



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

October 7, 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 September 16, 2024, approved as written.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV22-041: A public hearing to consider a revision to Development Plan File No. PDEV19-069 to raze an existing service station and convenience store, to construct a new 3,920 square-foot convenience store, 3,528-square foot fuel canopy, and a 1,140-square foot carwash on 0.87-acre of land located at 2156 S. Grove Avenue, within the Office/Commercial land use district of the Grove Avenue Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 1050-491-08). **submitted by Ramila Patel.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File No. PDEV22-041 (Development Plan)

Motion to Approve / Deny

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

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

The next **Development Advisory Board** meets on **October 21, 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 **October 3, 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

September 16, 2024

BOARD MEMBERS PRESENT

Henry Noh, Chairman, Planning Department
James Caro, Building Department
Raymond Lee, Engineering Department
David Bucholtz, Community Improvement
Charity Hernandez, Economic Development Agency
Michelle Starkey, Fire Department
Christy Stevens, Municipal Utilities Company
Heather Lugo, Police Department

BOARD MEMBERS ABSENT

None

STAFF MEMBERS PRESENT

Gwen Berendsen, Planning Department
Jeanie Aguilo, Planning Department
Henry Pham, Engineering Department
Karen Khukoyan, Economic Development Agency

PUBLIC COMMENTS

No person from the public wished to speak.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the September 6, 2024, meeting of the Development Advisory Board was made by Ms. Stevens; seconded by Mr. Bucholtz; and approved unanimously by those present (8-0).

PUBLIC HEARING ITEMS

- B. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV23-022:** A public hearing to consider a Development Plan to construct a commercial building and an ancillary storage building totaling 28,509 square feet on 4.97 acres of land, located at the southeast corner of QVC Way and Inland Empire Boulevard, within the Urban Commercial land use district of the Meredith International Center Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was

Development Advisory Board Minutes
September 16, 2024

evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 0110-321-80) **submitted by Walter's Automotive Group.**

Mr. Noh opened the public hearing.

Steven Kienle with Walter's Automotive Group was present.

Mr. Noh asked if Mr. Kienle agreed with the conditions of approval.

Mr. Kienle stated he agreed.

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

Motion to approve **File No. PDEV23-022**, subject to the conditions of approval, was made by Mr. Caro; seconded by Mr. Bucholtz; and approved unanimously by those present (8-0).

There being no further business, the meeting was adjourned to the next meeting on October 7, 2024.

Respectfully submitted,



Gwen Berendsen
Recording Secretary



DEVELOPMENT ADVISORY BOARD AGENDA REPORT

October 7, 2024

303 East B Street, Ontario, California 91764 / Phone: 909.395.2036 / Email: PlanningDirector@OntarioCA.gov

FILE NO: PDEV22-041

SUBJECT: A public hearing to consider a revision to Development Plan File No. PDEV19-069 to raze an existing service station and convenience store, to construct a new 3,920 square-foot convenience store, a 3,528 square-foot fuel canopy, and a 1,140 square-foot detached carwash on 0.87-acre of land located at 2156 S. Grove Avenue, within the Office/Commercial land use district of the Grove Avenue Specific Plan; (APN: 1050-491-08) **submitted by Ramila Patel.**

PROPERTY OWNER: Trisha Petro, Inc.

RECOMMENDED ACTION: That the Development Advisory Board consider and approve File No. PDEV22-041, pursuant to the facts and reasons contained in the staff report and attached Decision, and subject to the conditions of approval appended to the attached Decision as "Attachment A."

BACKGROUND: On September 28, 2021, the City of Ontario approved a Development Plan (File No. PDEV19-069) to demolish an existing service station and convenience store in order to construct a 3,545 square-foot convenience store (AM-PM) with an attached 1,440 square-foot automated carwash, and a 3,499 square-foot fueling canopy, in conjunction with a Conditional Use Permit (File No. PCUP19-030) to establish alcoholic beverage sales (Type 20 ABC license) for off-premises consumption.

On September 8, 2022, the Applicant submitted Development Plan application File No. PDEV22-041, a revision to the approved Development Plan, File No. PDEV19-069. The revised Development Plan still proposes to demolish the existing convenience store and fueling canopy and construct a new convenience store, carwash, and fuel canopy. The main difference in the revision is a slight increase in size to the convenience store and fuel canopy, a slight decrease in size to the carwash, and the carwash is designed to be detached instead of attached to the convenience store. If the revised Development Plan is approved, the conditions of approval for Conditional Use Permit (File No. PCUP19-030) will still apply to the project site.

PROJECT SETTING: The Project site is comprised of 0.87-acre of land located at the northwest corner of Grove Avenue and Philadelphia Street, at 2156 South Grove Avenue, within the Office/Commercial land use district of the Grove Avenue Specific Plan and is depicted in Exhibit A: Project Location Map, attached. The site is currently developed with a convenience store and fueling canopy, which will be demolished to facilitate the proposed development.

The property abutting the Project site on the north and west property lines is located within the Office/Commercial land use district of the Grove Avenue Specific Plan and is developed by a Caltrans storage facility. The property to the south of the Project site, across Philadelphia Street, is within the CC (Community Commercial) zoning district of the Grove Avenue Specific Plan and is comprised of a multi-tenant commercial center. The property to the east, across Grove Avenue, is within the Business Park land use district of the Grove Avenue Specific Plan and is comprised of a multi-tenant commercial building. The existing surrounding land uses, zoning, general plan and specific plan land use designations, including the Project's development statistics are summarized in the "Surrounding Zoning & Land Uses" & "General Site & Building Statistics" tables located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(a) Site Design/Building Layout — The proposed development consists of a 3,920-square-foot convenience store (AM-PM), 1,140-square-foot detached carwash, and a 3,528-square-foot fueling canopy with 12-fuel disperser stations. The convenience store is located 18.5-feet away from the west property line (rear of the building). The detached carwash is proposed approximately 13-feet away from the north property line. The fueling canopy is located approximately 36-feet away from the Grove Avenue property line (east property line) and approximately 54-feet from the Philadelphia Street property line (south property line). The detached carwash will be accessed by way of a 12-foot-wide drive-thru lane that runs along the south side of the site, and then loops along the west side of the convenience store (rear side). Parking has been distributed along the front of the convenience store (east side of building) for customer convenience. Additional parking can be found on the northeast corner of the site where the air and water station will be located (see Exhibit B: Site Plan, attached).

(b) Site Access/Circulation — The Project site is currently accessed by two driveways along the Philadelphia Street frontage and two driveways along the Grove Avenue frontage. The development plan is proposing to only provide one 35-foot-wide driveway along Grove Avenue and one 35-foot-wide driveway along Philadelphia Street. Access will be restricted to right-in and right-out on both driveways. Pedestrian access to the convenience store will be provided by a 5-foot-wide sidewalk/path from the Philadelphia Street public sidewalk to the front of the store.

(c) Parking — The Project is located within the Grove Avenue Specific Plan, which reverts to the City's Development Code for off-street parking requirements. The Project is required to provide a total of 29 off-street parking spaces and 29 parking spaces have been provided. The off-street parking calculations for the Project are summarized in Table 2 Parking Summary within the Technical Appendix.

(d) Architecture — The proposed convenience store, fueling canopy, and detached carwash incorporate a fine sand stucco finish, stone veneer, prefabricated steel canopy elements covered with Alucobond aluminum composite panels, and storefront glazing (see Exhibits D through G: Exterior Elevations). Staff believes that the

proposed project illustrates the type of high-quality architecture promoted by the Grove Avenue Specific Plan and the Ontario Plan (TOP). This is exemplified through the use of: (i) articulation in the building footprint, incorporating recessed wall areas; (ii) articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building walls; (iii) a mix of exterior materials, finishes and fixtures; (iv) incorporation of a base and top treatment defined by changes in color, materials, and recessed wall areas; and (v) the buildings were designed to ensure that its massing and proportions, along with its colors and architectural detailing, are consistent throughout all building elevations (see Figure 1: South View Perspective, below).

Figure 1: South View Perspective



(e) Landscaping — The project has provided roughly 24 percent of landscape coverage across the site, which exceeds the minimum coverage of 15 percent required by the Grove Avenue Specific Plan (see Figure 2: Landscaping Perspective, below). The project provides an average landscape setback of 15-foot wide along the Grove Ave frontage, a 19-foot-wide landscape setback along the Philadelphia Street frontage, a 5-foot-wide landscape setback along the west property line, and an average of 12-foot wide along the north property. The Project will also provide landscaping along the interior parking lot area. The landscape plan incorporates a combination of 48-inch, 36-inch, and 24-inch box trees. In addition, the two entry driveways and the front outdoor plaza area of the convenience store have been designed with decorative paving to enhance these areas. The proposed on-site and off-site landscape improvements will assist towards creating a walkable and safe area for pedestrians (see Exhibit H—Landscape Plan, attached).

