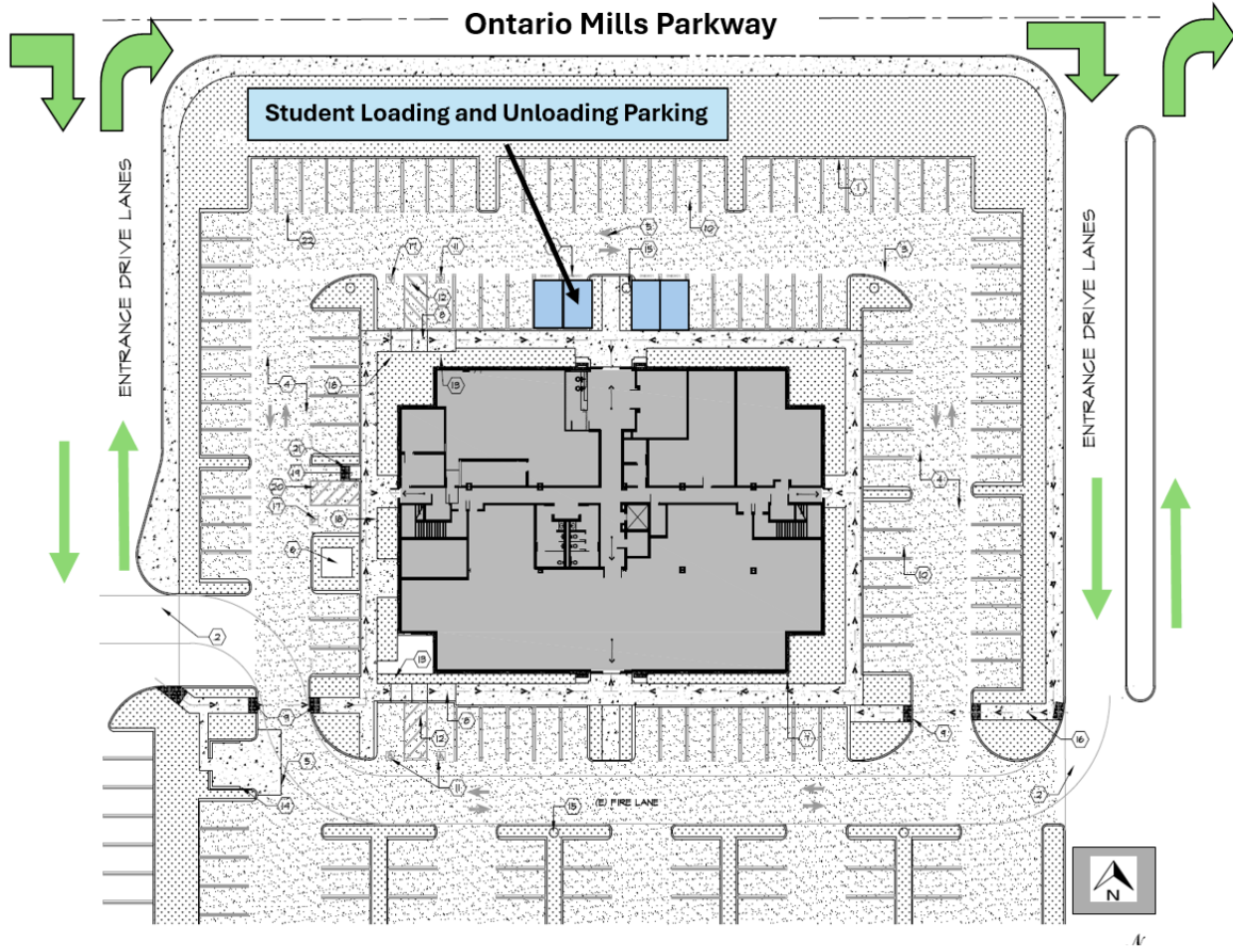


Exhibit C: FLOOR PLAN (1ST FLOOR)

