

# CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

# **AGENDA**

# **December 19, 2016**

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

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

Al Boling, City Manager
John P. Andrews, Economic Development Director
Kevin Shear, Building Official
Scott Murphy, Planning Director
Louis Abi-Younes, City Engineer
Chief Brad Kaylor, Police Department
Fire Marshal Art Andres, Fire Department
Scott Burton, Utilities General Manager
David Simpson, Facilities Development Manager
Bob Gluck, Housing and Municipal Services Director

# **PUBLIC COMMENTS**

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

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

#### AGENDA ITEMS

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

#### **CONSENT CALENDAR ITEMS**

# A. MINUTES APPROVAL

Development Advisory Board Minutes of December 5, 2016, approved as written.

#### **PUBLIC HEARING ITEMS**

B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN FILE NO. PDEV16-047: A modification (File No. PDEV16-047) to Development Plan File No. PDEV13-028 to introduce three new single-family floor plans, ranging in size from 2,295 square feet to 2,507 square feet, for 32 lots (Lots 1-7, 9-11, 16-35, 52 and 53) within Tract 18075. The project consist of 8.76 acres of land within Planning Area 12 (Conventional Small Lot) of the Subarea 29 Specific Plan, located on the southwest corner of McCleve Way East and Discovery Lane. The environmental impacts of this project were analyzed in the EIR (SCH#2004011009) prepared for the Subarea 29 Specific Plan (File No. PSP03-003). All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT and Chino. (APN: 218-052-02); submitted by KB Homes Southern California. Planning Commission action is required.

#### 1. CEQA Determination

No action necessary – use of previous EIR

#### 2. File No. PDEV16-047 (Development Plan)

Motion to recommend Approval/Denial

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

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

public hearing.

# The next Development Advisory Board meets on January 4, 2017.

I, Gwen Berendsen, Office Specialist of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **December 15, 2016**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

Gwenberendsen

#### CITY OF ONTARIO

#### **Development Advisory Board**

#### **Minutes**

#### **December 5, 2016**

#### **BOARD MEMBERS PRESENT**

Khoi Do, Chairman, Engineering Department Pedro Rico, Building Department Charity Hernandez, Economic Development Agency Lora Gearhart, Fire Department Sheldon Yu, Municipal Utilities Company Rudy Zeledon, Planning Department Scott Melendrez, Police Department

#### **BOARD MEMBERS ABSENT**

Representative, Housing and Municipal Services Agency

#### **STAFF MEMBERS PRESENT**

Antonio Alejos, Engineering Department Luis Batres, Planning Department Marci Callejo, Planning Department Omar Gonzalez, Engineering Department Lorena Mejia, Planning Department Charles Mercier, Planning Department David Simpson, Development Agency

#### **PUBLIC COMMENTS**

No one responded from the audience.

#### **CONSENT CALENDAR ITEMS**

**A.** <u>APPROVAL OF MINUTES</u>: Motion to approve the minutes of **November 21, 2016** of the Development Advisory Board was made by Mr. Rico seconded by Mr. Zeledon; and approved unanimously by those present 7-0.

#### **PUBLIC HEARING ITEMS**

B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV15-024: A Development Plan to construct a 1,050 SF industrial building on a 0.13-acre parcel of land, located at the southeast corner of State Street and Sultana Avenue, at 524 East State Street, within the IL (Light Industrial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within

the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (APN: 1049-231-04); submitted by Secured Income Group, Inc.

#### 1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

#### 2. File No. PDEV15-024 (Development Plan)

Motion to Approve/Deny

No Applicant was present to agree to the conditions of approval.

Motion to approve **File No. PDEV15-024** was made by Mr. Yu; seconded by Ms. Gearhart and approved unanimously by those present 7-0.

C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV14-040: A Development Plan to construct a five-story, 68-unit residential apartment complex (Villa Palmetto) on 1.98 acres of land, located at the southwest corner of Mission Boulevard and Palmetto Avenue, within the HDR-45 zoning district. Pursuant to the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration has been prepared for the project. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APN: 1011-382-04); submitted by Mission Pams Investments, LLC. Planning Commission action is required.

#### 1. CEQA Determination

Motion to recommend Approval/Denial of a Mitigated Negative Declaration

# 2. File No. PDEV14-040 (Development Plan)

Motion to recommend Approval/Denial

No Applicant was present to agree to the conditions of approval.

Motion to recommend approval of the **MND and File No. PDEV14-040** was made by Mr. Yu; seconded by Ms. Hernandez and approved unanimously by those present 7-0.

**ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV16-042:** A Development Plan to construct 55 single-family homes on approximately 7.07 acres of land within the P7 (single-family detached) residential land use designation of the Edenglen Specific Plan, located within two neighborhoods: the first bounded by Tulane Way to the north, Hampton Way to the east, Bradley Lane to the south and Claremont Drive to the west; and the second bounded by Riverside Drive to the north, the SCE utility easement corridor the east, Heritage Lane to the south and Cambridge Drive

Development Advisory Board Minutes – December 5, 2016 Page 3

to the west. The environmental impacts of this project were previously reviewed in conjunction with the Edenglen Specific Plan EIR (SCH# 2004051108) that was adopted by the City Council on November 1, 2005 and was prepared pursuant to the requirements of California Environmental Quality Act. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 218-931-01 thru 23, 218-931-75 thru 87 and 218-941-57 thru 78); submitted by Brookcal Ontario, LLC. Planning Commission action is required.

# 1. CEQA Determination

No action necessary – use of previous EIR

#### 2. File No. PDEV16-042 (Development Plan)

Motion to recommend Approval/Denial

No Applicant was present to agree to the conditions of approval.