Figure 2: Landscaping Perspective



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

(g) Signage — All project signage is required to comply with sign regulations provided in Ontario Development Code Division 8.1. Pursuant to Development Code requirements.

PUBLIC NOTIFICATION: The subject application was advertised as a hearing in at least one newspaper of general circulation in the City of Ontario (the Inland Valley Daily Bulletin newspaper).

CORRESPONDENCE: As of the preparation of this Agenda Report, Planning Department staff has not received any written or verbal communications from the owners or occupants 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 appended to the attached Decision as “Attachment A.”

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 approving 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
- Focus Resources on 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:

- LU-1.3 Adequate Capacity. We require adequate infrastructure and services for all development.

- 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.

Community Economics Element:

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

- 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.

Safety Element:

- Goal S-1 Seismic & Geologic Hazards: Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by earthquake-induced and other geologic hazards.

- S-1.1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

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-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.

- 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-2.7 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-2.9 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-2.13 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-5 Protection of Investment: A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects the 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.

ENVIRONMENTAL REVIEW: The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines and meets each of the following conditions: (1) the Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations, as conditioned; (2) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (3) the Project site has no value as habitat for endangered, rare, or threatened species; (4) approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (5) the Project site is located on a site that can be adequately served by all required utilities and public services.

TECHNICAL APPENDIX

Table 1: Surrounding Zoning and Land Uses

| | Existing Land Use | Policy Plan Designation | Zoning Designation | Specific Plan Land Use |
|--------|---|--------------------------------|---------------------------------|-------------------------------|
| Site: | Service Station, Fuel Sales and Convenience Store | Business Park | SP (Grove Avenue Specific Plan) | Office/Commercial |
| North: | Caltrans Material and Equipment Storage Yard | Business Park | SP (Grove Avenue Specific Plan) | Office/Commercial |
| South: | Multi-tenant Retail Commercial and Fast-Food Restaurant | General Commercial | CC (Community Commercial) | N/A |
| East: | Fast-Food Restaurant | Business Park | SP (Grove Avenue Specific Plan) | Business Park |
| West: | Caltrans Material and Equipment Storage | Business Park | SP (Grove Avenue Specific Plan) | Office/Commercial |

Table 2: Parking Summary

| Type of Use | Building Area (in SF) | Parking Ratio | Spaces Required | Spaces Provided |
|--------------------|------------------------------|---|------------------------|------------------------|
| Convenience Store | 3,920 | 4 spaces per 1,000 SF (0.004/SF). | 16 | 29** |
| Fueling Station | 3,528 | 3 spaces minimum; plus, parking requirements for combination uses. Fueling stations operating in conjunction with other uses may be granted shared parking credit at the rate of one space for each fuel dispenser. | 3 | |
| Carwash (unmanned) | 1,440 | One space per employee, minimum 10 spaces. | 10 | |
| TOTAL | 8,588 | | 29 | 29** |

**** The "Spaces Provided" calculation includes a 12-parking space credit for fuel dispenser spaces and a 6-parking space credit for the carwash queuing lane.**

Table 3: General Site & Building Statistics

| Item | Required Min./Max. | Proposed | Meets Y/N |
|-------------------|---------------------------|-------------------|------------------|
| Project Area: | N/A | 0.87-acre | Y |
| Building Area: | N/A | 8,588 square feet | Y |
| Floor Area Ratio: | 0.35 Max. | 0.23 | Y |
| Building Height: | 35 feet Max. | 26 feet | Y |