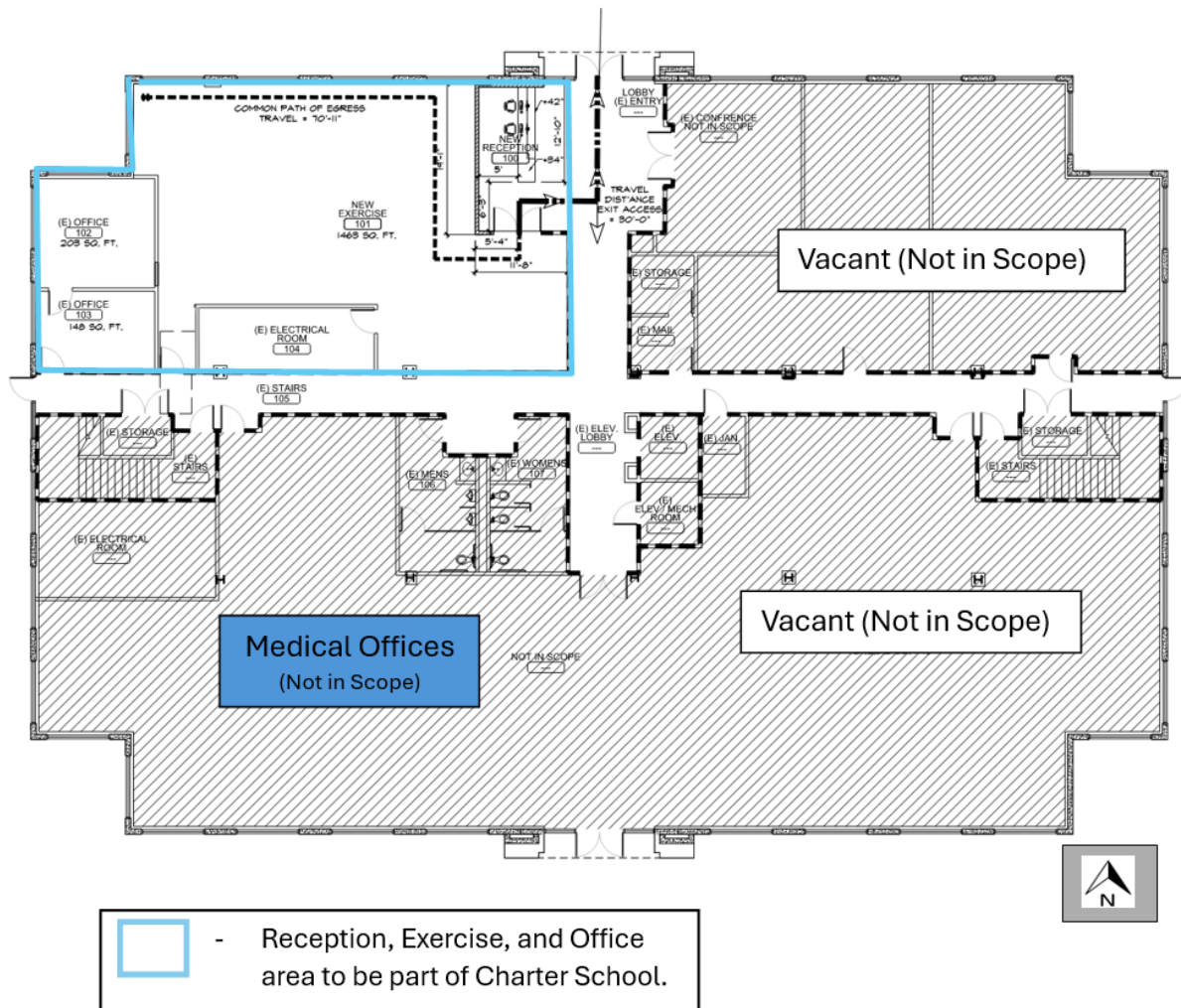


Exhibit D: FLOOR PLAN (2ND FLOOR)