Motion to recommend approval of File No. PDEV16-042 was made by Mr. Zeledon; seconded by Ms. Gearhart and approved unanimously by those present 7-0.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marci Cally

Marci Callejo

Recording Secretary

DECISION NO.: [insert #]

FILE NO.: PDEV16-047

**DESCRIPTION:** A modification (File No. PDEV16-047) to Development Plan File No. PDEV13-028 to introduce three new single-family floor plans, ranging in size from 2,295 square feet to 2,507 square feet, for 32 lots (Lots 1-7, 9-11, 16-35, 52 and 53) within Tract 18075. The project consist of 8.76 acres of land within Planning Area 12 (Conventional Small Lot) of the Subarea 29 Specific Plan, located on the southwest corner of McCleve Way East and Discovery Lane. (APN: 218-052-02); **submitted by KB Homes Southern California**.

#### PART I: BACKGROUND & ANALYSIS

KB HOMES SOUTHERN CALIFORNIA, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV16-047, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) Project Setting: The project site is comprised of 8.76 acres of land located within Planning Area 12 (Conventional Small Lot) of the Subarea 29 Specific Plan, located on the southwest corner of McCleve Way East and Discovery Lane, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Single Family Homes/ Vacant Lots	Low Density Residential	Subarea 29 Specific Plan	Planning Area 12 3,825 SF Lots
North	Single Family Homes	Low Density Residential	Subarea 29 Specific Plan	Planning Area 10 & 13  Land Loaded\ Green  Court-Cluster
South	Bellegrave Flood Control Channel	City of Eastvale	City of Eastvale	SCE Utility Corridor
East	SCE Utility Corridor	Open Space Non- Recreation	Subarea 29 Specific Plan	SCE Utility Corridor

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
West	Single Family Homes	Low Density	Subarea 29 Specific	Planning Area 8
		Residential	Plan	4,250 SF Lots

(2) Project Description: The proposed modification to Development Plan File No. PDEV13-028 will introduce three new single-family floor plans, ranging in size from 2,295 square feet to 2,507 square feet, for the 32 remaining lots (Lots 1-7, 9-11, 16-35, 52 and 53) within Tract 18075. Similar to the original development plan approval, three two-story floor plans are proposed, each with three elevations per plan and an additional fourth elevation for corner lot conditions. The homes will be oriented toward the streets (architectural forward) with front entries and walks facing the street. Garage access will be taken from the public street.

Three two-story floor plans are proposed, each with three elevations per plan and an additional fourth elevation for corner lot conditions. The homes will be oriented toward the streets (architectural forward) with front entries and walks facing the street. Garage access will be taken from the public street. The three plans include the following:

- Plan 4: 2,295 square feet, 3 bedrooms (option for 4<sup>th</sup> bedroom) and 2 ½ baths.
- Plan 5: 2,377 square feet, 5 bedrooms (4 bedrooms option with a loft) and 3 baths.
- Plan 6: 2,507 square feet, 5 bedrooms (4 bedrooms option with a loft) and 3 baths.

All three plans incorporate various design features, such as single and second story massing, varied entries, front porches, outdoor patio rooms, 2<sup>nd</sup> floor laundry facilities, an option for a loft in place of a 5<sup>th</sup> bedroom (Plans 5 and 6 only), and a great room. In addition, each home will have a two-car garage and standard driveway. The homes will feature a garage shallow design, which locates the garage at a minimum 5 feet behind front elevation\living space.

The proposed architectural designs of the homes are consistent with the previous approved architectural designs for Plans 1, 2 and 3, that included Spanish Colonial, Craftsman and Cottage. These styles complement one another through the overall scale, massing, proportions, and details. The proposed designs are consistent with the design guidelines of the Specific Plan. The three architectural styles will include the following (see attached Exhibit "C" for all Plans proposed):

<u>Spanish Colonial</u>: Low-pitched "S" tile roof with single hipped design with one intersecting gable at the front and rear, stucco exterior, arched entry opening, decorative cobles at gable ends, garage header and below second story projections, square and arched windows openings with stucco trim, and decorative vents below gables.

<u>Craftsman</u>: Shallow pitch roofs with deep overhangs with intersecting single or double gables, wood knee brackets and vertical siding below gables, exterior materials of stucco and horizontal lap siding and single siding with stone veneer base treatment, covered porches with simple tapered columns with a stone veneer base and decorative windows with wood\stucco trim and wood window boxes.

<u>Cottage</u>: High hipped roof with intersecting single or double gables, horizontal siding with wood dentils below gables, stucco exterior with stone veneer base treatment, covered porch entries with decorative wood\stucco column design, deep set windows with wood shutters.

All three plans will be provided with front lawn landscaping (lawn, shrubs and trees) and an automatic irrigation system to be installed by the developer. The homeowner will be responsible for side and rear yard landscape improvements. The decorative split face masonry block walls will be used on interior tract street facing walls to be consistent with existing split face block wall design used on the constructed homes within the tract.

#### PART II: RECITALS

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with the Subarea 29 Specific Plan (File No. PSP03-003) for which an Environmental Impact Report (SCH#2004011009) was adopted by the City Council on October 19, 2006, and this Application introduces no new significant environmental impacts; and

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

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

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

WHEREAS, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning

Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (53) and density (6.0 DU/Acre) specified in the Available Land Inventory; and

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

WHEREAS, the related project, File No. PDEV13-028, was approved by the Planning Commission on March 25, 2014 (Resolution PC14-019), and all departmental conditions of approval shall apply to this Application; and

WHEREAS, on December 19, 2016, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

#### PART III: THE DECISION

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

SECTION 1: As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previously adopted Subarea 29 Specific Plan (File No. PSP03-003) Environmental Impact Report (SCH#2004011009) and supporting documentation. Based upon the facts and information contained in the Environmental Impact Report (SCH#2004011009) and supporting documentation, the DAB finds as follows:

- (1) The previous Subarea 29 Specific Plan Environmental Impact Report (SCH#2004011009) contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (2) The previous Subarea 29 Specific Plan Environmental Impact Report (SCH#2004011009) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and
- (3) The previous Subarea 29 Specific Plan Environmental Impact Report (SCH#2004011009) reflects the independent judgment of the Planning Commission; and
- (4) All previously adopted mitigation measures, which are applicable to the Project, shall be a condition of Project approval and are incorporated herein by this reference.