Exhibit A: PROJECT LOCATION MAP



Exhibit B: SITE PLAN

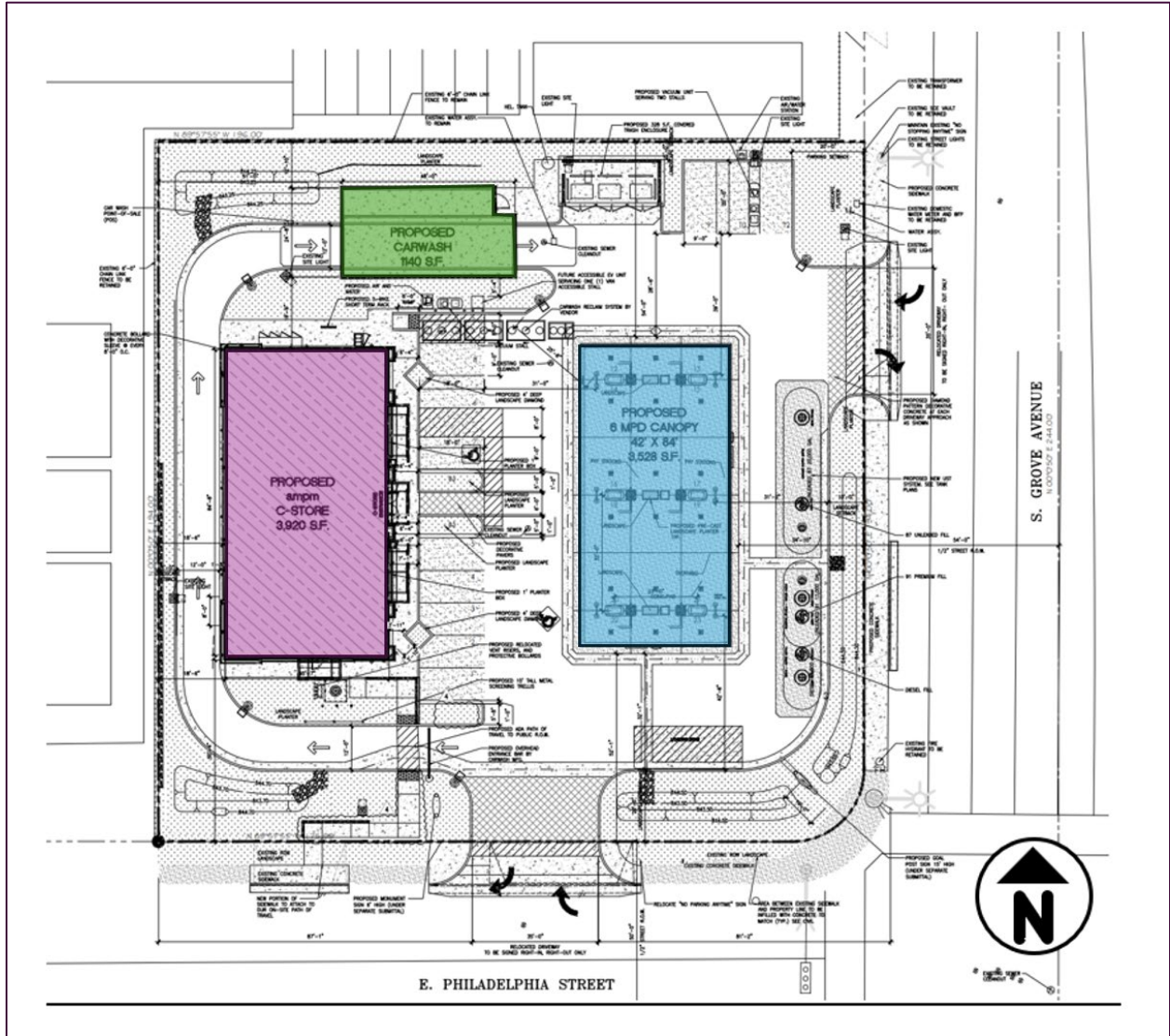


Exhibit C: CONVENIENCE STORE FLOOR PLAN

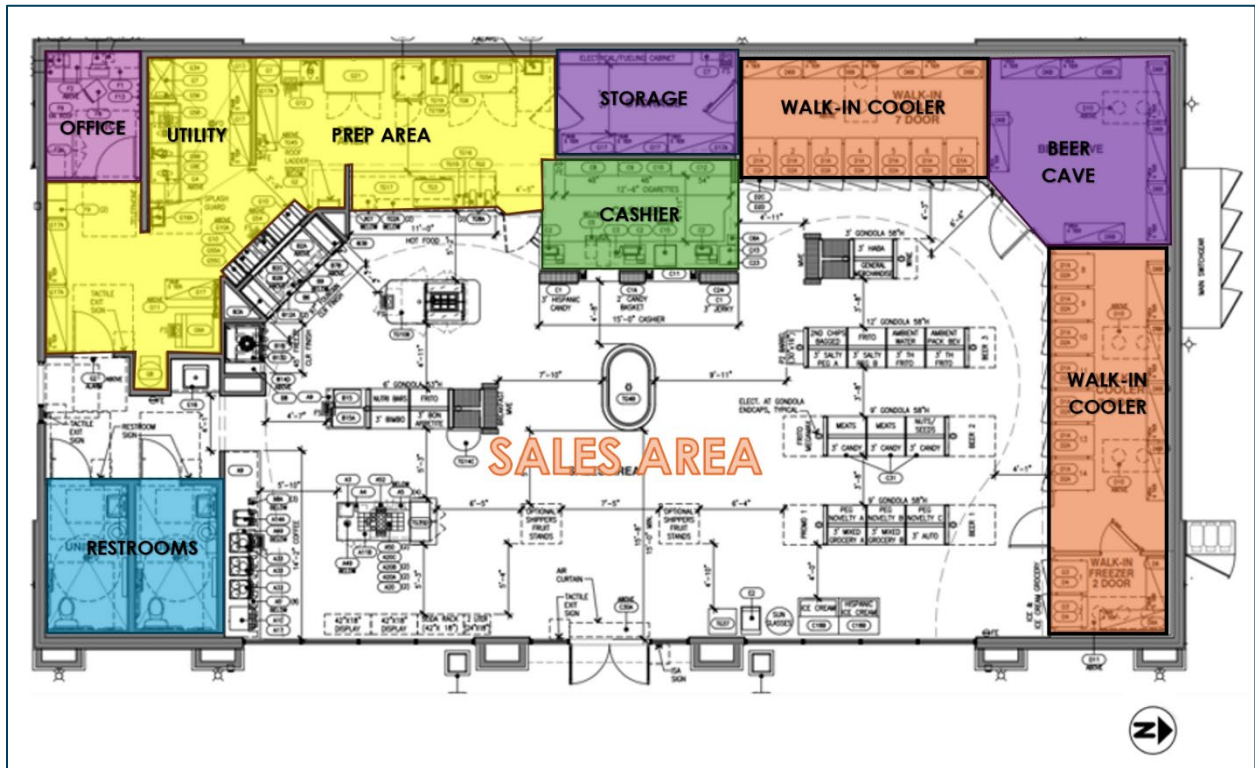


Exhibit D: CONVENIENCE STORE EXTERIOR ELEVATIONS



Exhibit E: CONVENIENCE STORE EXTERIOR ELEVATIONS