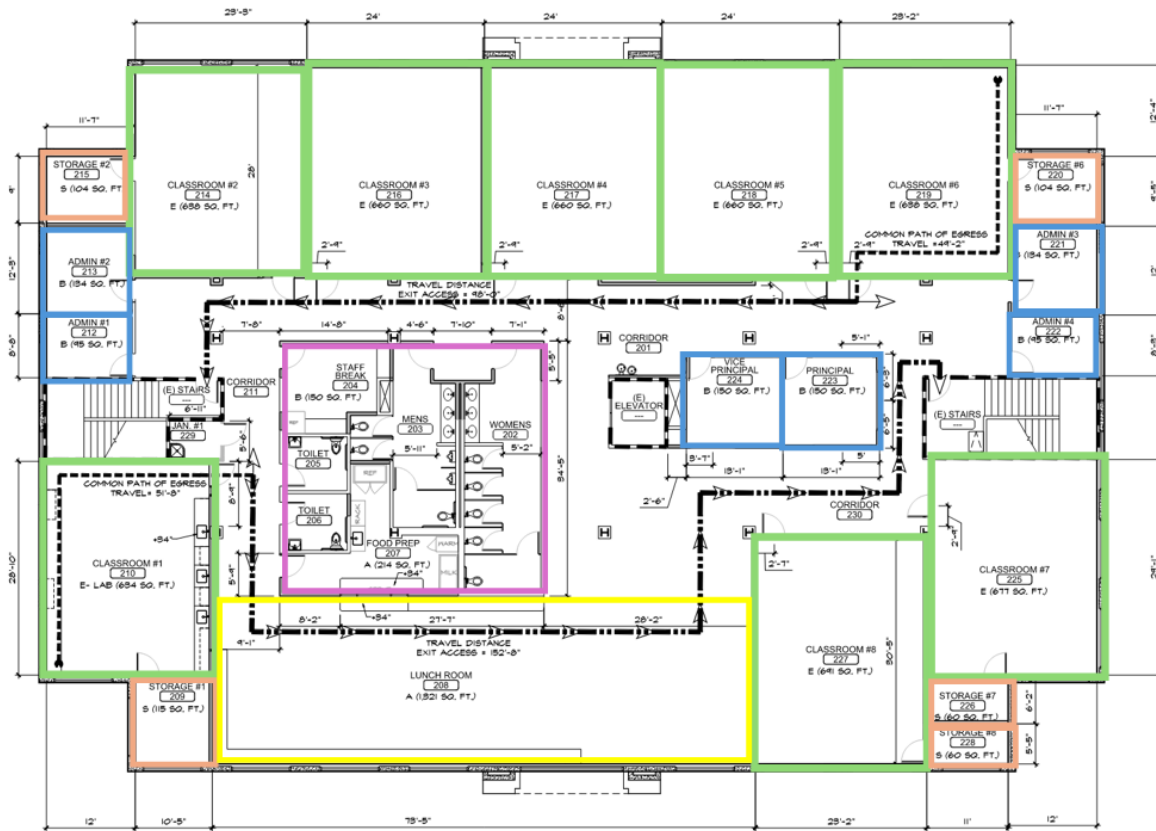


Exhibit E: Site Photos



North Elevation (Main Entry)



West Elevation



South Elevation



East Elevation

Attachment A: Department Reports (Conditions of Approval)

(Department Reports containing conditions of approval follow this page)

Date Prepared: 5/17/2024

File Nos: PDET24-001 & PCUP24-003

Project Description: A public hearing to consider a Land Use Determination (File No. PDET24-001) to establish whether a Charter School (7th to 12th grade) is similar to, and of no greater intensity, than other allowed land uses within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan, in conjunction with a Conditional Use Permit (PCUP24-003), to establish a Charter School within an existing two-story, 25,600 square-foot building on 1.75 acres of land located at 4550 E. Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan. (APN: 0238-041-37); **submitted by Excelsior Charter Group.**

Prepared By: Rafael Torres, Assistant Planner
Phone: 909.395.2979 (direct)
Email: rtorres@ontarioca.gov

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

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

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

2.1 Time Limits. Conditional Use Permit approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Conditional Use Permit approved in conjunction with a Land Use Determination (PDET24-001) shall have the same time limits as said Land Use Determination. 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 the Project, which shall be maintained on site during project construction.