SECTION 2: Based upon the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Environmental Impact Report is not required for the Project, as the Project:

- (1) Does not constitute substantial changes to the Subarea 29 Specific Plan Environmental Impact Report (SCH#2004011009) that will require major revisions due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- (2) Does not constitute substantial changes with respect to the circumstances under which the Subarea 29 Specific Plan Environmental Impact Report (SCH#2004011009) was prepared, that will require major revisions to the Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.
- (3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Subarea 29 Specific Plan Environmental Impact Report (SCH#2004011009) was adopted/certified, that shows any of the following:
- (a) The project will have one or more significant effects not discussed in the Subarea 29 Specific Plan Environmental Impact Report (SCH#2004011009); or
- (b) Significant effects previously examined will be substantially more severe than shown in the Subarea 29 Specific Plan Environmental Impact Report (SCH#2004011009); or
- (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or
- (d) Mitigation measures or alternatives considerably different from those analyzed in the Subarea 29 Specific Plan Environmental Impact Report (SCH#2004011009) would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.
- SECTION 3: Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the specific findings set forth in Sections 1 and 2, above, the DAB hereby concludes as follows:
- (1) The Project 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 Subarea 29 Specific Plan, including standards relative to the particular land use proposed (single-family residential homes), as well as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, onsite and off-site landscaping, and fences, walls and obstructions; and

- (2) The Project 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 proposed location of the Project, and the proposed conditions under which it will be constructed and maintained, is consistent with the Policy Plan component of The Ontario Plan and the City's Development Plan, and, therefore, will not be detrimental to the public health, safety, and general welfare; and
- (3) The Project will not have a significant adverse impact on the environment. The environmental impacts of the Project were reviewed in conjunction with the Subarea 29 Specific Plan EIR (SCH# 2004011009) prepared for the project, which will mitigated identified environmental impacts to an acceptable level; and
- (4) The Project is consistent with the development standards set forth in the Development Code and the Subarea 29 Specific Plan. The proposed project has been reviewed for consistency with the development standards contained in the City of Ontario Development Code and the Subarea 29 Specific Plan, which are applicable to the Project, including those related to the particular land use being proposed (dormitory/classrooms in conjunction with religious assembly), as well as 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 a result of such review, staff has found the project, when implemented in conjunction with the conditions of approval, to be consistent with the applicable Development Code and the Subarea 29 Specific Plan requirements; and
- (5) The Project is consistent with the design guidelines set forth in the Development Code and the Subarea 29 Specific Plan. The proposed project has been reviewed for consistency with the design guidelines contained in the City of Ontario Development Code and the Subarea 29 Specific Plan, which are applicable to the Project, including those guidelines relative to walls and fencing; lighting; streetscapes and walkways; parks and plazas; paving, plants and furnishings; on-site landscaping; and building design. As a result of such review, staff has found the project, when implemented in conjunction with the conditions of approval, to be consistent with the applicable Development Code and the Subarea 29 Specific Plan design guidelines.

SECTION 4: Based upon the findings and conclusions set forth in Sections 1 through 3, above, the DAB hereby recommends the Planning Commission:

Development Advisory Board Decision File No. PDEV16-047 December 19, 2016

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

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

SECTION 6: 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.

- - - - - - - - - - - -

APPROVED AND ADOPTED this 19th day of December 2016.