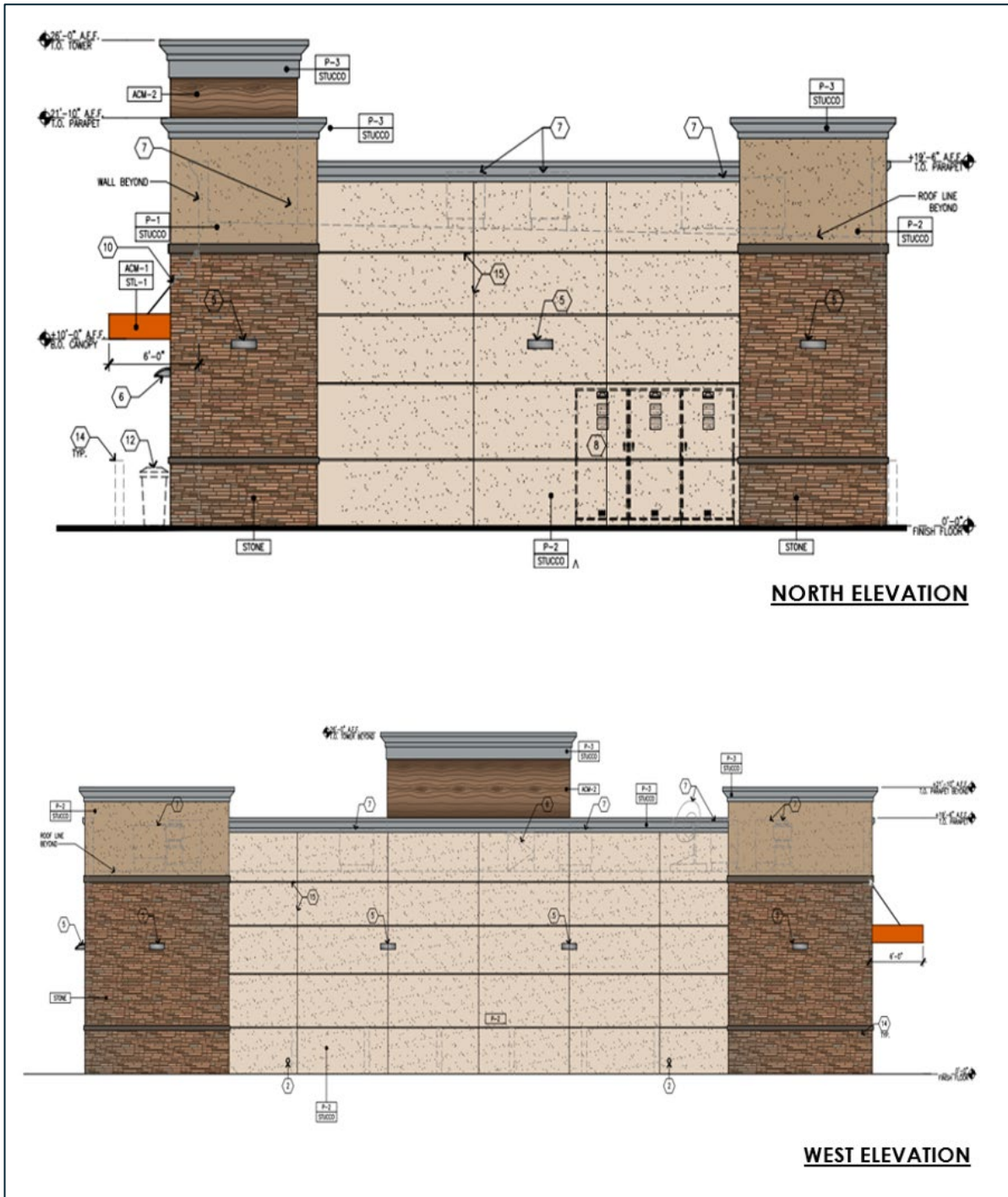


Exhibit F: FUEL PUMPS ELEVATIONS

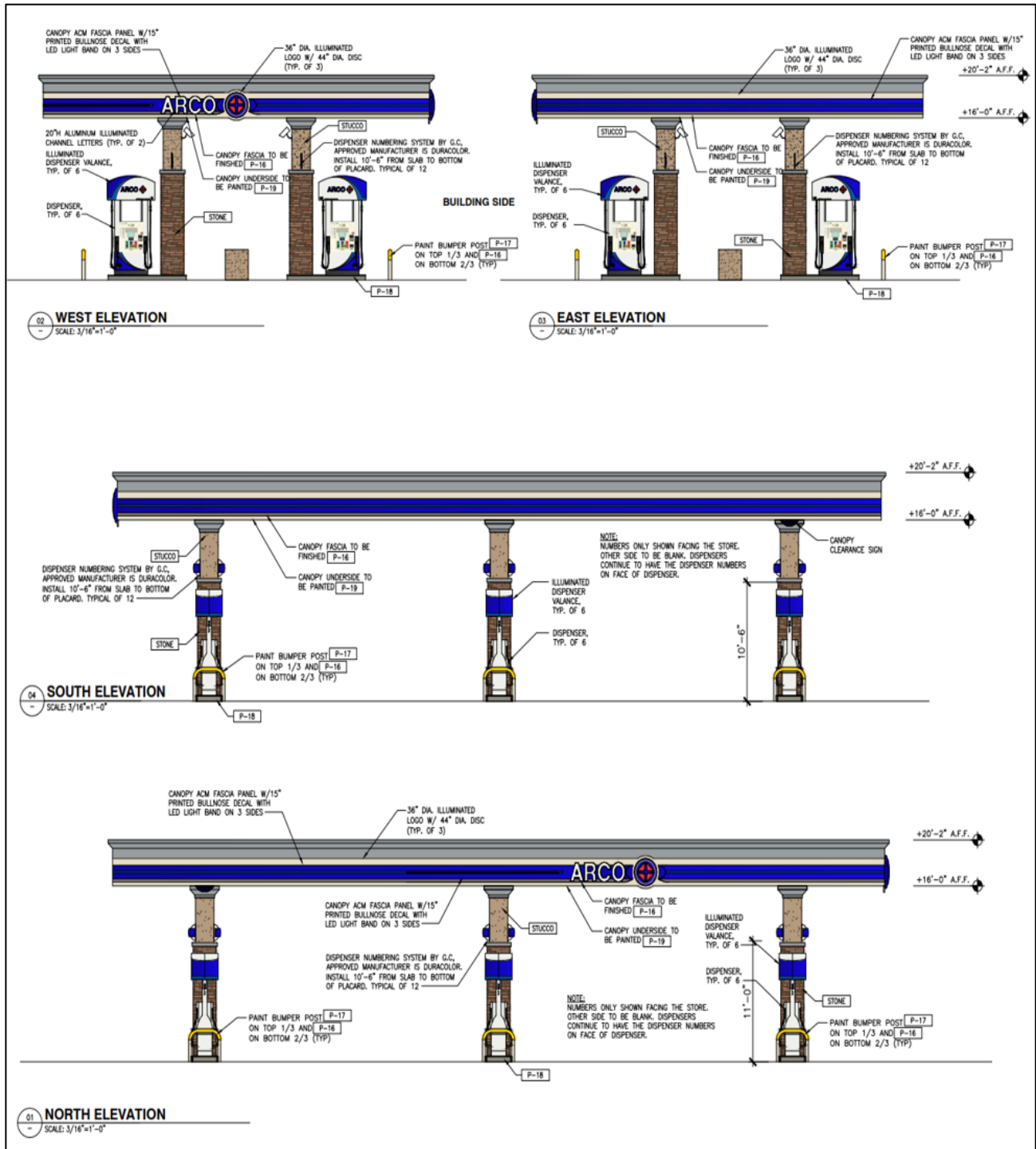


Exhibit G: CARWASH ELEVATIONS

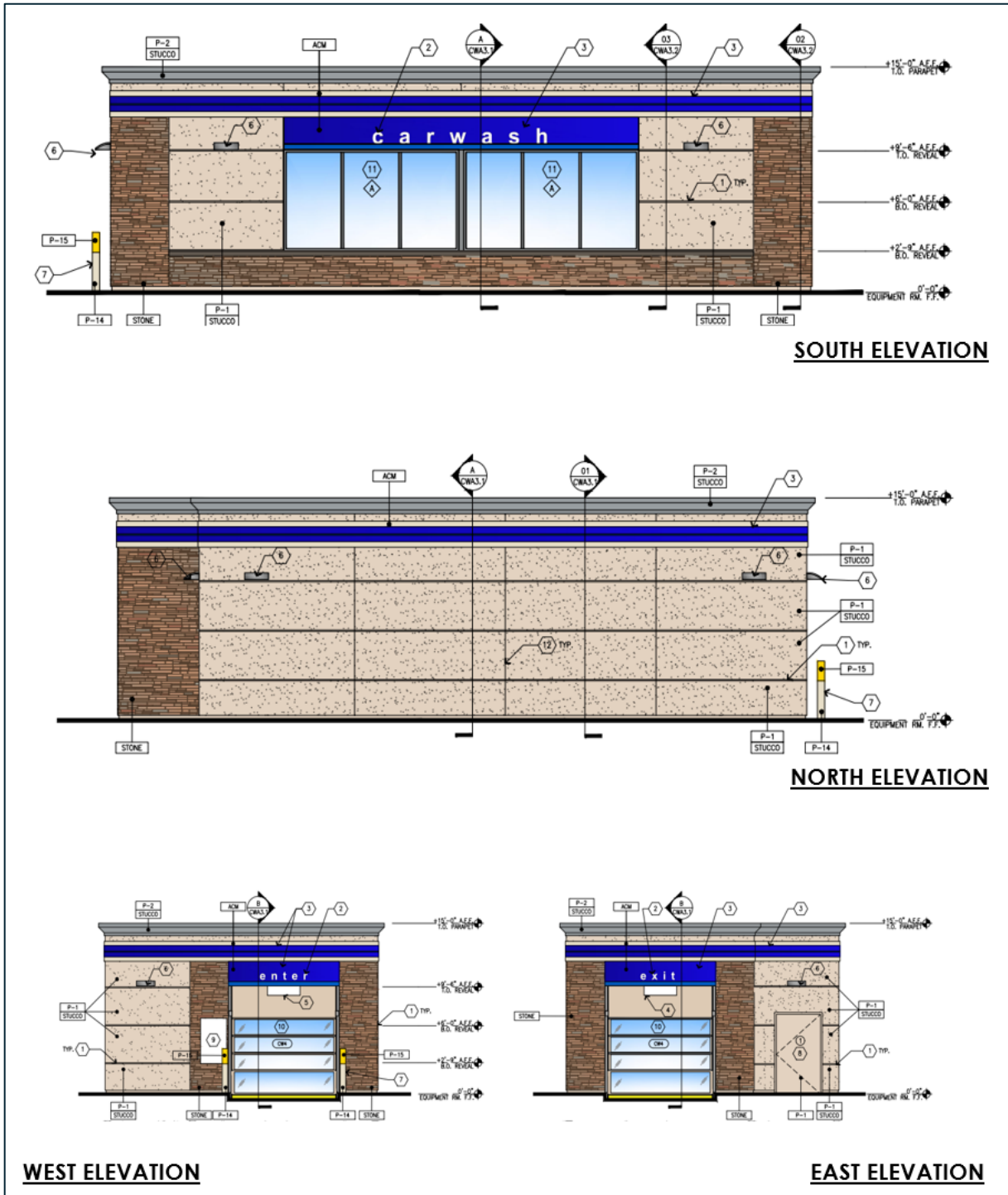


Exhibit H: LANDSCAPE PLAN

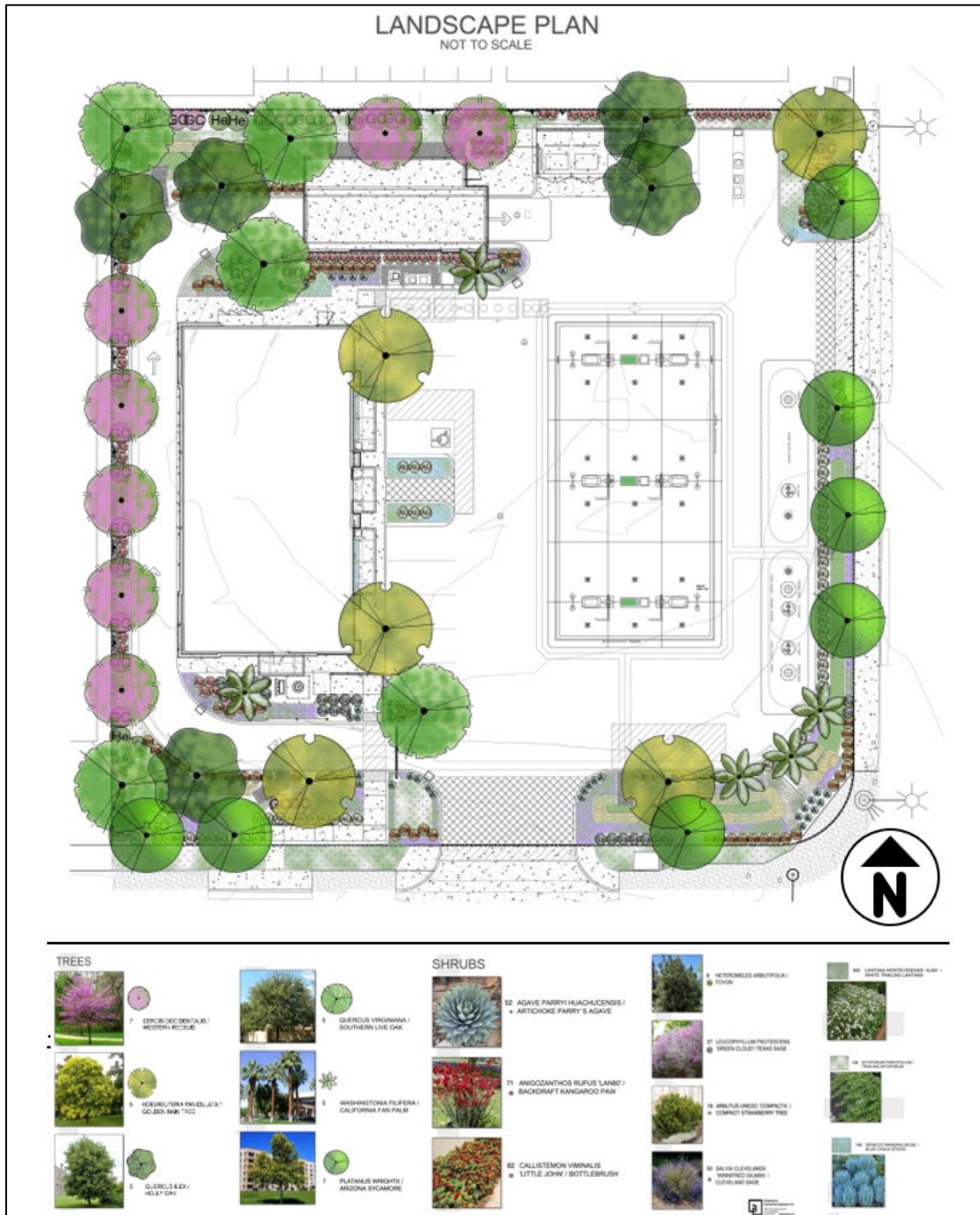
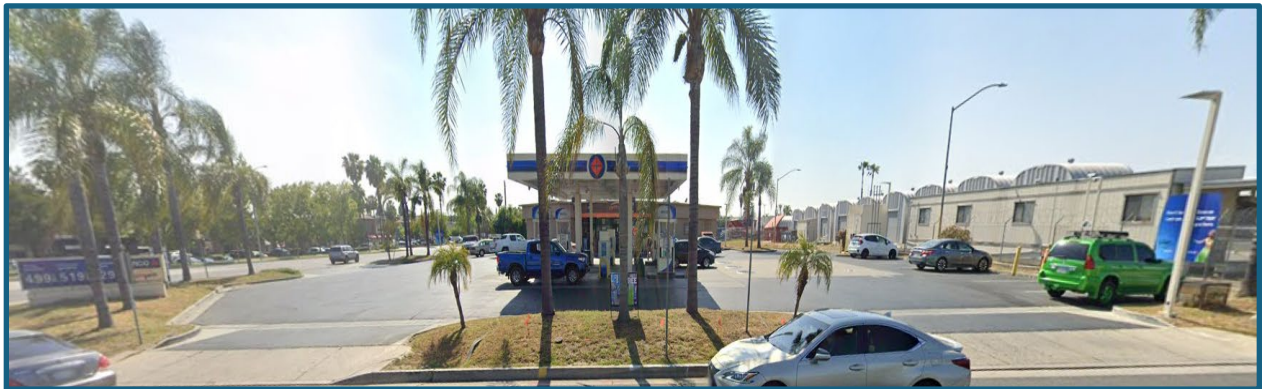