2.3 Landscaping.

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

2.4 Parking, Circulation and Access.

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

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

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

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

(e) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11). The final design and placement of bicycle parking facilities shall be subject to Planning Department review and approval.

2.5 Site Lighting.

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

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

2.6 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.

2.7 Security Standards.

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

2.8 Signs.

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

2.9 Sound Attenuation.

(a) 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).

2.10 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.

2.11 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.

2.12 Additional Requirements.

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

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

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

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

(e) Building and use shall comply with Building and Safety requirements of the facility.

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

(g) A total of four (4) parking spaces designated for loading and unloading of students shall be provided along the front of the building on the north side of the parking lot. Each space shall have a sign that reads "Student Drop -Off and Pick-Up Only".

(h) Any special event(s), which is beyond the scope of this Conditional Use Permit, such as outdoor events, shall require approval of a Temporary Use Permit by the City prior to commencement of the event.



CITY OF ONTARIO

MEMORANDUM

TO: Rafael Torres, Assistant Planner
Planning Department

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

DATE: February 26, 2024

SUBJECT: PCUP24-003 - A Conditional Use Permit to establish a 25,600 square-foot Charter School on 1.75 acres of land located at 4550 East Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan (APN(s): 0238-041-37). Related File(s): PDET24-001.

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
-



CITY OF ONTARIO

MEMORANDUM

TO: Rafael Torres, Assistant Planner
Planning Department

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

DATE: February 26, 2024

SUBJECT: PDET24-001 - A determination of use application to establish whether a 7-12 grade Charter School is similar to and of no greater intensity than the allowable uses within the Commercial / Office land use designation of the California Commerce Center North (Ontario Mills) Specific Plan. (APN: 0238-041-37).

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
-



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Henry Noh, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Heather Lugo, Police Department
Paul Erhman, Deputy Fire Chief/Fire Marshal
Jay Bautista, Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Nathan Pino, Engineering
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Rafael Torres, Assistant Planner

DATE: February 02, 2024

SUBJECT: FILE #: PCUP24-003

Finance Acct#:

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

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

PROJECT DESCRIPTION: A Conditional Use Permit to establish a 25,600 square-foot Charter School on 1.75 acres of land located at 4550 East Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan (APN(s): 0238-041-37). Related File(s): PDET24-001.

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

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

The plan does not adequately address the departmental concerns.

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

Police
Department

Heather Lugo
Signature

MA
Title

2/5/24
Date



CITY OF ONTARIO

MEMORANDUM

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Nathan Pino, Engineering
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Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Rafael Torres, Assistant Planner

DATE: February 02, 2024

SUBJECT: FILE #: PCUP24-003 Finance Acct#:

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

Community Improvement Dept Elda Zavala
Department Signature

CI Supervisor
Title

3/22/24
Date



CITY OF ONTARIO

MEMORANDUM

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Nathan Pino, Engineering
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Rafael Torres, Assistant Planner

DATE: February 02, 2024

SUBJECT: FILE #: PDET24-001 Finance Acct#:

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PROJECT DESCRIPTION: A determination of use application to establish whether a 7-12 grade Charter School is similar to and of no greater intensity than the allowable uses within the Commercial / Office land use designation of the California Commerce Center North (Ontario Mills) Specific Plan. (APN: 0238-041-37)

- The plan does adequately address the departmental concerns at this time.
 - No comments
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Community Improvement Dept Elda Zavala
Department Signature

CI Supervisor
Title

3/22/24
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FROM: Rafael Torres, Assistant Planner

DATE: February 02, 2024

SUBJECT: FILE #: PDET24-001 Finance Acct#:

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

- No comments
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CITY OF ONTARIO

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Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Rafael Torres, Assistant Planner

DATE: February 02, 2024

SUBJECT: FILE #: PCUP24-003 Finance Acct#:

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

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PROJECT DESCRIPTION: A Conditional Use Permit to establish a 25,600 square-foot Charter School on 1.75 acres of land located at 4550 East Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan (APN(s): 0238-041-37). Related File(s): PDET24-001.