Development Advisory Board Chairman

Exhibit A: Project Location Map



Exhibit B: Site Plan

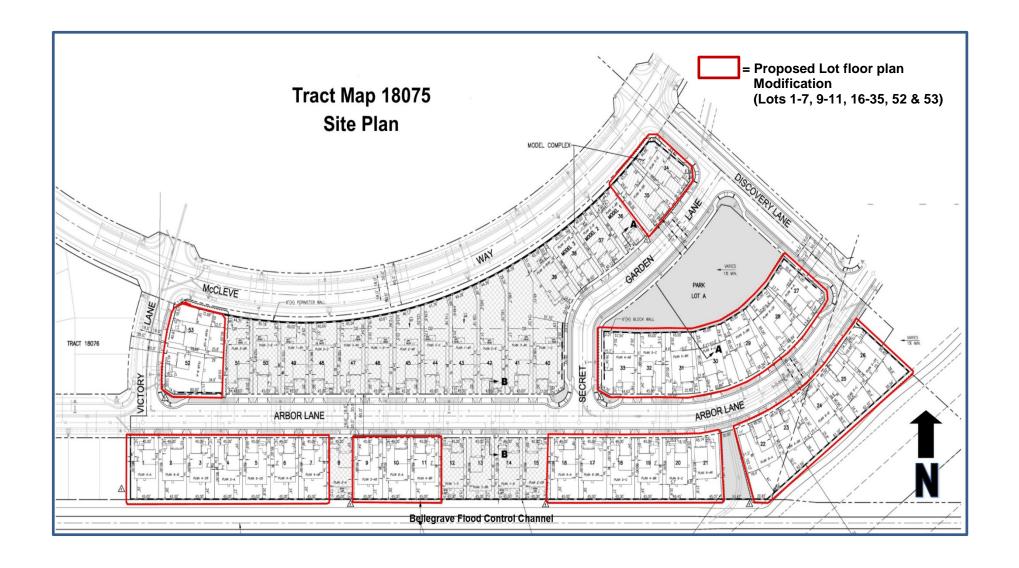
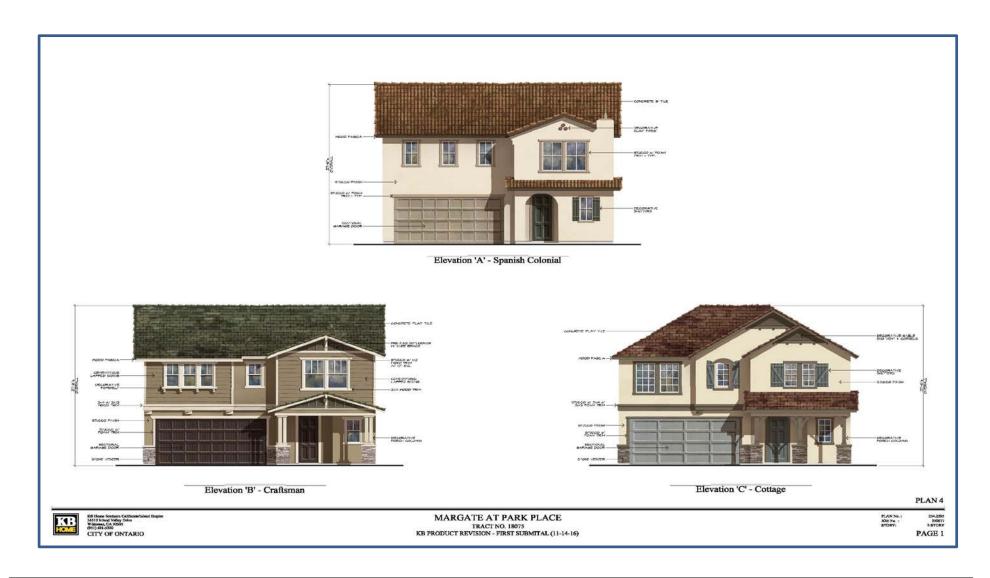
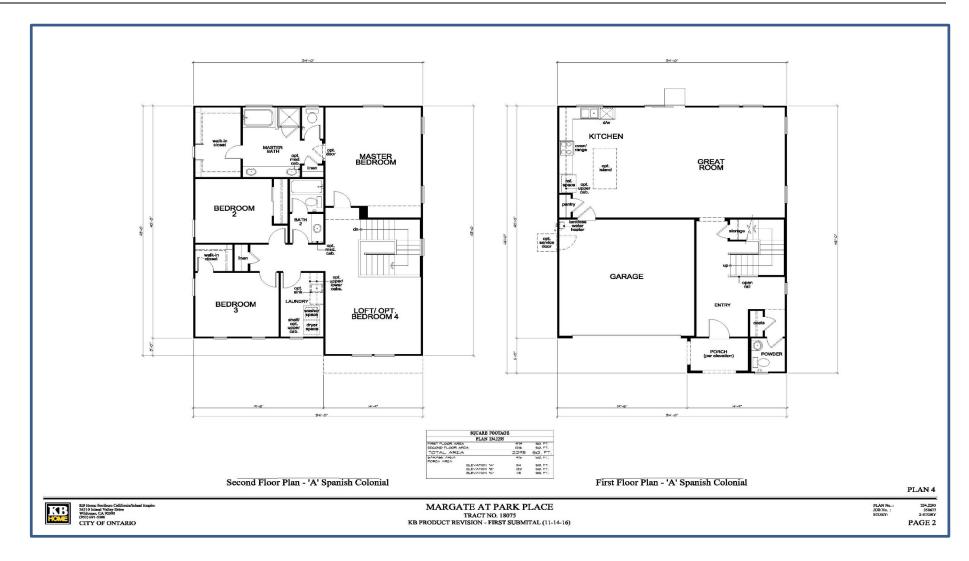
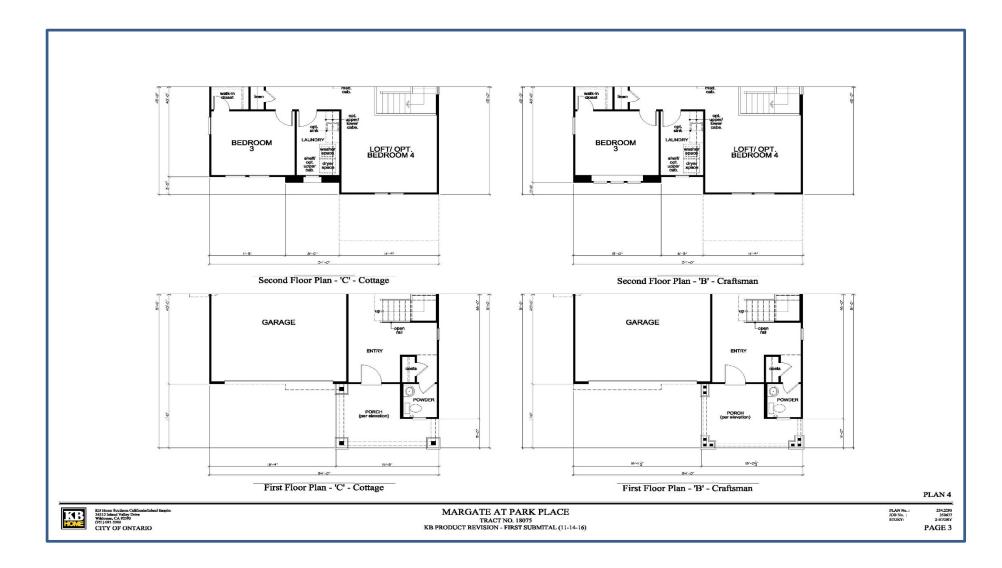
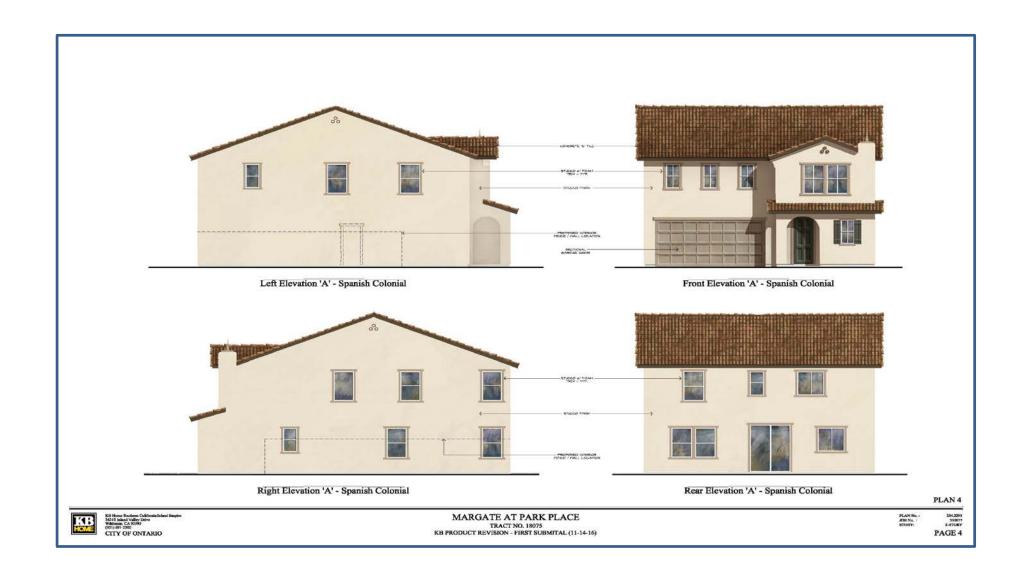