Exhibit I: SITE PHOTOS



Existing view from the south property line



Existing view from east property line

DECISION NO.:

FILE NO.: PDEV22-041

DAB Hearing Date: October 7, 2024

SUBJECT: A public hearing to consider a revision to Development Plan File No. PDEV19-069 to raze an existing service station and convenience store, to construct a new 3,920 square-foot convenience store, a 3,528 square-foot fuel canopy, and a 1,140 square-foot detached carwash on 0.87-acre of land located at 2156 S. Grove Avenue, within the Office/Commercial land use district of the Grove Avenue Specific Plan; (APN: 1050-491-08) **submitted by Ramila Patel.**

PART 1: RECITALS

WHEREAS, Ramila Patel (hereinafter referred to "Applicant") has filed an application requesting approval of a Development Plan (File No. PDEV22-041), as described in the Subject of this Decision (herein after referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.87-acre of land located at the northwest corner of Grove Avenue and Philadelphia Street, at 2156 South Grove Avenue. The site is currently improved with a service station convenience store and a freestanding canopy covering fuel dispensers. The existing improvements are to be demolished to facilitate the proposed Project; and

WHEREAS, the property abutting the Project site on the north and west property lines is located within the Office/Commercial land use district of the Grove Avenue Specific Plan and is occupied by a Caltrans storage facility. The property to the south of the Project site, across Philadelphia Street, is within the CC (Community Commercial) zoning district of the Grove Avenue Specific Plan and is comprised of a multi-tenant commercial center. The property to the east, across Grove Avenue, is within the Business Park land use district of the Grove Avenue Specific Plan and is comprised of a multi-tenant commercial building; and

WHEREAS, on September 28, 2021, the City of Ontario approved a Development Plan (File No. PDEV19-069) to demolish an existing service station convenience store with a fueling canopy in order to construct a 3,545 square-foot convenience store (AM-PM) with an attached 1,440 square-foot automated carwash, and a 3,499 square-foot fueling canopy, in conjunction with a Conditional Use Permit (File No. PCUP19-030) to establish alcoholic beverage sales for off-premises consumption; and

WHEREAS, on September 8, 2022, the Applicant submitted Development Plan application File No. PDEV22-041 to revise the previously approved Development Plan File No. PDEV19-069; and

WHEREAS, the proposed development consists of a 3,920-square-foot convenience store (AM-PM), a detached 1,140-square-foot detached carwash, and a 3,528-square-foot fueling canopy with a total of 12-fuel dispenser stations; and

WHEREAS, the previously approved Conditional Use Permit (File No. PCUP19-030) associated with the previously approved Development Plan (File No. PDEV19-069) will remain applicable to the proposed project under File No. PDEV22-041 upon DAB approval; and

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

WHEREAS, the Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines; and

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 approve 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 October 7, 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 2: 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 decision-making 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 and meets each of the following conditions: (a) the Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations, as conditioned; (b) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the Project site is located on a site that can be adequately served by all required utilities and public services; and

(2) The application of the 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 decision-making body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

SECTION 3: 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.

(1) 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 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.

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Business Park land use district of the Policy Plan Land Use Map, and the Office/Commercial land use designation of the Grove Avenue Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to the establishment of a dynamic, progressive city containing distinct districts that foster a positive sense of identity and belonging among residents, visitors, and businesses (Goal CD1). Furthermore, the project incorporates appropriate building orientation, attractive architecture, landscaping and site design that complements existing developments, respects the intent and identity of the Place Type, provides appropriate transitions and connections between adjacent uses to ensure compatibility of scale, and minimizes potential conflicts; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of

Ontario Development Code and the Office/Commercial land use designation of the Grove Avenue Specific Plan, including standards relative to the particular land use proposed (service station convenience store, fuel sales with a total of 12-fueling stations, and automated carwash), as well as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(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 Grove Avenue Specific Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Grove Avenue Specific Plan; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Office/Commercial land use designation of the Grove Avenue Specific Plan and Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as well as those development standards and guidelines specifically related to the particular land use being proposed (service station convenience store, fuel sales with a total of 12-fueling stations, and automated carwash). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Grove Avenue Specific Plan and the Ontario Development Code.

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby 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 6: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

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

APPROVED AND ADOPTED this 7th day of October 2024.

Development Advisory Board Chairman

Attachment A:

Departmental Conditions of Approval

(Conditions of Approval follow this page)



LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

Date Prepared: 10/7/2024
File No: PDEV22-041
Related Files: PDEV19-069 & PCUP19-030

Project Description: A revision to Development Plan File No. PDEV19-069 to raze an existing service station and convenience store, to construct a new 3,920 square-foot convenience store, a 3,528 square-foot fuel canopy, and a 1,140 square-foot detached carwash on 0.87-acre of land located at 2156 S. Grove Avenue, within the Office/Commercial land use district of the Grove Avenue Specific Plan; (APN: 1050-491-08) **submitted by Ramila Patel.**

Prepared By: Dora Harville, Administrative Intern
Phone: 909.395.2426 (direct)
Email: dharville@ontarioca.gov

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

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

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

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

2.4 Walls and Fences. All Project walls and fences 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). The 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 lit 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 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 using landscaping and/or decorative low garden walls.

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

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

2.10 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior 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.

(a) All conditions of approval for File No. PCUP19-030 shall apply to this Project File No. PDEV22-041.

(b) Entry driveways and outdoor plaza area to convenience store shall feature/provide decorative paving.

(c) During the plan check process color cut-sheets of all proposed exterior lighting fixtures shall be submitted for review and approval to planning.

(d) The design of all proposed parking lot light standards shall be decorative, and the style shall complement the buildings design.

(e) Trash enclosure gates shall remain closed at all times.

(f) Any roof equipment on buildings shall not be visible from public views. They shall be located below parapet walls or architectural tower to be screened from public views.

(g) All proposed safety bollards shall be decorative bollards, and the design and colors shall blend well with the landscape areas or architecture style of the buildings. Applicant shall work with staff during the plan check process to finalize their appearance. Color cut-sheets shall be submitted for review and final approval.