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

- No comments
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- Standard Conditions of Approval apply

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CITY OF ONTARIO

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Nathan Pino, Engineering
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Blaine Ishii, Integrated Waste

FROM: Rafael Torres, Assistant Planner

DATE: February 02, 2024

SUBJECT: FILE #: PDET24-001 Finance Acct#:

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

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Broadband Operations
Department


Signature

Title

02/06/2024

Date

Item A - 33 of 39



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
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Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Rafael Torres, Assistant Planner

DATE: February 02, 2024

SUBJECT: FILE #: PDET24-001 Finance Acct#:

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The plan does not adequately address the departmental concerns.

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

Engineering /Environmental Section
Department

Arij Baddour
Signature

Assistant Engineer
Title

02/27/2024
Date



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
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Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Rafael Torres, Assistant Planner

DATE: February 02, 2024

SUBJECT: FILE #: PCUP24-003 Finance Acct#:

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

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

The plan does not adequately address the departmental concerns.

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



CITY OF ONTARIO

MEMORANDUM

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Nathan Pino, Engineering
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Rafael Torres, Assistant Planner

DATE: February 02, 2024

SUBJECT: FILE #: PDET24-001 **Submittal #1** Finance Acct#:

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

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

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

The plan does not adequately address the departmental concerns.

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

OMUC Utilities Engineering
Department

Heather Young
Signature

Assistant Engineer
Title

02/29/2024
Date



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Henry Noh, Planning Director (Copy of memo only)
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Jay Bautista, Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Nathan Pino, Engineering
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Rafael Torres, Assistant Planner

DATE: February 02, 2024

SUBJECT: FILE #: PCUP24-003 **Submittal #1** Finance Acct#:

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

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

OMUC Utilities Engineering
Department

Heather Young
Signature

Assistant Engineer
Title

02/29/2024
Date



CITY OF ONTARIO

MEMORANDUM

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 Jamie Richardson, Landscape Planning Division
 Dennis Mejia, Municipal Utility Company
 Heather Lugo, Police Department
 Paul Erhman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, Traffic/Transportation Manager - Diego Tapia
 Lorena Mejia, Airport Planning
 Nathan Pino, Engineering
 Angela Magana, Community Improvement (Copy of memo only)
 Jimmy Chang, IPA Department
 Blaine Ishii, Integrated Waste

FROM: Rafael Torres, Assistant Planner

DATE: February 02, 2024

SUBJECT: FILE #: PDET24-001 Finance Acct#:

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

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

PROJECT DESCRIPTION: A determination of use application to establish whether a 7-12 grade Charter School is similar to and of no greater intensity than the allowable uses within the Commercial / Office land use designation of the California Commerce Center North (Ontario Mills) Specific Plan. (APN: 0238-041-37)

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

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

The plan does not adequately address the departmental concerns.

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

ENG TRAF
Department

Signature

ENG ASST
Title

2-28-2024
Date
Item A - 38 of 39



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Henry Noh, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Heather Lugo, Police Department
Paul Erhman, Deputy Fire Chief/Fire Marshal
~~Jay Bautista~~, Traffic/Transportation Manager - *Diego Lopez*
Lorena Mejia, Airport Planning
Nathan Pino, Engineering
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Rafael Torres, Assistant Planner

DATE: February 02, 2024

SUBJECT: FILE #: PCUP24-003

Finance Acct#:

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

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

PROJECT DESCRIPTION: A Conditional Use Permit to establish a 25,600 square-foot Charter School on 1.75 acres of land located at 4550 East Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (Ontario Mills) Specific Plan (APN(s): 0238-041-37). Related File(s): PDET24-001.

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

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

The plan does not adequately address the departmental concerns.

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

ENG TRAI
Department


Signature

ENG ASST
Title

2-28-2024
Date