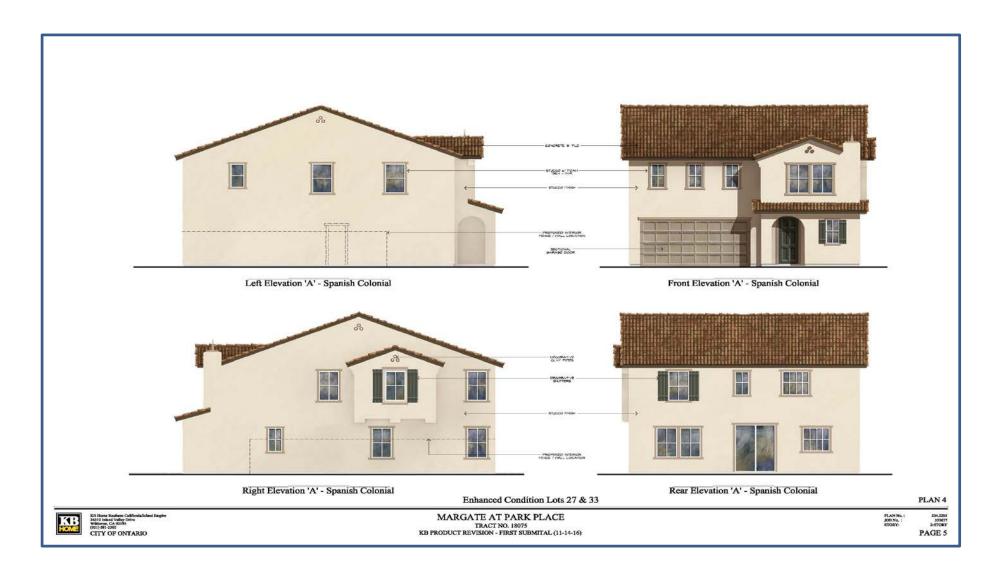
Exhibit C: Elevations & Floor Plans





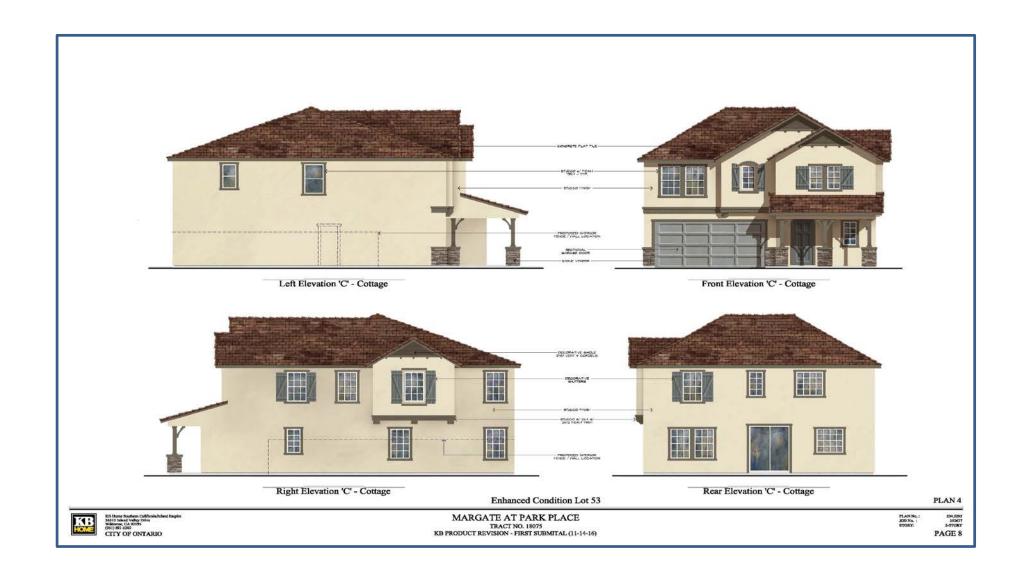




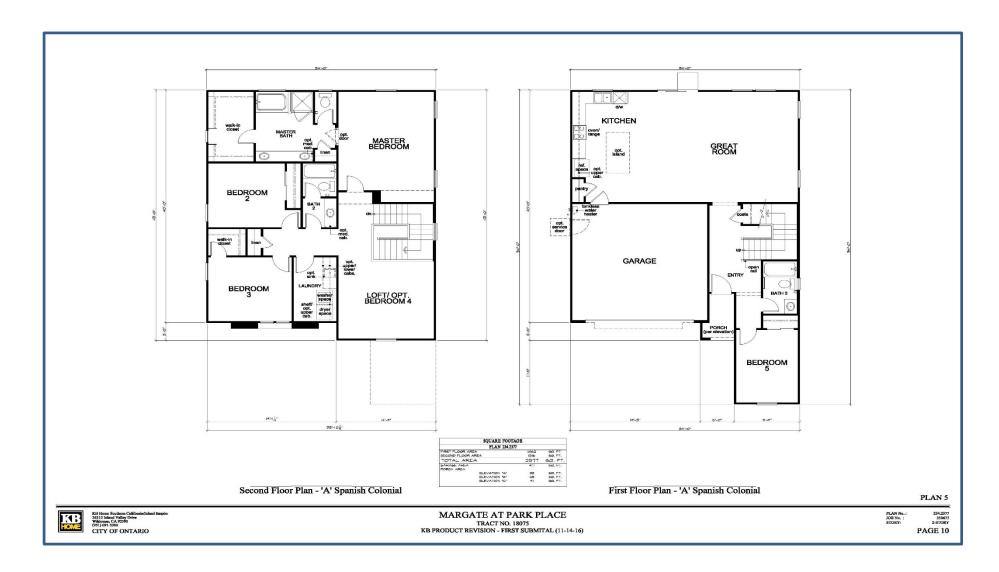












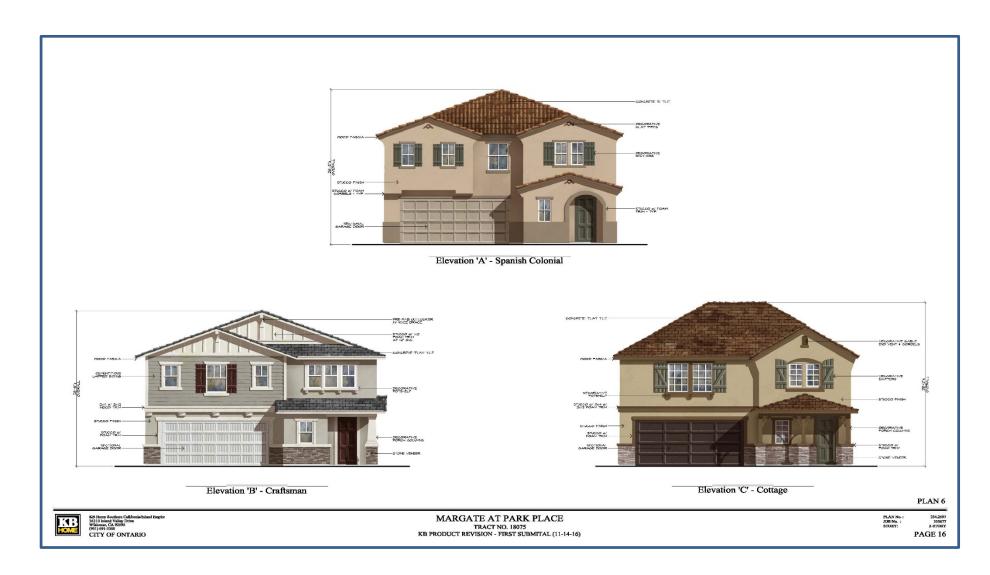


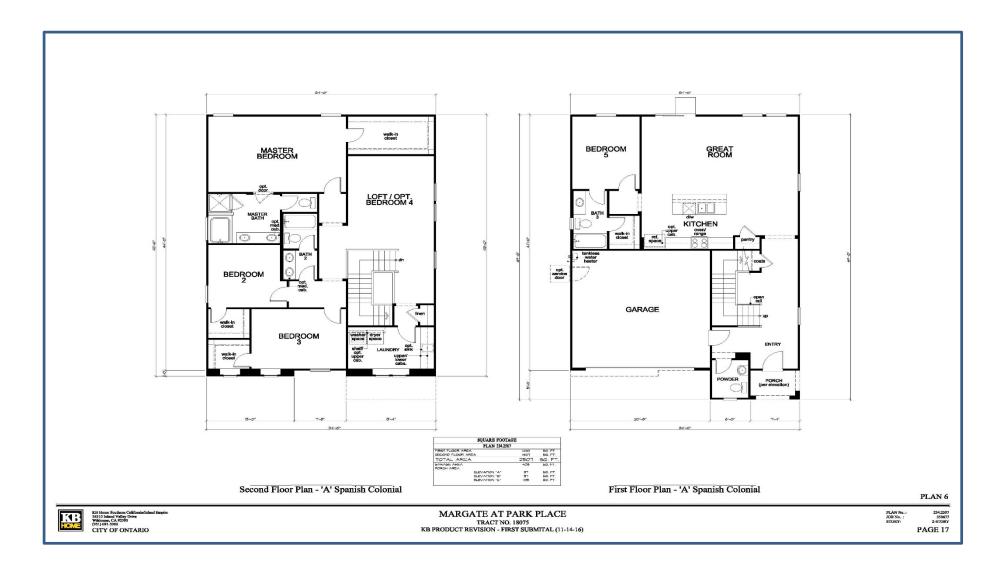












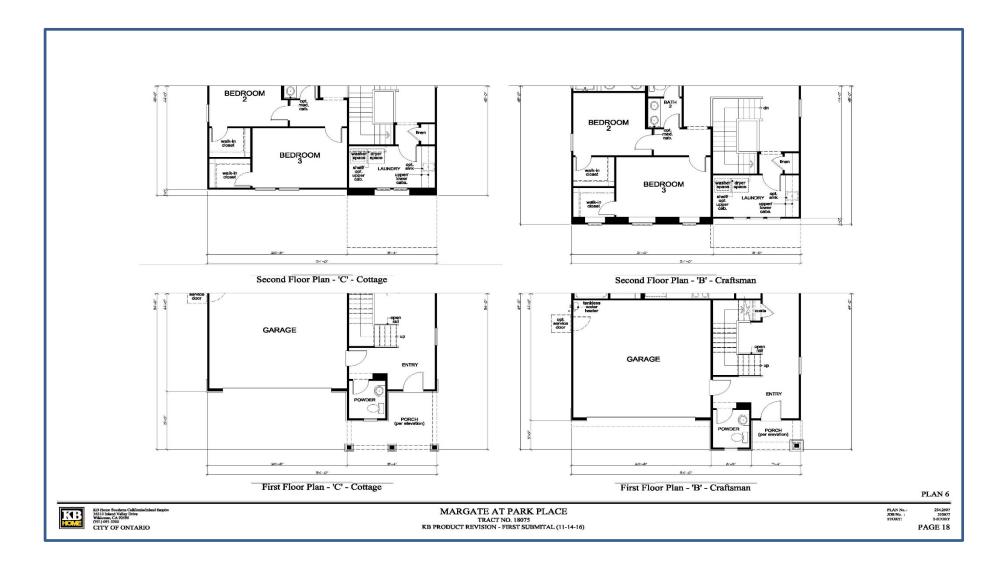


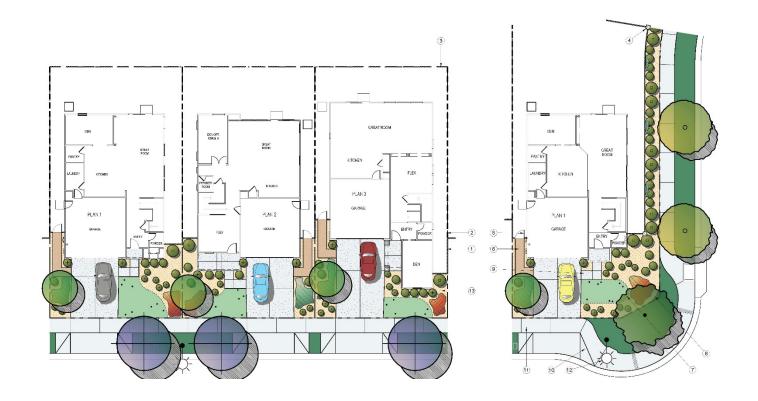








Exhibit D: Typical Front yard Landscape Plan



### Attachment "A"

### FILE NO. PDEV16-047 DEPARTMENTAL CONDITIONS OF APPROVAL

(Departmental conditions of approval to follow this page)



# Planning Department Land Development Section Conditions of Approval

Meeting Date: December 19, 2016

File No: PDEV16-047

Related Files: PDEV13-028 and PMTT06-017 (Tract 18075)

**Project Description:** A modification (File No. PDEV16-047) to Development Plan File No. PDEV13-028 to introduce three new single-family floor plans, ranging in size from 2,295 square feet to 2,507 square feet, for 32 lots (Lots 1-7, 9-11, 16-35, 52 and 53) within Tract 18075. The project consist of 8.76 acres of land within Planning Area 12 (Conventional Small Lot) of the Subarea 29 Specific Plan, located on the southwest corner of McCleve Way East and Discovery Lane. (APN: 218-052-02); **submitted by KB Homes Southern California**.

Prepared By: Rudy Zeledon, Principal Planner