(h) Fuel canopy shall not have any light fixtures that are exposed or that project out; they shall all be inset a minimum of 6- inches from the bottom edge-line of the canopy. All lighting on canopy shall be internal and all lighting shall be directed down.

(i) Prior to project occupancy an 11" x 17" size set of Final approved plans shall be submitted to the Project Planner. In addition, a digital copy on a USB of the approved Final set of plans (complete set), shall be submitted to the Project Planner.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Land Development Division, Environmental Section, Traffic & Transportation Division, Ontario Municipal Utilities Company, Broadband Department, and Financial Services Agency 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. PDEV22-041 RELATED FILE NO(S). PDEV19-069 | |
| <input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__ | |

CITY PROJECT ENGINEER & PHONE NO: Brenda Fregoso (909) 395-2140

CITY PROJECT PLANNER & PHONE NO: Luis Batres (909) 395-2431

DAB MEETING DATE: October 7, 2024

PROJECT NAME / DESCRIPTION: A revision to Development Plan PDEV19-069 to raze an existing gas station and convenience store, and construct a new 3,920-square foot convenience store with fuel sales, a 3,528-square foot fuel canopy, and a 1,140-square foot car wash on 0.87-acre of land, within the Office/Commercial land use district of the Grove Avenue Specific Plan (APN: 1050-491-08)

LOCATION: 2156 South Grove Avenue
NWC of S Grove Ave and Philadelphia St

APPLICANT: Ramila Patel

REVIEWED BY: Raymond Lee 10/3/24
Raymond Lee, P.E. Date
Assistant City Engineer

APPROVED BY: Khoi Do 10-3-24
Khoi Do, P.E. Date
City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED 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 Financial Services Agency at (909) 395-2015 or email CFD@ontarioca.gov 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 parcel is a recognized parcel in the City of Ontario per Parcel 1 of Parcel Map 9082 recorded in Parcel Map Book 94 Page 82 of the County of San Bernardino 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 (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:**
 - a. **Property line corner 'cut-back' required at the northwest corner of Philadelphia Street and Grove Avenue.**

- 2.11 **Dedicate to the City of Ontario the following easement(s):**
 - a. **An easement for sidewalk purposes behind the driveway approach on Grove Avenue.**

- 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.**

- 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, approximately \$15,015.33, 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: _____



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 | Philadelphia Street | Grove Avenue | - | - |
|--|--|--|---|---|
| Curb and Gutter | <input checked="" type="checkbox"/> New at existing drive approach being removed <input checked="" type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> Remove and replace spandrel | <input checked="" type="checkbox"/> New at existing drive approach being removed <input checked="" type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace |
| AC Pavement | <input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions <input checked="" type="checkbox"/> AC grind and overlay, see 2.19 & 2.24 | <input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions <input checked="" type="checkbox"/> AC grind and overlay, see 2.19 & 2.24 | <input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions | <input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions |
| PCC Pavement (Truck Route Only) | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing |
| Drive Approach | <input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace |
| Sidewalk | <input type="checkbox"/> New <input checked="" type="checkbox"/> Replace damaged | <input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace |
| ADA Access Ramp | <input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace |
| Parkway | <input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation) | <input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation) | <input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation) | <input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation) |
| Raised Landscaped Median | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace |
| Fire Hydrant | <input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation | <input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation | <input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation | <input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation |



| | | | | |
|--|---|--|---|---|
| Sewer (see Sec. 2.C) | <input type="checkbox"/> Main <input type="checkbox"/> Lateral | <input type="checkbox"/> Main <input type="checkbox"/> Lateral | <input type="checkbox"/> Main <input type="checkbox"/> Lateral | <input type="checkbox"/> Main <input type="checkbox"/> Lateral |
| Water (see Sec. 2.D) | <input type="checkbox"/> Main <input checked="" type="checkbox"/> Irrigation Service Purple Ready <input checked="" type="checkbox"/> Abandon existing unused water service | <input type="checkbox"/> Main <input type="checkbox"/> Service <input checked="" type="checkbox"/> Abandon existing unused water service | <input type="checkbox"/> Main <input type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service |
| Recycled Water (see Sec. 2.E) | <input type="checkbox"/> Main <input type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service |
| Traffic Signal System (see Sec. 2.F) | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing |
| Traffic Signing and Striping (see Sec. 2.F) | <input checked="" type="checkbox"/> New signage <input type="checkbox"/> Modify existing | <input checked="" type="checkbox"/> New signage <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 checked="" type="checkbox"/> Conduit / Appurtenances | <input type="checkbox"/> Conduit / Appurtenances | <input type="checkbox"/> Conduit / Appurtenances |
| Overhead Utilities | <input type="checkbox"/> Underground <input type="checkbox"/> Relocate | <input type="checkbox"/> Underground <input type="checkbox"/> Relocate | <input type="checkbox"/> Underground <input type="checkbox"/> Relocate | <input type="checkbox"/> Underground <input type="checkbox"/> Relocate |
| Removal of Improvements | _____ | _____ | _____ | _____ |
| Other Improvements | -Parkway drain West of proposed drive approach | _____ | _____ | _____ |

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



- 2.19 **Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):**
 - a) **Philadelphia Street, from the centerline to edge of gutter along project frontage from Westerly project limit to East edge of proposed driveway. Remainder of Philadelphia is in moratorium.**
 - b) **Grove Avenue, from centerline to edge of gutter along project frontage from North edge of proposed Southerly driveway to Northerly project limit. Grove Avenue is in moratorium within project frontage.**
- 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 **Depending on site conditions and number of utility service cuts at time of construction, additional pavement restoration may be required.**
- 2.22 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.
- 2.23 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.
- 2.24 **Other conditions:**
 - a) **Philadelphia Street is partially within moratorium along the project frontage. Grove Avenue is entirely within moratorium along the project frontage. The applicant/developer is required to construct a grind and overlay as described in condition 2.19. Grove Avenue has portland cement concrete (PCC) along a portion of the project frontage, from Philadelphia Street to approximately 100 feet North of the intersection. PCC shall be replaced in-kind at driveway removal. No asphalt shall be constructed in PCC pavement areas. Any street improvements within moratorium limits are subject to the City's Moratorium Street Restoration Requirements memo, see attached. In the event the moratorium ends at the time of construction, then moratorium restoration requirements will no longer be applicable.**

C. SEWER

- 2.25 **A 10 inch sewer main is available for connection by this project in Grove Avenue. (Ref: Sewer Drawing Number: S11693)**
A 36 inch sewer main is available for connection by this project in Philadelphia Street. (Ref: Sewer Drawing Number: S13070)
- 2.26 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.27 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.
- 2.28 **Other conditions:**
 - a) **See attached OMUC Utilities Engineering Division Conditions of Approval for additional conditions.**

D. WATER



- 2.29 A 6 inch, 12 inch, and a 16 inch water main are available for connection by this project in Philadelphia Street. (Ref: Water Drawing Number: W11628, W11856)

A 6 inch and a 12 inch water main are available for connection by this project in Grove Avenue. (Ref: Water Drawing Number: W12362)
- 2.30 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.31 Other conditions:
 - a) See attached OMUC Utilities Engineering Division Conditions of Approval for additional conditions.

E. RECYCLED WATER

- 2.32 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water Drawing Number: _____)
- 2.33 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.34 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.
- 2.35 Submit one (1) electronic copy, in PDF format, of the Supplemental 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: The Division of Drinking Water review and approval process may take up to four (4) months. Contact the OMUC's Water Quality Programs at (909) 395-2678 or email OMUCWQPlanCheck@ontarioca.gov regarding this requirement. Failure to obtain an approval letter from the Division of Drinking Water authorizing the use of recycled water will delay meter installation and if applicable, occupancy release for new developments.
- 2.36 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.
- 2.37 Other conditions:
 - a) See attached OMUC Utilities Engineering Division Conditions of Approval for additional conditions.

F. TRAFFIC / TRANSPORTATION

- 2.38 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
- 2.39 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.40 Other conditions:
 - a) Design and construct all proposed driveways in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveways.
 - b) Driveways on both Grove Avenue and Philadelphia Street shall be signed right-in/right-out.



- out access only.
- c) Where a driveway closure is being proposed, the Applicant/Developer shall backfill the existing driveway curb-cuts with full-height curb and gutter, sidewalk, and landscaped parkway in accordance with all City standards and to the satisfaction of the City Engineer.
- d) The Applicant/Developer shall be responsible to design and construct sidewalk along the Grove Avenue frontage, in accordance with all applicable standards and to the satisfaction of the City Engineer.
- e) Grove Avenue shall be signed "No Stopping Anytime"; Philadelphia Street shall be signed "No Parking Anytime".

G. DRAINAGE / HYDROLOGY

- 2.41 A _____ inch storm drain main is available to accept flows from this project in _____. (Ref: Storm Drain Drawing Number: _____)
- 2.42 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.
- 2.43 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.
- 2.44 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.
- 2.45 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.
- 2.46 Other conditions:
 - a. The applicant/developer shall pay a fee (approximately \$207,379.37) in-lieu of constructing the 42-inch storm drain line (GROV-VIII-1b, B-23) in Grove along the project frontage (244-ft). The final in-lieu fee shall be determined by the City Engineer based on the City's Master Plan of Drainage.

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

- 2.47 401 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.



- 2.48 **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>.**
- 2.49 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.
- 2.50 **Other conditions:**
 - a) **This project shall comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB) by installing full trash capture devices on each proposed/refurbished catch basin. Full capture devices must be selected from the approved list on the State Water Board website. https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/trash_implementation/certified_fcsdevicelist_16Feb2021.pdf**
 - b) **Activities resulting in one acre or more land disturbance are required to obtain coverage under the Construction General Permit (CGP). The owner is the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at <https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml>.**

J. SPECIAL DISTRICTS

- 2.51 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 Financial Services Agency at (909) 395-2015 or email CFD@ontarioca.gov to initiate the CFD application process.
- 2.52 Other conditions: _____

K. FIBER OPTIC

- 2.53 A _____ fiber optic line is available for connection by this project in _____. (Ref: Fiber Optic Drawing Number: _____)
- 2.54 **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, generally located on Philadelphia Street and Grove Avenue.**
- 2.55 **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: PDEV22-041

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. **Supplemental Engineering Report, in electronic format (PDF format), for recycled water use only. Must be reviewed and submitted to the Division of Drinking Water by OMUC Water Quality Programs before clearing plan check workflows (includes grading and landscape plan reviews). *Approval letter issued by the Division of Drinking Water must be obtained before meter installation and if applicable, occupancy release.***
28. **Other: Precise Grading Plan , Minor Improvement Plan**



CITY OF ONTARIO MEMORANDUM



DATE: August 13, 2024

TO: Luis Batres, Planning Department
Brenda Fregoso, Engineering Department

FROM: Peter Tran, Utilities Engineering

SUBJECT: DPR #5.1 – Conditions of Approval (COA) - Utilities Comments(#10376)

PROJECT NO.: PDEV22-041

BRIEF DESCRIPTION

A Revision to Development Plan PDEV19-069 to raze an existing gas station and convenience store and construct a new 3,920-square foot convenience store with fuel sales, a 3,528-square foot fuel canopy, and a 1,140-square foot car wash on 0.87-acre of land located at 2156 South Grove Avenue, within the Office/Commercial land use district of the Grove Avenue Specific Plan (APN: 1050-491-08). Related Files: PDEV19-069.

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.

4. Public Utilities and Public Right-of-Way including Public Utility Easements (PUE): All City of Ontario Public Utilities shall be installed within a Public Right-of-Way. In this case, Public Right-of-Way (PRoW) means the improved or unimproved surface of and the space above and below any of the following that are controlled, used or dedicated to the City or that are for use by the public and located within the City's jurisdictional limits: streets, roadways, highways, avenues, lanes, alleys, sidewalks, public utility easements, rights-of-way and similar public property, or any combination these.

5. Unused Service Abandonment: All adjacent water services (along with connected appurtenances) and sewer laterals and main stubs along the frontages of the project site not used to provide service to this Development Project shall be abandoned back to the main in accordance with City Standards and Practices.

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

6. Sanitary Sewer Mains Improvements:
 - a. N/A.

7. Sanitary Sewer Service:
 - a. The proposed onsite private sewer system shall discharge wastewater to the Public Sanitary Sewer System through a Public Sewer Lateral per Standard #2003. The quantity of Public Sewer Laterals for the building shall be limited to the minimum necessary to meet all of the conditions of approval and as limited by the City.
 - i. Use the existing sewer lateral and install a cleanout at the back of the property line, on private property per the City of Ontario Standard Drawing 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 within 5 feet of any Public Sewer Lateral.

8. Private Onsite Sewer System and Plumbing: The Onsite Sewer System shall be privately maintained by the property owner and shall meet the following requirements:
 - a. For wastewater flows for non-residential uses:
 - i. The Onsite sewer system and building plumbing shall be designed in such a way that the sanitary domestic wastewater flows leave the building separately from non-sanitary wastewater flows (industrial, process, or kitchen, etc.) and the line for non-sanitary wastewater flows can be upgraded in the future to have pretreatment equipment (sand oil separator along with a sampling box) and devices on it, as required by a Wastewater Discharge Permit.
 - b. Private Onsite Sewer and Storm Water Quality Improvements: No storm water quality improvements (infiltration, detention, retention, bioswale, etc) shall be installed above or within 5 feet of any Private Onsite Sewer pipes.

9. Wastewater Discharge: For Non-Residential Uses: each Occupant of the building, or units, as applicable, shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of their Wastewater Discharge Permit. Requirements of Wastewater Discharge Permit may include, but not limited to include installing a monitoring manhole, clarifier, interceptor, or other wastewater pretreatment equipment.

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

10. Potable Water Main Improvements:

- a. N/A
- b. 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.

11. 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:

A. 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) Along Private Streets: 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 meter box or back of sidewalk (or back of curb where there is no sidewalk), whichever is closer.
- 3) 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.
- 4) 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. Irrigation Service: For landscape irrigation uses that are not served by Recycled Water currently, 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. The proposed irrigation service with a back flow must be off Philadelphia Street due to future recycled water main (future recycled water use/conversion) will be constructed in this street.

c. Fire Water Service: For onsite private Fire System uses:

- i. Where the domestic water service and meters connected to the Public Potable Water System that serves any use that is more than one (1) single family detached residential unit or any non-residential use: if an onsite private fire system is required, then 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.

d. Relocated Services: For any existing service with appurtenances to be relocated, the service shall be abandoned back to the main connection and the service and appurtenances shall be installed new per related City Standards.

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.

Recycled Water Conditions (Section 2.E): The Applicant shall comply with the following:

12. City Ordinance 2689: This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscape irrigation for HOA maintained areas and parks. Appropriately sized public and private mains shall be installed throughout the Project to meet this requirement, as approved by the City.

13. Recycled Water Service: In order to comply with City Ordinance 2689:
 - a. Purple Ready:
 - i. A recycled water main is Master Planned to be installed in the future within Philadelphia Street.
 - ii. Design and construct all Project irrigation areas that are permissible of using recycled water to the standards and requirements to use recycled water (such as using purple pipe, preparation and approval of an Engineer's Report for Recycled Water Use, etc).
 - iii. Install irrigation service(s) with meter and backflow for future recycled water use along Philadelphia Street connecting to the public potable water system temporarily until recycled water becomes available to the Project.
 - iv. When recycled water becomes available to the Project, the Project shall connect to recycled water and convert to recycled water use and all costs and fees shall be borne solely by the Project/Applicant. At such time the backflow shall be removed.
 - v. Community Service District (CFD) Maintained Irrigation Areas: Any irrigated areas that are to be maintained by a Community Service District (CFD) and not by the property owner or owners association require irrigation services and meters separate from those that are maintained by the property owner or owners association.



CITY OF ONTARIO MEMORANDUM

DEVELOPMENT PLAN REVIEW CONDITIONS OF APPROVAL Broadband Operations Section

DATE: 09/04/2024

PROJECT: PDEV22-041

LOCATION: 2156 S Grove

PROJECT ENGINEER: Brenda

BROADBAND PLAN CHECKER: Cameron Chadwick - CChadwick@ontarioca.gov

The following Conditions of Approval requirements must be incorporated prior to the Development Advisory Board and/or Zoning Administrator Hearing.