<u>Phone</u>: 909.395.2422 (direct) <u>Email</u>: rzeledon@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. 2010-021 on March 16, 2010. 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** All applicable conditions of approval of the Subarea 29 Specific Plan (File No. PSP03-003) shall apply to this Project.
  - 2.2 All applicable conditions of approval of the related TT118075 (File No. PMTT06-017) shall apply to this Project.
  - 2.3 All applicable conditions of approval of the related Development Agreement (File No. PDA 06-001 and PDA09-001) shall apply to this Project.
  - 2.4 All conditions of approval from the related Development File No. PDEV13-028, shall apply to this Project.
  - 2.5 <u>Time Limits</u>.
- (a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced,

Planning Department; Land Development Section: Conditions of Approval

File No.: PDEV16-047

Page 2 of 3

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.

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

- (a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.
- **(b)** The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.
- (c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

#### **2.7** <u>Landscaping</u>.

- (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 Section of the related Development Plan File No. PDEV13-028.

### 2.8 Parking, Circulation and Access.

(a) All parking requirements shall be subject to the conditions of approval of the related Development Plan File No. PDEV13-028.

#### **2.9** Disclosure Statements.

- (a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:
- (i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.
- (ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.
- (iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.
- (iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

#### 2.10 Environmental Review.

(a) The environmental impacts of this project were analyzed in the EIR (SCH#2004011009) prepared the Subarea 29 Specific Plan (File No. PSP03-003) for which an Environmental Impact Report (SCH#2004011009) was adopted by the City Council on October 19, 2006. This application introduces no new significant environmental impacts. The City's "Guidelines for

Planning Department; Land Development Section: Conditions of Approval

File No.: PDEV16-047

Page 3 of 3

the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference.

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

#### 2.12 Additional Fees.

- (A) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.
- **(b)** After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's <u>Plan Check</u> and <u>Inspection</u> fees shall be paid at the rate established by resolution of the City Council.



### ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Traffic/Transportation Division and Municipal Utilities Agency, and Environmental Section Conditions incorporated)

DATE:

November 22, 2016

PROJECT PLANNER:

Henry Noh, Senior Planner

PROJECT:

TM 18075 (PMTT06-017/PDEV16-047) – A modification to Development Plan File No. PDEV13-028 to introduce three new floor plans, ranging in size from 2,295 sq. ft. to 2507 sq. ft., for lots 1 through 7, 9 through 11, 16 through 33, 52 and 53. The project is to construct 53 single family homes on 8.76 acres within Planning

Area 12 of the Subarea 29 Specific Plan

APN:

0218-058-02

**LOCATION:** 

SWC of McCleve Way East and Discovery Lane

PROJECT ENGINEER: Manoj Hariya, P.E, Sr. Associate Civil Engineer

### The following items are the Conditions of Approval for the subject project:

- The applicant/developer shall be responsible to complete all applicable conditions as specified in the Conditions of Approval for TM18075, TM18913-1 and Development Agreement between SL Ontario Development Company LLC and City of Ontario for Subarea 29 (Park Place) Specific Plan.
- 2. The applicant/developer shall provide fiber optic connection to each home per City Standards and guidelines.

M.B. Hariya

11/22/2016

Manoj Hariya, P.E.

Date

Senior Associate Civil Engineer

Khoi Do, P.E.

Assistant City Engineer

Date



**TO:** Rudy Zeledon, Planning Department

FROM: Douglas Sorel, Police Department

**DATE:** November 28, 2016

SUBJECT: PDEV16-047: A MODIFICATION TO PDEV13-028 TO INTRODUCE

THREE NEW FLOOR PLANS FOR SPECIFIC LOTS IN PLANNING

AREA 12 OF THE SUBAREA 29 SPECIFIC PLAN

The Police Department has no objection to the modification of the floor plans. The original conditions placed on the project under PDEV13-028 still apply.

TO: PLANNING DEPARTMENT, Rudy Zeledon

FROM: BUILDING DEPARTMENT, Kevin Shear

**DATE:** November 17, 2016

SUBJECT: PDEV16-047

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

KS:lm



TO:	Rudy Zeledon, Planning Department
FROM:	Lora L. Gearhart, Fire Protection Analyst Fire Department
DATE:	December 1, 2016
SUBJECT	PDEV16-047 – A modification (File No. PDEV16-047) to Development Plan File No. PDEV13-028 to introduce three new floor plans, ranging in size from 2,295 square feet to 2,507 square feet, for lots 1 thru 7, 9 thru 11, 16 thru 33, 52 and 53 within Tract 18075. The project consist of 8.76 acres of land within Planning Area 12 of the Subarea 29 Specific Plan, located on the southwest corner of McCleve Way East and Discovery Lane. (APN: 0218-052-02)
☐ The pla	an <u>does</u> adequately address Fire Department requirements at this time.  No comments.
	Standard Conditions of Approval apply, as stated below.

### **SITE AND BUILDING FEATURES:**

- A. 2013 CBC Type of Construction: Type V-B wood frame
- B. Type of Roof Materials: non-rated
- C. Ground Floor Area(s):
- D. Number of Stories: 2 story

E. Total Square Footage: Plan 4 2300 sq. ft. Plan 5 2399 sq. ft.

Plan 5 2399 sq. ft. Plan 6 2520 sq. ft.

F. 2013 CBC Occupancy Classification(s): R-3, U

### **CONDITIONS OF APPROVAL:**

#### 1.0 GENERAL

### 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 (20) ft. wide. See Standard #B-004.

### 3.0 WATER SUPPLY

### 4.0 FIRE PROTECTION SYSTEMS

 detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

### 5.0 BUILDING CONSTRUCTION FEATURES

- ∑ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ∑ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ∑ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.



### CITY OF ONTARIO

### **MEMORANDUM**

TO:	"Vacant", Development Director Scott Murphy, Planning Director ( Copy of memo only) Cathy Wahlstrom, Principal Planner (Copy of memo only) Charity Hernandez, Economic Development Kevin Shear, Building Official Khoi Do, Assistant City Engineer Carolyn Bell, Landscape Planning Division Sheldon Yu, Municipal Utility Company Doug Sorel, Police Department Art Andres, Deputy Fire Chief/Fire Marshal Tom Danna, T. E., Traffic/Transportation Manager Lorena Mejia, Associate Planner, Airport Planning Steve Wilson, Engineering/NPDES Bob Gluck, Code Enforcement Director Jimmy Chang, IT Department David Simpson, Development/IT (Copy of memo only)
FROM:	Rudy Zeledon, Principal Planner
DATE:	November 16, 2016
SUBJECT:	FILE #: PDEV16-047 Finance Acct#:
	project has been submitted for review. Please send one (1) copy and email one (1) copy of port to the Planning Department by <b>Wednesday, November 30, 2016</b> .
Note:	Only DAB action is required
<b>M</b>	Both DAB and Planning Commission actions are required
	Only Planning Commission action is required
	DAB, Planning Commission and City Council actions are required
	Only Zoning Administrator action is required
13-028 to into lots 1 thru 7,	<b>ESCRIPTION:</b> A modification (File No. PDEV16-) to Development Plan File No. PDEV roduce three new floor plans, ranging in size from 2,295 square feet to 2,507 square feet, for 9 thru 11, 16 thru 33, 52 and 53 within Tract 18075 construct on 8.76 acres of land within a 12 of the Subarea 29 Specific Plan, located on the southwest corner of McCleve Way East by Lane.
The plan	does adequately address the departmental concerns at this time.
	No comments
	Report attached (1 copy and email 1 copy)
Ø	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.
Land:	Scape Planning Carol Bell Sr handscape Acohideo Signature Title pate