1. Project shall be designed and constructed 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 in the Right-of-Way (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. Contractor is responsible for locating and connecting conduit to existing OntarioNet hand holes on adjacent properties within a reasonable distance. There should be no "Gaps" in conduit between the contractor's development and the adjacent property. OntarioNet hand holes are typically located in the ROW at the extreme edge of a property.
3. Where a joint telecom or street light street crossing is required, include (2) 2" HDPE SDR-11 conduits or (1) 4" schedule 80 conduit sleeve. Terminate the street crossing conduit(s) in a new HH-3/22 OntarioNet hand hole in the right of way
4. The City requires a public utility easement for fiber optics on all private aisles/alley ways.
5. Hand holes - Design and install OntarioNet fiber optic hand hole HH-FP (10x00x10), HH-1 (13x24x18), HH-2 (17x30x24), HH-2A (24x36x30), HH-3 (30x48x36) and/or HH-4 (36x60x36) as needed. Respectively, Newbasis Part # PLA100010T-00002, PCA132418-00006, PCA-173024-90116, PCA-243630-90064, PCA-304836-90244 and PCA-366036-90146 or equivalent as specified per City Standard 1316. Conduits sweeping into hand holes shall enter in flush with the cut-out mouse holes aligned parallel to the bottom of the box and come in perpendicular to the wall of the box. Conduits shall not enter at any angle other than parallel. Provide 5-foot minimum clearance from existing/proposed utilities. All hand holes will have ¼-inch galvanized wire between the hand holes and the gravel it is placed on.
6. ROW Conduit – Design and install fiber optic conduit at a minimum depth of 36-inch. Trenching shall be per City Standard 1306. Install (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct and (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange with Black Stripe) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct.
7. Building Entrance (Single Family) – Design and install 0.75-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct from hand holes on property or hand holes in the ROW. Consult City's Fiber Team for design assistance.
8. Building Entrance (Multi-family and Commercial) - From the nearest handhole to the building entrance, design and install fiber optic conduit at a minimum depth of 36-inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install

locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct

9. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
10. A minimum 13/16 millimeter microduct joint use telecommunications conduit with pull-rope from the single-family, multi-family or commercial building communal telecom/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
11. Warning Tape - Contractor shall supply and install an approved non-detectable warning tape 18-inch above the uppermost conduit when backfilling trenches, pits or excavations greater than 10' in length. Warning Tape shall be non-detectable, Orange in color, 4-inch minimum width, 4 mil, 500% minimum elongation, with bold printed black letters "CAUTION - BURIED FIBER OPTIC CABLE BELOW" printed in bold black lettering no less than 2-inch high.
12. All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards. All hand holes, conduits and ducts shall be placed in the public right of way.
13. All unused conduits/ducts/microducts shall be protected with duct plugs that provide a positive seal. Ducts that are occupied shall be protected with industry accepted duct seal compound.
14. Locate/Tracer Wire - Conduit bank requires (1) 12AWG high strength (minimum break load 452#) copper-clad steel with 30mil HDPE orange insulation for locate/tracer wire. Contact City's Fiber Team for tracer wire specifications and see note 8.
15. Multi-family dwellings are considered commercial property.
16. Refer to the In-tract Fiber Network Design guideline on the City's website for additional in-tract conduit guidelines.



CITY OF ONTARIO

MEMORANDUM

TO: Engineering Department

FROM: Louis Abi-Younes, P.E., City Engineer

DATE: February 11, 2015

SUBJECT: Moratorium Street Restoration Requirements

The City places moratoriums on any street or alley that has been constructed, reconstructed, overlaid or slurry sealed. Moratoriums on streets and alleys are valid three years after construction is completed.

The street pavement moratorium was created to protect our capital investment in streets, the street pavement integrity, ride quality and appearance of new street surfaces. At times, it becomes necessary to cut into moratorium streets. Trench cuts on streets under the moratorium may be permitted under certain conditions, but will be subject to the City Engineer's approval and to following requirements:

1. All trenches shall be repaired per City standard drawing number 1306 for the Trench Excavation/ Backfill and Paving.
2. The trench and an additional 100-ft of type II slurry seal on each side of the trench for the full width of streets which were slurred within the past three years.
3. The trench and an additional 100-ft of grind and overlay with matching pavement type (i.e., conventional asphalt, rubberized hot mix asphalt, concrete) on each side of the trench for the full width of streets which were constructed or resurfaced within the past three years.
4. All work shall conform to City standards, the current edition of the "Greenbook" Standard Specifications for Public Work Construction and shall be performed to the satisfaction of the City Engineer.

Exception to the moratorium may be granted by the City Engineer for emergency repairs and for single utility trench cuts, which are not part of development projects, in local and collector streets to serve business owners and/or residents.



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner

FROM: Officer Anthony Galban, Police Department
CSO Heather Lugo

DATE: November 17, 2022

SUBJECT: PDEV22-041 A REVISION TO DEVELOPMENT PLAN PDEV19-069 TO RAZE AN EXISITING GAS STATION AND CONSTRUCT A NEW 3,920 SQUARE FOOT CONVENIENCE STORE WITH FUEL SALES, A 3,528 SQUARE FOOT FUEL CANOPY AND A 1,140 SQUARE FOOT CAR WASH LOCATED AT 2156 SOUTH GROVE AVENUE.

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

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

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

- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, and all cash registers. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall

be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.

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

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



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

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

DATE: October 25, 2022

SUBJECT: PDEV22-041 - A Revision to Development Plan PDEV19-069 to raze an existing gas station and convenience store, and construct a new 3,920-square foot convenience store with fuel sales, a 3,528-square foot fuel canopy, and a 1,140-square foot car wash on 0.87-acre of land located at 2156 South Grove Avenue, within the Office/Commercial land use district of the Grove Avenue Specific Plan (APN: 1050-491-08).
Related Files: PDEV19-069.

-
- 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
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 3,920 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 3,290 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): M

CONDITIONS OF APPROVAL:

1.0 GENERAL

- 1.1 The following are the Ontario Fire Department ("Fire Department") requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards ("Standards.") It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov/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.
- 2.7 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 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

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

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

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

6.0 OTHER SPECIAL USES

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.

- 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.

- 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, 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: Luis Batres, Senior Planner

DATE: July 09, 2024

SUBJECT: FILE #: PDEV22-041 5th Submittal Finance Acct#:

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

PROJECT DESCRIPTION: A Revision to Development Plan PDEV19-069 to raze an existing gas station and convenience store, and construct a new 3,920-square foot convenience store with fuel sales, a 3,528-square foot fuel canopy, and a 1,140-square foot car wash on 0.87-acre of land located at 2156 South Grove Avenue, within the Office/Commercial land use district of the Grove Avenue Specific Plan (APN: 1050-491-08). Related Files: PDEV19-069

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

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

The plan does not adequately address the departmental concerns.

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

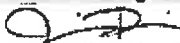
Landscape Planning Division *Jamie Richardson Sr.* Landscape Architect 08/06/2024

Department Signature Title Date

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

CONDITIONS OF APPROVAL

Sign Off


 Jamie Richardson, Sr. Landscape Architect

08/06/2024
 Date

Reviewer's Name:
Jamie Richardson, Sr. Landscape Architect

Phone:
(909) 395-2615

D.A.B. File No.:
 PDEV22-041
 Project Name and Location:
 Gas Station Demo + Rebuild
 2156 S Grove Ave
 Applicant/Representative:
 Ramila Patel nickromi@hotmail.com Barghausen Consulting Engineers
muehlin@barghausen.com
 2156 S Grove Ave

Case Planner:
 Dora Harville

| | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | A Preliminary Landscape Plan (07/09/2024) meets the Standard Conditions for New Development. It has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents. |
| <input type="checkbox"/> | A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required before Preliminary Landscape Plan approval. |

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

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

DIGITAL SUBMITTALS MUST BE 10 M.B. OR LESS.

Civil/Site Plans

1. Three (3) heritage trees have been removed from the site. The monetary value of the trees removed is \$19,100 and shall be paid to the City of Ontario Historic Preservation Fund for future city tree planting.
2. Reconfigure the accessible ramp along Philadelphia Street. The ramp shall not be sidewalk adjacent; show a minimum 3' planter between the sidewalk and ramp.
3. Show stormwater infiltration areas and show basins and swales to be no greater than 40% of the landscape area width to allow for ornamental landscape.
4. Show and dimension transformers set back 5' from paving on all sides. Coordinate with landscape plans.
5. Show and dimension backflow devices set back 4' from paving on all sides. Locate on level grade.
6. Provide detail for decorative paving at entries.
7. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
8. Dimension, show, and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb.
9. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or stormwater infiltration areas are located shall be loosened by soil fracturing. For trees, a 12'x12'x18" deep area; for stormwater infiltration, the entire area shall be loosened. Add the following information on

the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference, see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

10. Show the MWELO water budget on the conceptual landscape plan; *use the MWELO worksheet in the City of Ontario Landscape Development Guidelines*. Right of way calculations shall be separate.
11. Designer or developer to provide agronomical soil testing and include a report on landscape construction plans.
12. Limit the use of Agaves to accent areas and show them as 5 gallons. Limit use of *Muhlenbergia rigens* to accents.
13. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
14. 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. Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov