

ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT



DECISION NO. 2012-20

HEARING DATE: December 17, 2012
DECISION DATE: January 17, 2013
FILE NO.: PCUP12-031
SUBJECT: A Conditional Use Permit modification (**File No. PCUP11-012**) to expand an existing pawnshop, located at 1630 East Fourth Street, within the C3 (Commercial Service) zoning district.

STAFF

RECOMMENDATION: Approval Approval, subject to conditions Denial

PART A: BACKGROUND & ANALYSIS

SO-CAL JEWELRY & LOAN, INC., herein after referred to as "the applicant," has filed an application requesting Conditional Use Permit approval, described as follows:

(a) Project Description: A Conditional Use Permit modification (**File No. PCUP11-012**) to expand an existing pawn shop's floor area and services into an adjacent tenant space, located at 1630 East Fourth Street, within the C3 (Commercial Service) zoning district.

(b) TOP Policy Plan Land Use Map Designation: General Commercial

(c) Zoning Designation: C3 (Commercial Service)

(d) Surrounding Zoning and Land Uses:

	<u>Zoning</u>	<u>Existing Land Use</u>
North:	C3 (Commercial Service)	Fueling Station
South:	N/A	I-10 Freeway
East:	C3 (Commercial Service)	K-Mart
West:	C3 (Commercial Service)	Motel

(e) Site Area: Part of an approximate 14-acre multi-tenant commercial shopping center.

(f) Assessor's Parcel No.: 0110-181-13

(g) Project Analysis:

1. Location & Operations: So-Cal Jewelry & Loan, Inc. is a Secondhand Dealer which also provides pawn services. The business was established towards the end of the year 2011, as a result of Conditional Use Permit (**File No. PCUP11-012**) approval on **August 2nd, 2011, Decision No. 2011-15**. The business has been successful and submission of this Conditional Use Permit is for a request to expand the floor area, as well as pawn services provided, into an adjacent tenant space.

The existing business is located at 1630 East Fourth Street, Suite F, which is part of a multi-tenant commercial shopping center, including K-mart, Burger King, Radio Shack, and a variety of smaller businesses (**Exhibit A: Aerial Map**). The existing tenant space is approximately 1,260 square-feet and is identified as Unit "F". So-Cal Jewelry & Loan, Inc. is proposing to expand into tenant space "AB", which is approximately 2,205 square-feet, and is within the same building, but not immediately adjacent to tenant space "F" (**Exhibit B: Site Plan**).

Pursuant to California State Business & Professions Code Section 21626, a "**Secondhand Dealer**" is any person whose business includes buying, selling, taking in trade, taking in pawn, taking on consignment, accepting for auction, or auctioning secondhand personal property. Additionally, pursuant to California State Financial Code Section 21000, a "**Pawnbroker**" is any person who is engaged in the business of receiving goods in pledge as a security for a loan. A Pawnbroker is also a Secondhand Dealer, but a Secondhand Dealer is not a Pawnbroker and cannot submit a pawn transaction.

So-Cal Jewelry & Loan, Inc. is proposing to move their primary operations into the new tenant space "AB", but will retain the existing tenant space "F" for overflow storage only. So-Cal Jewelry & Loan, Inc. was previously approved for the following services:

1. Pawn of General Merchandise
2. Sale of General Merchandise
3. Cash-for-Gold Services

This Conditional Use Permit modification includes the expansion of the facility into the adjacent tenant space as well as providing the following additional services:

1. Pawn of firearms
2. Sale of firearms
3. Pawn of automobile
4. Expand operating hours from 9:00am to midnight, daily.

With this Conditional Use Permit modification, So-Cal Jewelry & Loan, Inc. is proposing to accept firearms for pawn, as well as conduct general used firearms sales. California State law requires Secondhand Dealers and Pawnbrokers to report daily, or on the first working day after receipt or purchase of firearms, to local law enforcement agencies (LEAs) that, in turn, enter the information into the Department of Justice (DOJ) Automated Firearms System (AFS). Senate Bill 449 established a new electronic

reporting requirement for Secondhand Dealers and Pawnbrokers to report firearms transactions. The law requires Secondhand Dealers and Pawnbrokers to electronically report to the DOJ Bureau of Firearms (BOF), each firearm purchased, taken in pawn, or accepted for sale. A separate fixed storage area, approximately 15-feet long, will be constructed towards the southwest portion of the tenant space, behind the counter, which will be used for the storage and display of the firearms. The Police Department has reviewed the proposed storage location and has provided conditions for the sale, storage, and handling of all firearms. Additionally, the amount of storage area shown on the plans, is not to be exceeded, unless Conditional Use Permit modification is again approved.

The pawn of vehicles is a service that has been provided only once previously. Although this is not a major part of the So-Cal Jewelry & Loan, Inc. business services, it is something they may provide in the future. The California Department of Motor Vehicles (DMV) allows an individual or business to exchange a maximum amount of four vehicles per year, without requiring a dealer or broker license. The applicant for this Conditional Use Permit is requesting automobile pawn services and sales, not to exceed four per year. Should So-Cal Jewelry & Loan, Inc. decide to handle more than four vehicles per year, Conditional Use Permit modification will be required. Any vehicles taken for pawn, will be stored at a secure off-site location.

So-Cal Jewelry & Loan, Inc. was previously approved for general operating hours between 9:00am and 7:00pm, daily. The applicant is requesting additional operating hours from 9:00am to midnight, daily. The applicant has stated that the business would be open during those additional hours until midnight, only on certain occasions such as the holidays or special sales. A majority of the time, operating hours will still follow the 9:00am to 7:00pm schedule. The Police Department is in support of the additional operating hours; however, no firearms sales or pawn of firearms will be allowed after 7:00pm.

(h) Conditional Use Permit Modification: This Conditional Use Permit, **File No. PCUP12-031**, has been submitted as a request to modify the previously approved Conditional Use Permit, **File No. PCUP11-012, Decision No. 2011-15**. All previously applicable conditions of approval have been applied to this modification, in conjunction with new conditions for the expanded services. As a result, the previous Conditional Use Permit will be nullified, with the approval of this new Conditional Use Permit.

(i) Land Use Compatibility: The intent of a CUP application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure that the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. The City of Ontario's Development Code describes a CUP as the following: § Sec. 9-1.0900: *Purposes and Authorization* – Conditional Use Permits are required for land use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area. Approval of a CUP first requires making certain findings, which show that the proposed

use is consistent with all City of Ontario development codes, land uses and other applicable requirements. Additionally, the use must be compatible with the other surrounding uses; therefore, approving a CUP is discretionary in nature.

The project site is located within the C3 (Commercial Service) zoning district. Within this district, pawnshop businesses are a conditionally permitted use. It is staff's belief that the recommended conditions of approval will sufficiently mitigate potential impacts associated with the proposed use. Additionally, businesses within the surrounding area will not be exposed to any impacts resulting from the proposed pawnshop use, beyond those that would normally be associated with any other use similarly allowed within the C3 (Commercial Service) zoning district.

(j) Departmental Review: Each City department has been provided the opportunity to review and comment on the subject application and recommend conditions of approval to be imposed upon the application. At the time of the Decision preparation, recommended conditions of approval were provided from Planning, Police, and Building Departments and are attached to this report. The Planning Department supports the proposed use and requests that the Zoning Administrator impose each Department's recommended conditions of approval on the proposed use, which are designed to mitigate anticipated impacts related to a pawnshop use.

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

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

PART B: RECITALS

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

WHEREAS, Ontario Municipal Code § 9-1.0405(f) provides that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

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

WHEREAS, On the 17th day of December, 2012, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(a) John Earle Hildebrand III, *Associate Planner*, presented the staff report on the proposed use, indicating the staff recommendation of approval, subject to the attached conditions. Following staff's presentation, the Zoning Administrator opened the public hearing.

(b) John Chappell, representing the applicant, explained the business operation and spoke in favor of the application. He proceeded to read a prepared statement from the applicant, Martha Salas, and gave a written copy of the statement to the Zoning Administrator. John Chappell acknowledged receiving the Conditions of Approval and was in agreement with them. He further stated that he would address the excessive signage on the store front, as shown on the attached pictures. Window signage is restricted to 25% maximum coverage.

(c) The applicants, Robert and Martha Salas, spoke next, answering questions about their business from the Zoning Administrator, Mr. Blum. They discussed the details in their proposed firearms sales. Mr. Blum stated concerns about the proximity of a school to their business. The applicant explained in detail their proposed process for securing, handling, and selling all firearms.

(d) Sarah Launder, hearing attendee, asked if ammunition would also be sold. The Applicant responded that there could be. Officer Fred Alvarez stated that their firearms sales license permit does not restrict the sales of ammunition. Due to the concern, the applicant agreed that ammunition sales would not be a part of their business.

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

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

PART C: THE DECISION

NOW, THEREFORE, it is hereby found, determined and resolved by the Zoning Administrator of the City of Ontario as follows:

(a) All facts set forth in this Zoning Administrator Report and Decision are true and correct.

(b) Based upon the evidence presented to the Zoning Administrator during the above-referenced public hearing, the Zoning Administrator hereby concludes as follows:

(1) The proposed location of the Conditional Use Permit and the proposed conditions under which it will be operated or maintained will be consistent with The Ontario Plan and will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity, as long as all

conditions of approval are fully and continually complied with. The pawnshop business lies within the C3 (Commercial Service) zoning district which conditionally allows for pawn shops and gun sales.

(2) Pawnshops are allowed within the C3 (Commercial Service) zoning district upon approval of a Conditional Use Permit. The project has been conditioned so that the facility and use are operated in a manner that will not be detrimental to the health and safety of the surrounding community.

(3) The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the Ontario Development Code and zoning designation within which the site is located. The project meets the objectives and purposes of the Ontario Development Code, pursuant to Article 9: *Conditional Use Permits*, Article 16: *Commercial and Professional Districts*, and Article 32: *General Development Requirements and Exceptions of the Development Code*.

(4) Traffic generated by the proposed Conditional Use Permit will not overload the capacity of the surrounding street system and will not create a hazard to public safety. The expansion of the existing Pawnshop will not substantially increase the number of vehicle trips to the site, nor will the surrounding circulation system be impacted.

(5) The proposed Conditional Use Permit will comply with each of the applicable provisions of the Ontario Development Code and applicable municipal codes. The project meets the applicable development standards as specified in Article 9: *Conditional Use Permits*, Article 16: *Commercial and Professional Districts*, and Article 32: *General Development Requirements and Exceptions of the Development Code*.

(c) The project site is located within the Airport Influence Area of Ontario International Airport and has been evaluated and is consistent with the policies and criteria set forth within the Airport Land Use Compatibility Plan.

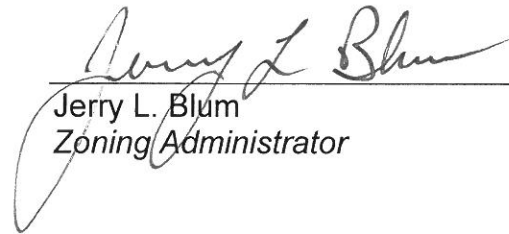
(d) The Zoning Administrator hereby finds and determines that the project identified in this Decision is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to Section § 15301 (Existing Facilities) of the State CEQA Guidelines.

(e) Based upon the findings and conclusions set forth in Parts A, B and C above, the Zoning Administrator hereby approves File No. PCUP12-031, subject to the conditions of approval attached hereto and incorporated herein by this reference and with the following added condition of approval:

- (1) No ammunition shall be allowed to be sold from this location.



APPROVED by the Zoning Administrator of the City of Ontario on this 17th day of January, 2013.



Jerry L. Blum
Zoning Administrator

EXHIBITS
Exhibit A: Aerial Map

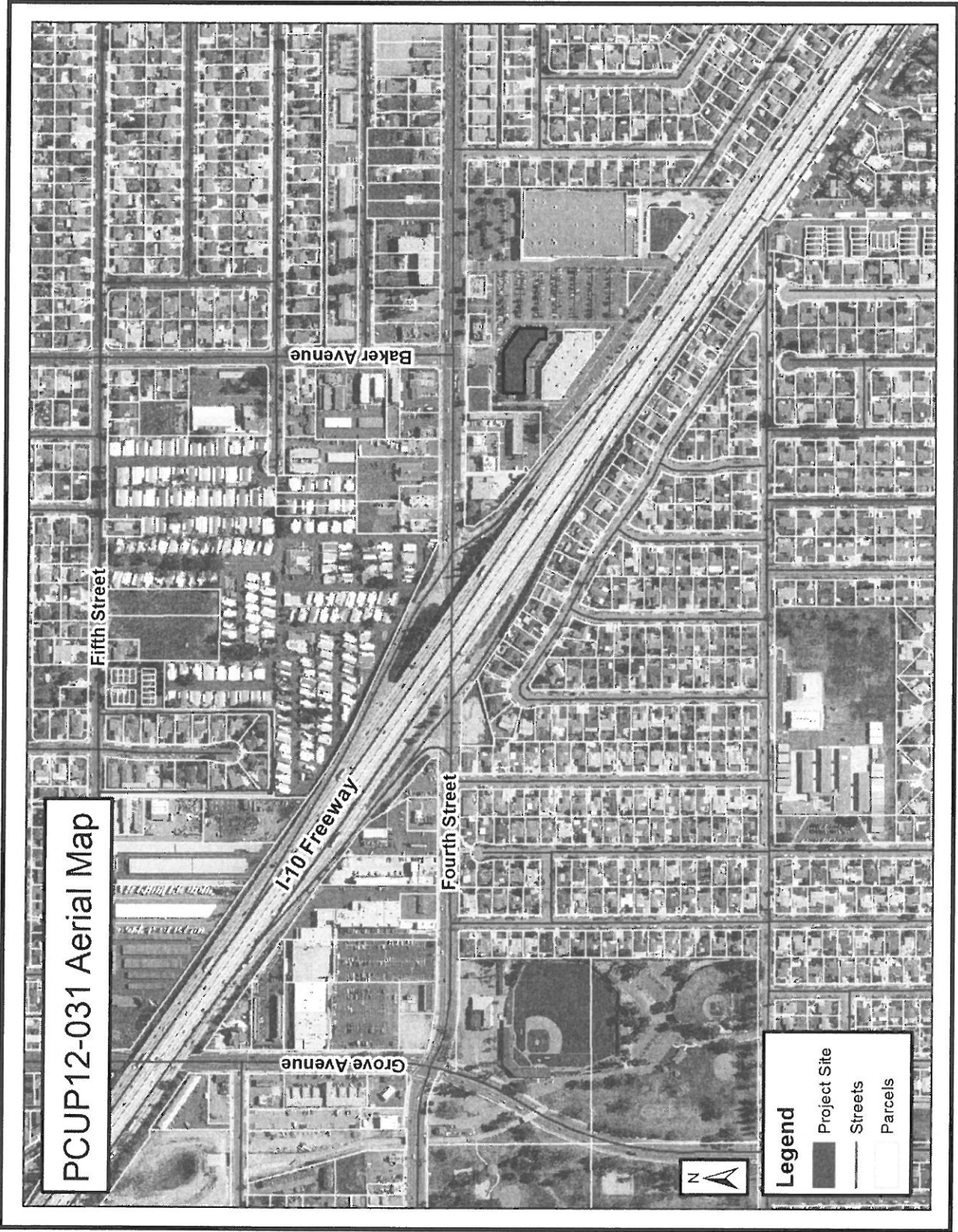


Exhibit B: Site Plan

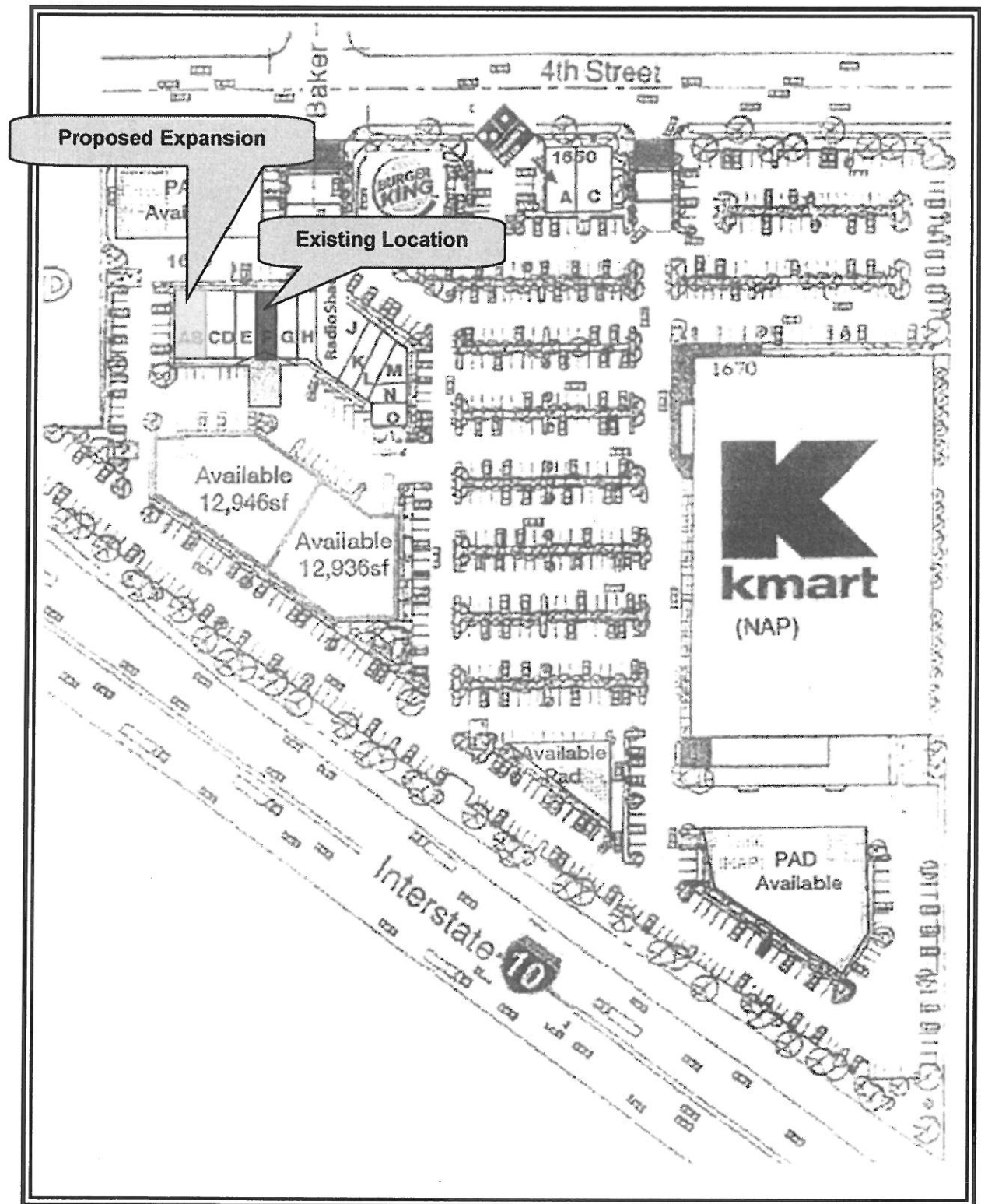


Exhibit C: Existing Floor Plan (Tenant Space F)

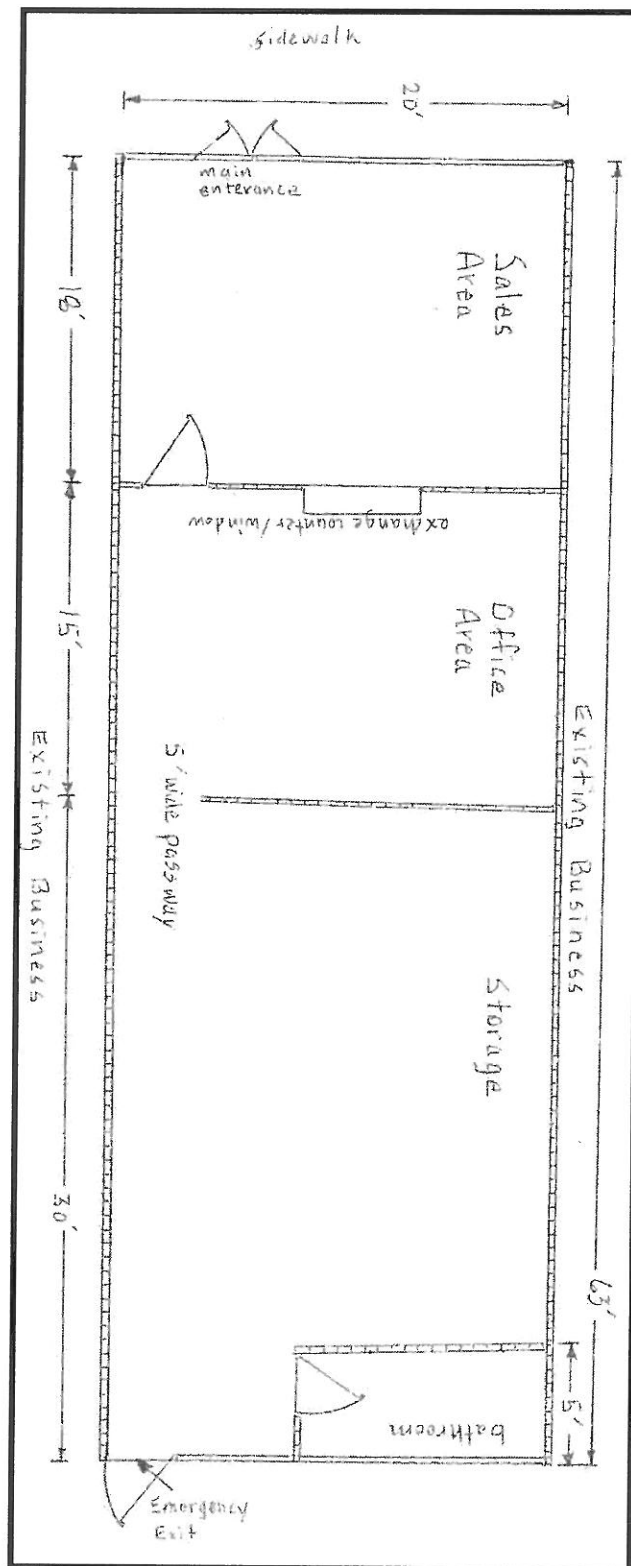


Exhibit D: Proposed Floor Plan (Tenant Space AB)

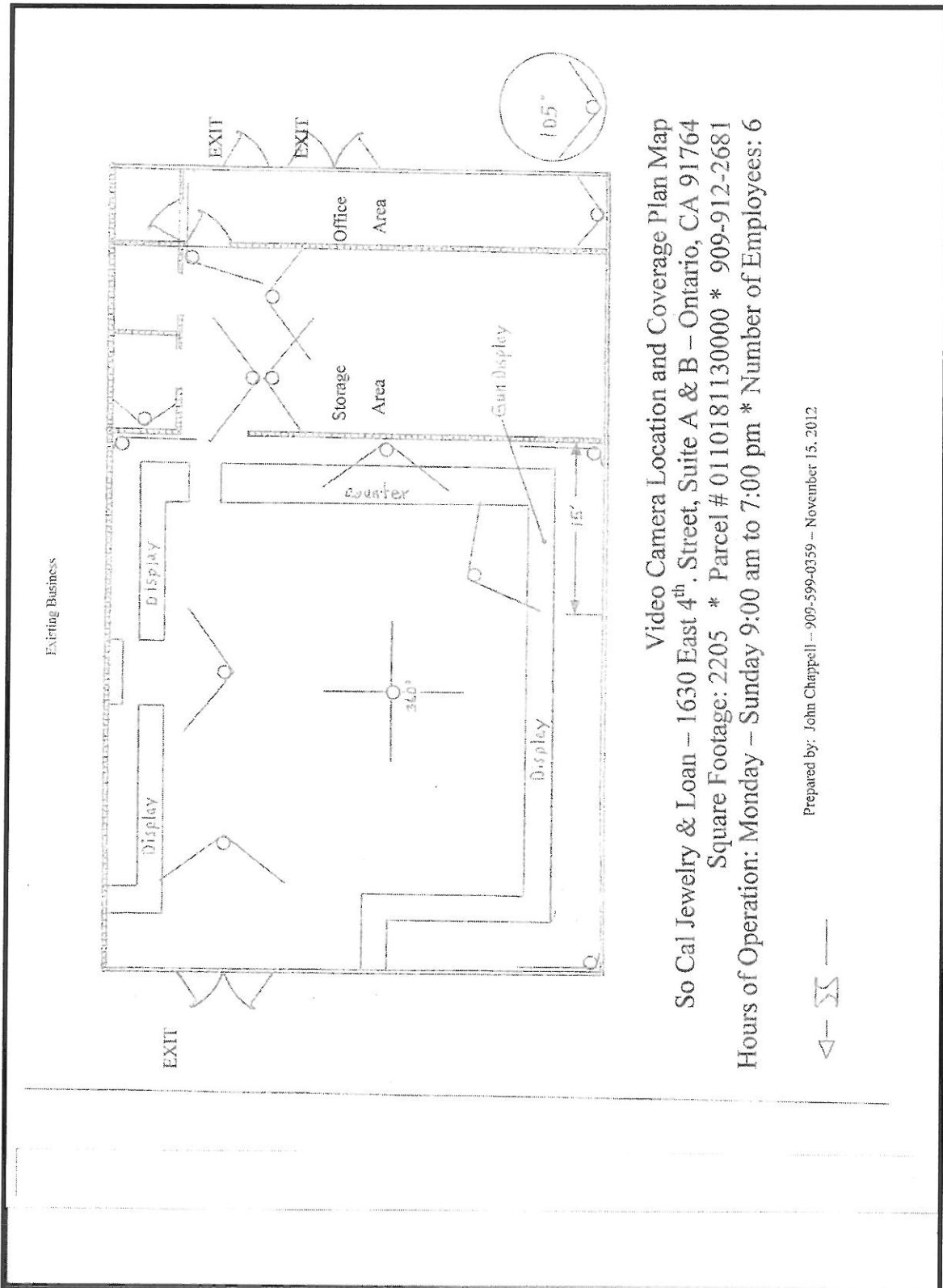


Exhibit E: Site Photos

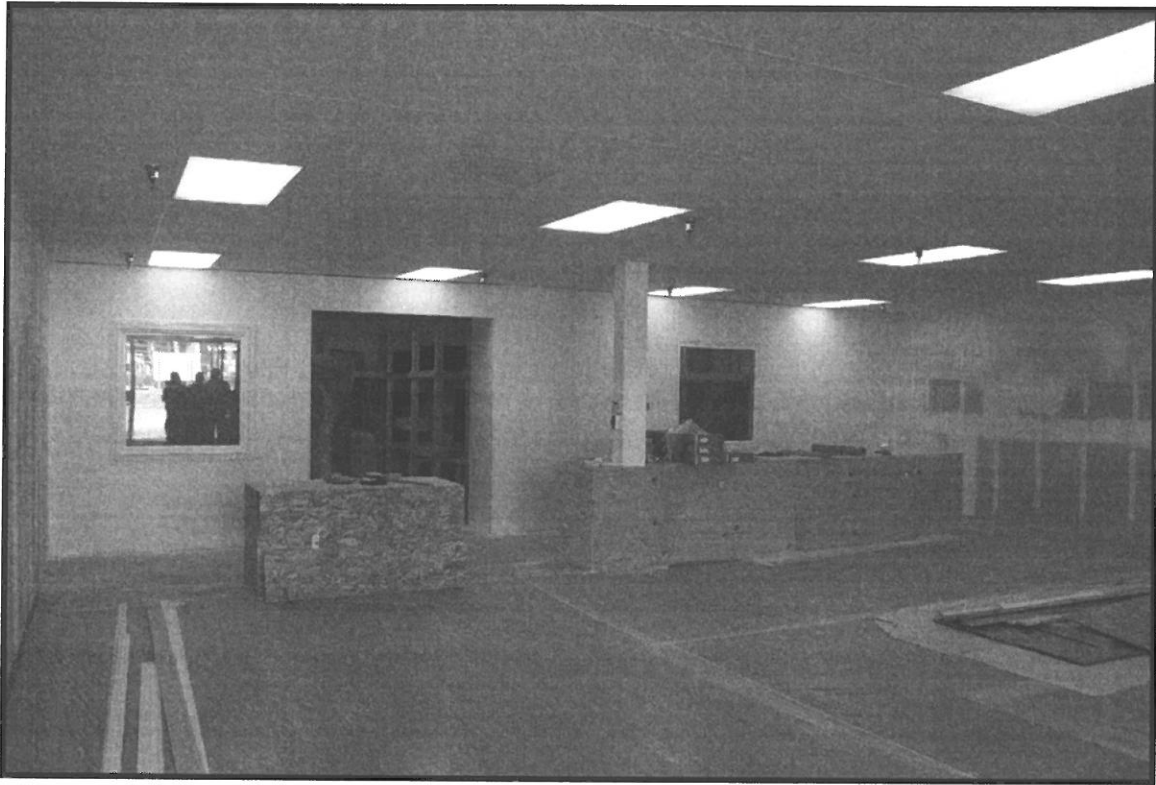


Existing Store Frontage (Tenant Space "F")



New Store Frontage (Tenant Space "AB")

Exhibit E: Site Photos (continued)



Inside New Store (Tenant Space "AB")

**DEPARTMENT ADVISORY BOARD
COMMENTS, CONDITIONS AND RECOMMENDATIONS**

DATE: 12/17/2012

FILE NO.: PCUP12-031

SUBJECT: A Conditional Use Permit modification (**File No. PCUP11-012**) to expand an existing pawnshop, located at 1630 East Fourth Street, within the C3 (Commercial Service) zoning district.

The subject application has been reviewed by each agency/department listed below. A copy of each agency/department recommendation and comments are available for review in the Planning Department project file. Conditions of approval have been recommended by those agencies/departments marked below and are attached.

- PLANNING
- ENGINEERING
- UTILITIES/SOLID WASTE
- PUBLIC FACILITIES

- BUILDING

- POLICE
- FIRE
- REDEVELOPMENT AGENCY
- HOUSING & NEIGHBORHOOD
REVITALIZATION
- OTHER: _____



CONDITIONS OF APPROVAL

DATE: 12/17/2012

FILE NO.: PCUP12-031

SUBJECT: A Conditional Use Permit modification (**File No. PCUP11-012**) to expand an existing pawnshop, located at 1630 East Fourth Street, within the C3 (Commercial Service) zoning district.

1.0 GENERAL REQUIREMENTS

- 1.1 Failure to maintain compliance with the herein-listed conditions of approval shall be deemed just cause for revocation of conditional use permit approval.
- 1.2 The use shall be operated in full conformance with the description and requirements of the Conditional Use Permit on file with the City. Any variations from, or changes in, the approved use (i.e., increase in hours/days of operation, expansion or intensification of use, etc.), must first be reviewed and approved by the Zoning Administrator prior to commencement of the change.
- 1.3 The approved use is subject to all conditions, requirements and recommendations from all other affected departments/agencies, provided on the attached reports/memorandums.
- 1.4 A copy of the herein-listed conditions of approval shall be maintained on the subject premises at all times.
- 1.5 The Planning Department may, from time to time, conduct a review of the approved use to ascertain compliance with the herein-stated conditions of approval. Any noncompliance with the conditions of approval shall be immediately referred to the Zoning Administrator for possible action.
- 1.6 Signs shall comply with all City of Ontario sign regulations. No more than 25% of the total window area shall bear advertising or signs of any sort. Window signs shall be placed and maintained in a manner so that there is clear and unobstructed view of the interior of the premises from the building exterior.
- 1.7 This Conditional Use Permit, File No. PCUP12-031, and each attached condition of approval, supersedes the previously approved Conditional Use Permit, File No. File No. PCUP11-012, Decision No. 2011-15. As a

result, File No. PCUP11-012 has been nullified. All previous conditions, where applicable, have been applied to this modified Conditional Use Permit.

2.0 ENVIRONMENTAL REVIEW

- 2.1 The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to Section § 15301 (Existing Facilities) of the State CEQA Guidelines.
- 2.2 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.

3.0 ADDITIONAL REQUIREMENTS

- 3.1 The business shall follow all requirements as specified within the California Business and Professions Code and Financial Code pertaining to Secondhand Dealer and Pawnshop licensing and operations.
- 3.2 Acquire and maintain a valid City of Ontario Business License.
- 3.3 Comply with all City of Ontario Police Department operating conditions.
- 3.4 Conditional Use Permit modification approval is required prior to any expansion of the firearms storage/display area, as identified on the approved floor plan.
- 3.5 Conditional Use Permit modification approval is required prior to taking in pawn or selling more than four vehicles in a single year.



CITY OF ONTARIO
MEMORANDUM
"Excellence Through Teamwork"



TO: John Hildebrand, Associate Planner

FROM: Fred Alvarez, Corporal

DATE: December 10, 2012

SUBJECT: FILE NO. PCUP12-031– CASH TO GOLD (So-Cal Jewelry & Loan)
1630 EAST FOURTH STREET, SUITES A, B & F

The Police Department is placing the following conditions:

1. Hours of operation will be 9:00 am until 12:00 am daily.
2. Prior to the operation of business, the business shall submit a security plan to the Ontario Police Department outlining procedures for employees/management's responsibilities during emergency incidents. The security plan shall also outline how to access the business' video recordings, alarm systems and procedures on how employees are to record/document sales transactions required by California law. Police Department approval of the security plan is required prior to the commencement of business.
3. The facility shall have an extensive digital video recording system that covers all points of entry, exit and areas of purchase. The video recording shall also cover areas where cash and gold/precious metals are stored within the facility. Records of this recording capability shall be of good quality and have archives up to 60 days. The video recording archives shall be accessible to members of the Ontario Police Department and California Department of Justice upon request. The hard-drive or computer storing all digital records shall be maintained in a secured area and away from the view of the public.
4. The facility shall be equipped with an alarm system that has instant panic button/robbery notification capabilities and silent monitoring. The applicant shall maintain a valid alarm permit on file with the Ontario Police Department at all times.
5. A separate room/area shall be maintained and alarmed for the storage of precious metals and cash. Property may be stored off-site for the Department of Justice 30-day holding requirements. Property is subject to inspection and upon

request shall be produced at the licensee's business premises within one business day of request.

6. The following licensing requirements shall be maintained by the applicant/owner:
 - a. The applicant shall maintain a valid City of Ontario Business License.
 - b. The applicant shall maintain a valid Secondhand Dealer's License issued by that California Department of Justice (21641 Business & Professions Code). This license shall be displayed in a conspicuous manner as to easily be seen by the public.
7. The applicant shall properly document all property taken in trade or exchanged for cash and documented by the Secondhand Dealer Report Form (JUS 123).
8. The following forms of documentation/processes shall be administered during each customer transaction:
 - a. A clear photo or digital copy of each person's driver's license, identification card, passport, military identification or any valid government issued form of identification.
 - b. A digital photograph shall be taken of the customer taking property to be exchanged for cash.
 - c. A digital photograph of each item of property taken in trade or exchanged for cash. This photograph shall be maintained by the business for a minimum of five (5) years.
 - d. All property shall be stored and maintained by the business for 30 days prior to disposition.
 - e. All Secondhand Dealer Report Forms shall be submitted weekly to the Ontario Police Department (Detective Bureau) at 2500 S. Archibald Ave, Ontario, CA 91761.
9. The licensee shall not engage in the business of secondhand jewelry dealer with any minor or with any person who is intoxicated or under the influence of drugs.
10. The licensee shall not be convicted of an attempt to receive stolen property or any other offense involving stolen property.
11. Patrons shall not be issued more than \$500.00 in cash for goods exchanged. A check shall be issued for exchanges in excess of \$500.01.
12. No more than \$2,500.00 shall be kept on the premises at any given time.

13. Rooftop address numbers shall be installed on the electronic support building or on the adjacent building with the same address to support a helicopter response in the event of alarm activation. The rooftop numbers shall be a minimum of three (3) feet in length and one (1) foot in width and shall be painted on the rooftops in reflective white paint on a flat black painted background, away from any rooftop obstacles. The rooftop numbers shall be placed on the rooftops in a parallel direction to the displayed street side numbers. Such rooftop numbers shall be screened from public view and visible only from aircraft.
14. Roof top numbers will be maintained by the property owner and must be repainted every 3 years.
15. A blue strobe light (minimum 25-watt) shall be installed on the rooftop and activated with any proposed alarm systems.
16. All lighting fixtures on building, walkways and parking lot areas will be kept in working order. The lighting shall be on from sunset to sunrise, and be operated by a photocell.
17. Security cameras will be required to monitor front exterior, rear exterior, entry and exit areas of the location.

FIREARM CONDITIONS

1. Hours of firearm pawning and sales will be 9:00 am until 7:00 pm daily.
2. The purchasing of firearms will follow the same conditions as Cash to Gold purchases stated in this Conditional Use Permit.
3. The applicant is required to obtain all Federal and State permits needed to sell and purchase firearms. These permits shall be posted in a conspicuous place and a copy shall be provided to the Ontario Police Department.
4. All firearms shall be secured in a locked safe when the location is not open for business. (California Penal Code 26890a3)
5. The safe used for the storage of firearms shall be anchored to the floor and alarmed. The safe shall be shown on a plan check.
6. Display of firearms will be limited to 15 feet of display area. That area must be shown on a plan check.
7. The entrance and exit from the firearms showroom will be monitored and customers will be buzzed in and out from a secured area. That area will be showed on a plan check.

8. All exterior glass windows and doors shall be secured from the inside by either roll down locking doors or metal gates. If these are not permanently affixed to the windows they shall be locked during non business hours.
9. All access into the business from the exterior of the building including skylights, vents, and exterior doors shall be reinforced with steel bars or gates. These reinforcements shall be secured/locked during non business hours.
10. An inspection by the Ontario Police Department and Planning Department will be conducted before the location will be allowed to sell or purchase firearms.
11. If crimes resulting from the use at this location are higher than other similar establishments in the overall City during any quarter, the CUP will automatically be referred to the Zoning Administrator for review and re-conditioning or revocation of the permit. The Police Department may, at their sole discretion, request a revocation hearing if they determine that the establishment is being operated in violation of this CUP or has violated the laws of the State or City are the intent of this action.

The Applicant is invited to call Corporal Alvarez at (909) 395-2845 regarding any questions or concerns.

CITY OF ONTARIO
Memorandum

TO: PLANNING DEPARTMENT, John Hildebrand
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: October 30, 2012
SUBJECT: PCUP12-031

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

Conditions of Approval

1. Building permits and plans are required for all construction.

KS:kb

**CITY OF ONTARIO
MEMORANDUM**

TO: John Hildebrand, Associate Planner
FROM: Brent Schultz, Housing and Neighborhood Revitalization Director
DATE: November 28, 2012
SUBJECT: PCUP12-031

The Housing Department has the following comment on the above mentioned project:

- Applicant to inform property management manager to remove discarded automotive parts from rear of Suites A & B.

ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT



DECISION NO. 2012-23

HEARING DATE: December 17, 2012
DECISION DATE: December 18, 2012
FILE NO.: PCUP12-029
SUBJECT: A Conditional Use Permit to establish a dental office on 0.08 acres of developed land, within a Historic Eligible building, located on the northeast corner of "B" Street and Laurel Avenue, within the C2 (Central Business Commercial) zoning district (APN: 1048-565-12).

STAFF

RECOMMENDATION: Approval Approval, subject to conditions Denial

PART A: BACKGROUND & ANALYSIS

DR. DANIEL DUROSEAU, herein after referred to as "the applicant," has filed an application requesting Conditional Use Permit approval, described as follows:

(a) Project Description: A Conditional Use Permit to establish a dental office on 0.08 acres of developed land, within a Historic Eligible building, located on the northeast corner of "B" Street and Laurel Avenue, within the C2 (Central Business Commercial) zoning district.

(b) TOP Policy Plan Land Use Map Designation: Mixed Use

(c) Zoning Designation: C2 (Central Business Commercial)

(d) Surrounding Zoning and Land Uses:

	<u>Zoning</u>	<u>Existing Land Use</u>
North:	C2	Parking Lot
South:	C2	Mixed Use
East:	C2	Mixed Use
West:	C2	Mixed Use

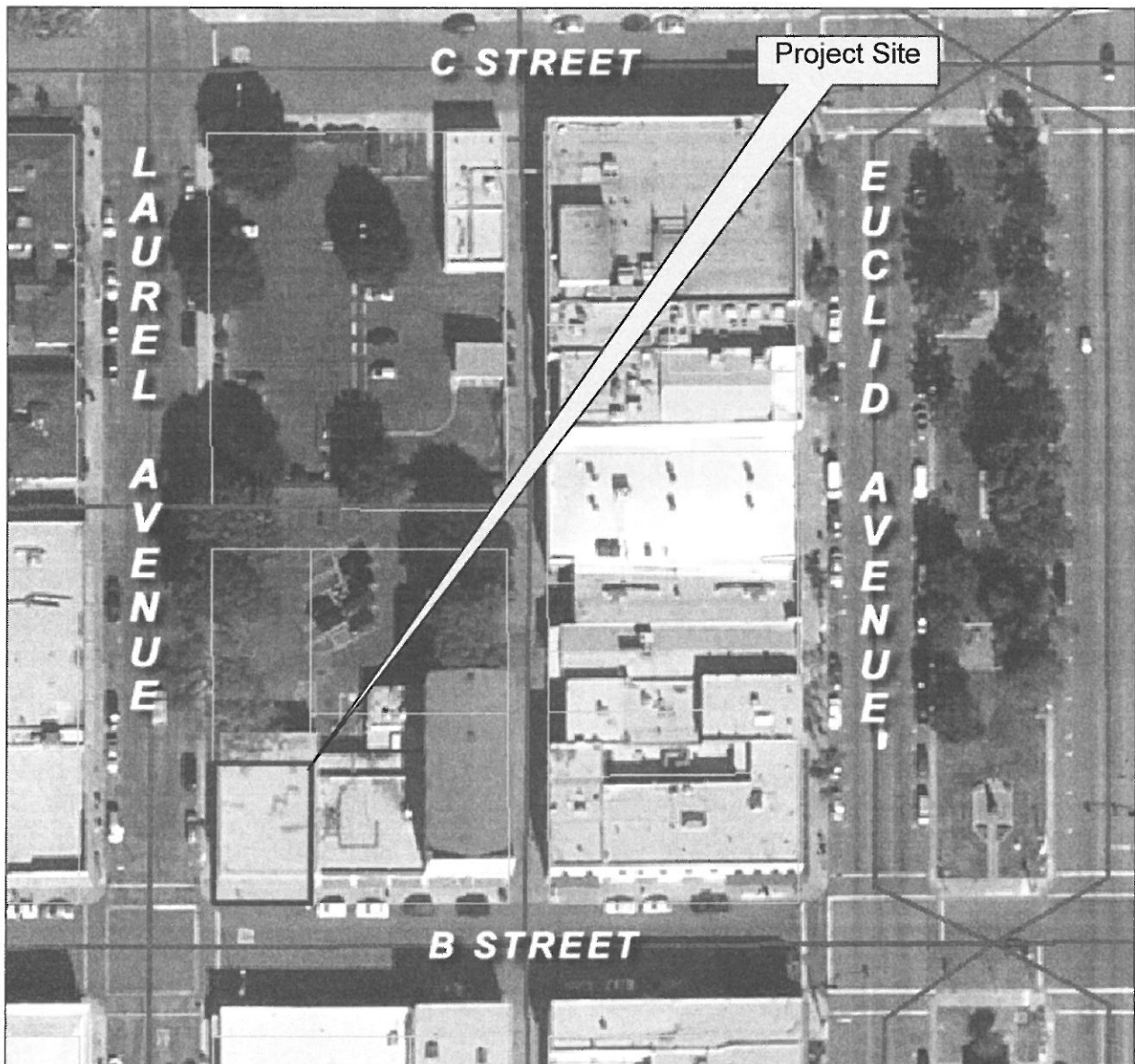
(e) Site Area: 0.08 acres

(f) Assessor's Parcel No(s): 1048-565-12

(g) Project Analysis:

Project Setting: The project site is located within Ontario's historic Downtown, at the northeast corner of "B" Street and Laurel Avenue. A public parking lot is located to the north. Various businesses and services, such as retail shops and offices, surround the area including Logan's Candies, Ontario Public Employees Federal Credit Union (OPEFCU), and Ernesto's Hair Salon, among other establishments (Project Vicinity).

Project Vicinity



Proposed Use: The Applicant is requesting a Conditional Use Permit to establish a full service dental office for general cleaning, x-rays, and orthodontic work. The proposed hours of operation for the dental office range throughout the week. The table below demonstrates the varied hours:

Day	Hours of Operation
Sunday (only the first of the month)	9:00 AM – 4:00 PM
Monday	11:00 AM – 7:00 PM
Tuesday	8:00 AM – 5:00 PM
Wednesday	11:00 AM – 7:00 PM
Thursday	9:00 AM – 3:00 PM
Friday	7:00 AM – 3:00 PM
Saturday	Closed

The Applicant's proposed office space measures approximately 3,067 square feet in size. The tenant improvements will allow for 2,045 square feet to be designed specifically for the dental office's needs, which will include a reception desk, lobby area with 7 seats, and 6 patient rooms. The remaining 1,022 square feet will be available for future expansion of the dental office, if needed, but will remain unoccupied at this time (see Exhibit A, *Floor Plan*).

The Applicant has proposed to establish a café within the remaining 1,022 square foot expansion area in the near future in lieu of further future expansions of the dental office. A sit down restaurant such as a café is permitted within the C2 zoning district. The main entrance to the unit has been designed with a foyer, to include separate entrances to allow for two separate businesses to be established (see Exhibit B, *Floor Plan with Future Expansion*).

Parking: The Ontario Development Code requires a medical office to provide off-street parking at the rate of one space for each 175 square feet of gross floor area. To adequately analyze parking impacts for the proposed use(s) as a dental office, staff determined that 18 parking spaces were required for the project. A public parking lot is directly located to the north of the project site, with approximately 27 standard parking spaces and 2 handicap spaces. An additional parking lot is located at the southwest corner of "C" Street and Laurel Avenue, with approximately 29 standard parking spaces and one handicap space available. Moreover, approximately 39 off-street parking spaces are available to serve the parking needs for the block. Although an abundance of parking spaces are available within the surrounding area, the Ontario Development Code allows staff to conduct a parking analysis using the Downtown Ontario Parking Model.

The Parking Model specifically evaluates each block within the Downtown at maximum built out, and provides an estimate of parking availability (on-site and street parking combined), with shared parking as the premise. Based on the existing and anticipated land uses calculated in the Model, staff determined that *Block 44* (project site) currently utilizes nearly all of its available parking during daytime hours. Therefore, the parking study area was expanded to include adjacent *Block 43*, located west of the project site. In total, *Blocks 43 and 44* provide 205 parking spaces (see Exhibit C, *Downtown Parking Model Blocks 43 and 44*). Blocks to the east of Euclid Avenue were not analyzed, finding that the pedestrian pathways would be highly undesirable due to the physical barrier created by the substantial street width. Evaluation of *Block 44* through the Parking Model found that with the proposed use, there is no less than 70 percent

availability between the hours of 8:00 AM and 7:00 PM, with an inadequate parking supply available between 2:00 PM and 5:00 PM. The utilization of Blocks 43 and 44 offers adequate parking availability in total, with less than 50 percent availability between 8:00 AM and 10:00 PM, and between 12:00 PM and 7:00 PM. The peak period of parking space availability is between 7:00 AM and 12:00 PM, with less than 70 percent of space availability. Staff has determined that based upon the Downtown Ontario Parking Model, sufficient parking exists to support the proposed use. The table below illustrates the available parking for each block, with the proposed use:

**Available Public Parking with Proposed Use – Day Hours
 (7:00 AM – 12:00 PM)**

Available Public Parking	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM
Block 44	17	11	5	15	11	23
Block 43	87	86	84	86	86	89
*Total:	104	97	89	101	97	112

**Residual parking after required allotment*

**Available Public Parking with Proposed Use – Evening Hours
 (1:00 PM – 7:00 PM)**

Available Public Parking	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM
Block 44	3	0	2	8	-13	-28	-13
Block 43	83	81	82	84	80	76	81
*Total:	86	81	84	92	67	48	68

**Residual parking after required allotment*

A separate parking analysis has been conducted in the event that a café is established within the remaining 1,022 square feet of floor area in lieu of further future expansion of the dental office. The results are similar to the previous study that surveyed the dental office by itself. As established in the Ontario Development Code, a full service sit down restaurant use has a parking demand of one off-street parking stall for each 100 square feet of gross floor area. A total of 22 parking spaces, with both dental office and restaurant uses, would be required. As with the previous study, sufficient parking exists to support the proposed uses.

**Available Public Parking with Proposed Use with Café - Day Hours
 (7:00 a.m. – 12:00 p.m.)**

Available Public Parking	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM
Block 44	16	11	5	15	12	23
Block 43	87	86	84	86	86	89
*Total:	103	97	89	101	98	112

**Residual parking after required allotment*

**Available Public Parking with Proposed Use with Café - Evening Hours
 (1:00 PM – 7:00 PM)**

Available Public Parking	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM
Block 44	3	0	3	8	-13	-29	-13
Block 43	83	81	82	84	80	76	81
*Total:	86	81	85	92	67	47	68

**Residual parking after required allotment*

Land Use Compatibility: Through the Conditional Use Permit process, the City has the obligation to review and ensure the compatibility of adjacent uses, identification, and mitigation of potential nuisance activities. It is staff's belief that the recommended conditions of approval will sufficiently mitigate potential impacts associated with the proposed use. Also, the proposed use will not generate a higher parking demand. All City departments were routed the application and all comments received are attached to the report.

(h) Compliance with the Airport Land Use Compatibility Plan: The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and is consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

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

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

PART B: RECITALS

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

WHEREAS, Ontario Municipal Code § 9-1.0405(f) provides that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

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

WHEREAS, on the 17th day of December 2012, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

- (a) Jeanie Irene Aguilo, Planning Intern, presented the staff report on the proposed use, indicating the staff recommendation of approval, subject to the attached conditions. Ms. Aguilo also stated that Utilities, Fire, Police, and Building Departments are requiring that their outlined Conditions of Approval be met prior to the occupancy of the building. Following staff's presentation, the Zoning Administrator opened the public hearing.
- (b) Dr. Daniel Duroseau, DDS, the applicant/representing the applicant, explained the business operation and spoke in favor of the application. He thanked the City of Ontario for this opportunity. He spoke about the benefits of a dental office and a café in our city. He is agreement with the conditions of approval. He has six procedure rooms with four staff members including him. He is moving from Upland to Ontario..
- (c) Derek Robertson stated that he was the contractor of the project and spoke in favor of the application.
- (d) There being no one else to offer testimony regarding the application, the Zoning Administrator closed the public hearing. Mr. Blum stated that he was inclined to approve this item.

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

PART C: THE DECISION

NOW, THEREFORE, it is hereby found, determined and resolved by the Zoning Administrator of the City of Ontario as follows:

- (a) All facts set forth in this Zoning Administrator Report and Decision are true and correct.

(b) Based upon the evidence presented to the Zoning Administrator during the above-referenced public hearing, the Zoning Administrator hereby concludes as follows:

(1) The proposed location of the Conditional Use Permit and the proposed conditions under which it will be operated or maintained will be consistent with the General Plan and will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The dental office lies within the C2 land use designation.

(2) A request to establish a dental office on 0.08 acres of developed land, within a Historic Eligible building, located on the northeast corner of "B" Street and Laurel Avenue, within the C2 (Central Business Commercial) zoning district is allowed upon approval of a Conditional Use Permit. The project has been conditioned so that the facility and use are operated in a manner that will not be detrimental to the health and safety of the surrounding community.

(3) The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the Ontario Development Code and zoning designation within which the site is located.

(4) Traffic generated by the proposed Conditional Use Permit will not overload the capacity of the surrounding street system and will not create a hazard to public safety.

(5) The proposed Conditional Use Permit will comply with each of the applicable provisions of the Ontario Development Code and applicable municipal codes.

(6) For a proposed use in the R2 or R3, also classified in the EA Euclid Avenue Overlay District, the use will be appropriate and consistent with the purposes of the district and will enhance the visual character and quality of Euclid Avenue.

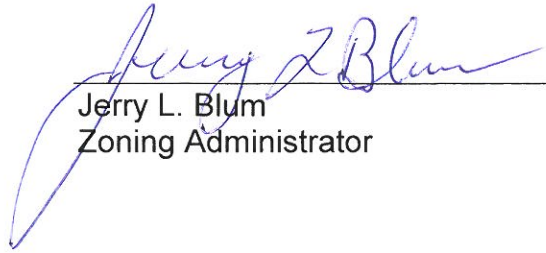
(7) For a proposed office use in the R2 or R3 Districts, also classified in the EA District, the proposed conditional use will be compatible with any existing residential use in the vicinity, in terms of scales and character, as prescribed in Ontario Development Code Article 23.

(c) The Zoning Administrator hereby finds and determines that the project identified in this Decision is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to § 15301 of the State CEQA Guidelines.

(d) Based upon the findings and conclusions set forth in Parts A, B and C above, the Zoning Administrator hereby approves File No. PCUP12-029, subject to the conditions of approval attached hereto and incorporated herein by this reference.



APPROVED by the Zoning Administrator of the City of Ontario on this 18th day of December 2012.



Jerry L. Blum
Zoning Administrator

EXHIBITS

Exhibit A – Floor Plan

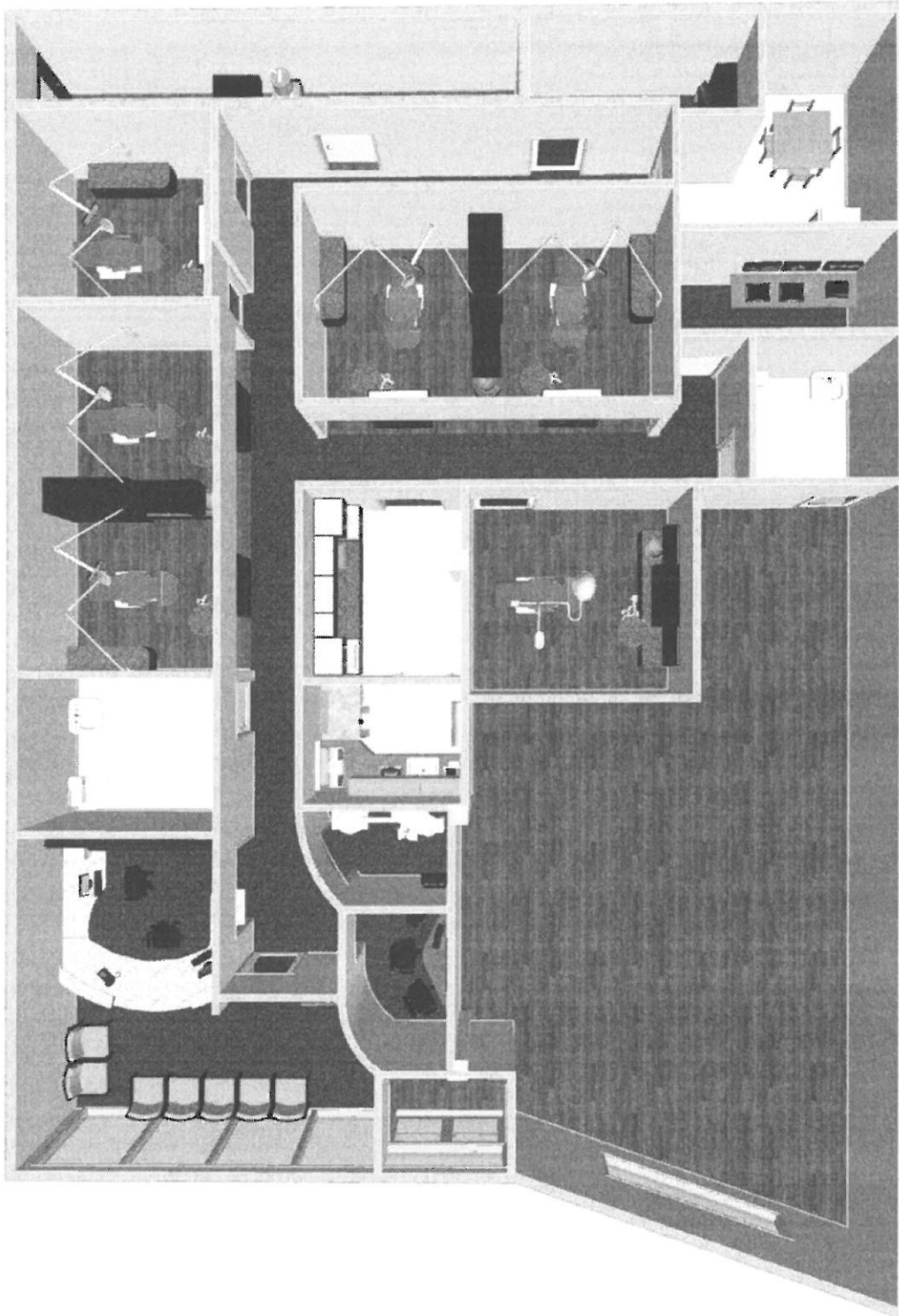


Exhibit A – Floor Plan (continued)

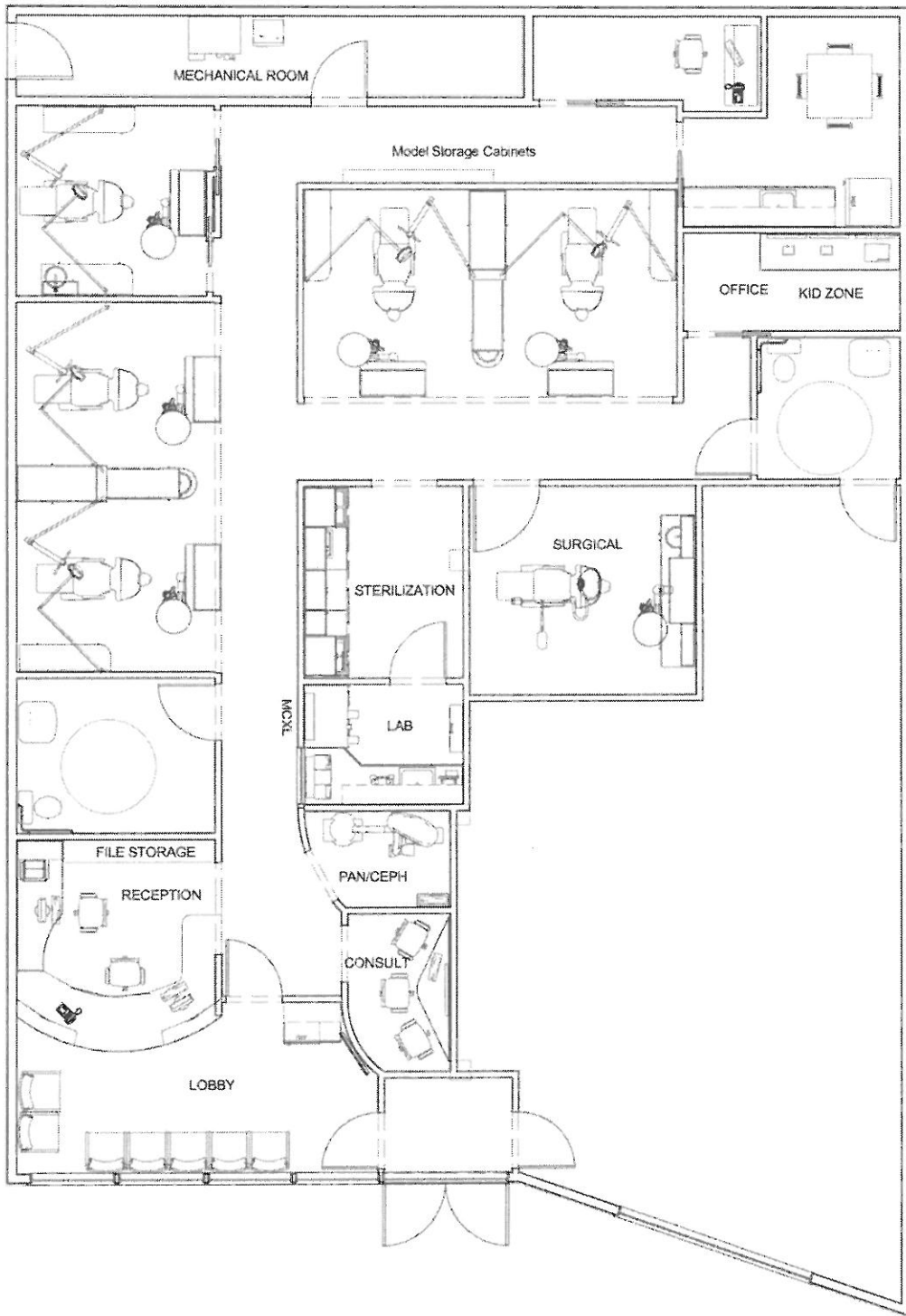


Exhibit B – Floor Plan with Future Expansion

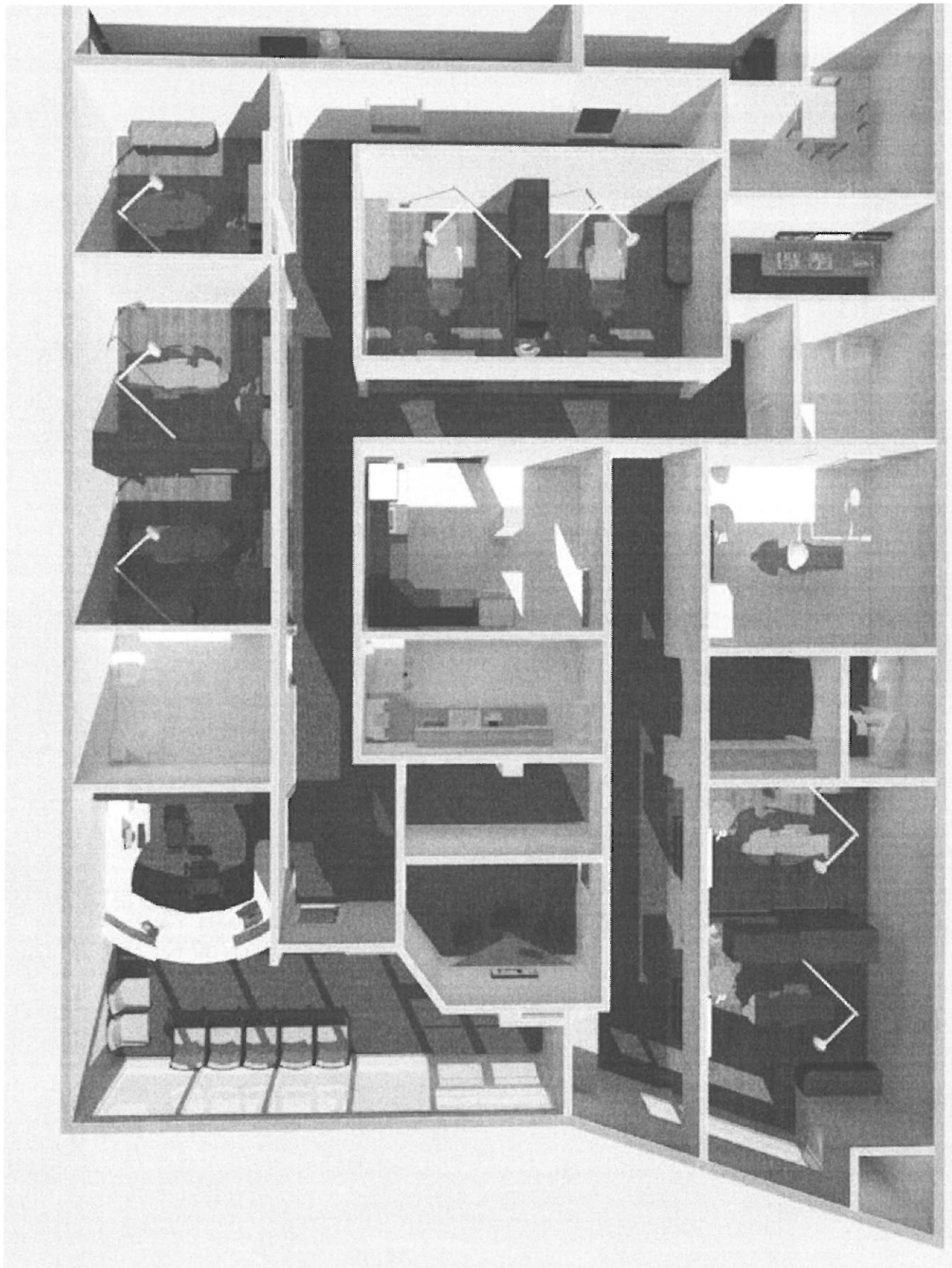


Exhibit C – Downtown Parking Model Blocks 43 and 44

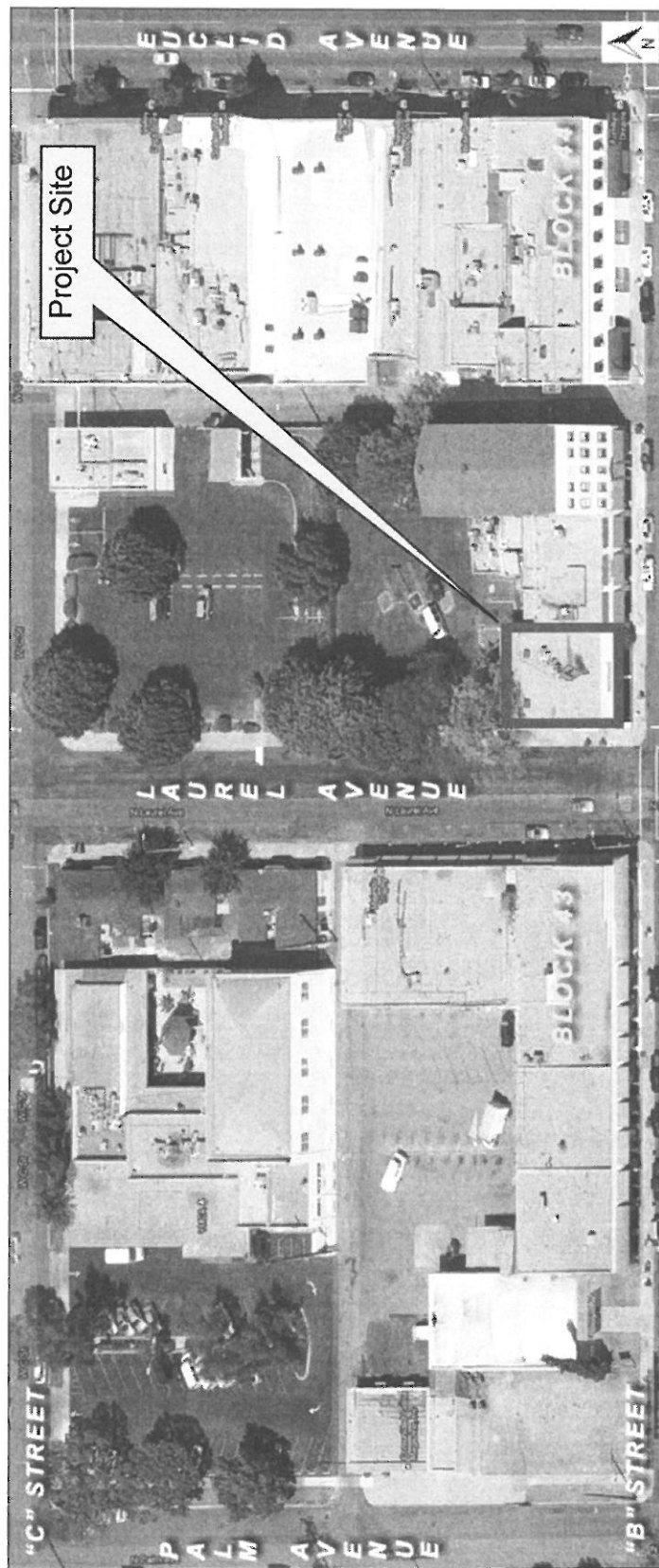
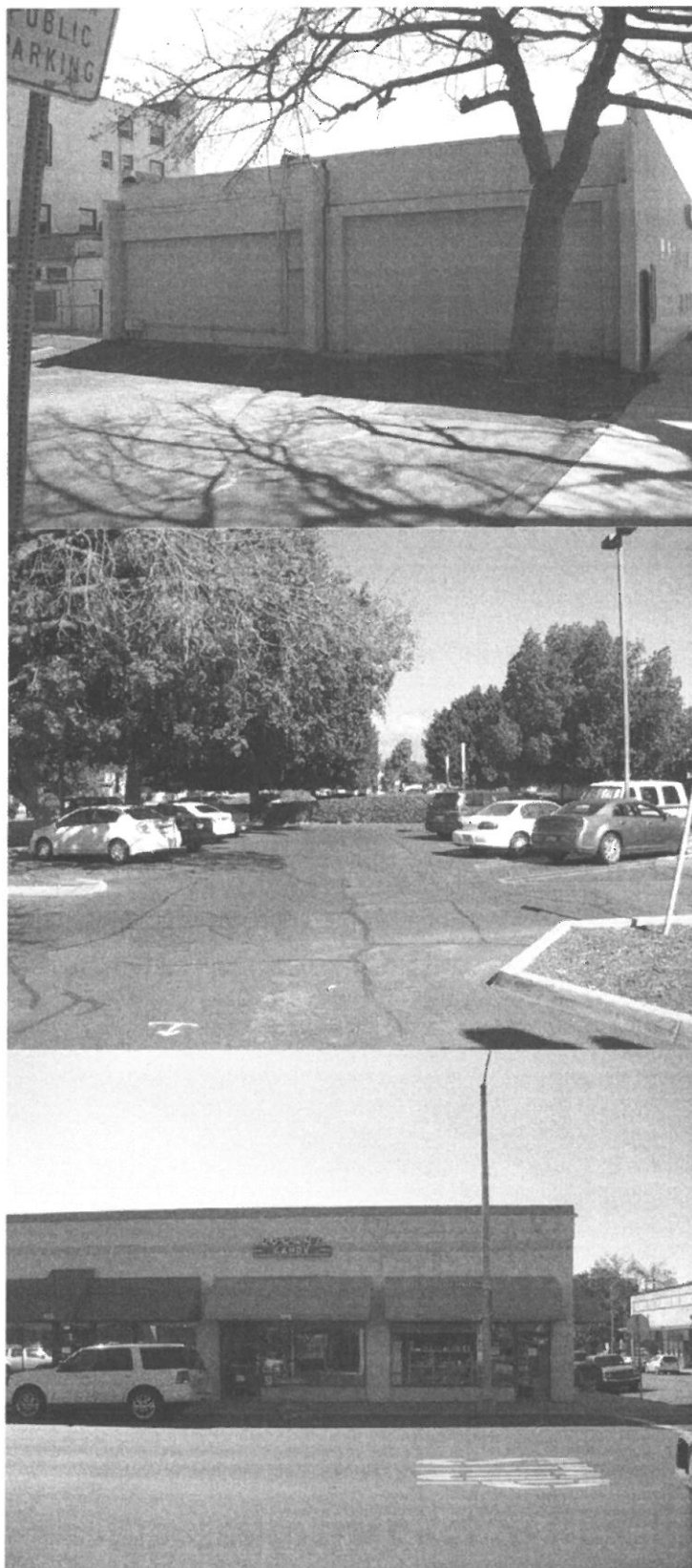


Exhibit D – Site Photographs



Exhibit D – Site Photographs (continued)



**DEPARTMENT ADVISORY BOARD
COMMENTS, CONDITIONS AND RECOMMENDATIONS**

DATE: December 7, 2012

FILE NO.: PCUP12-029

SUBJECT: A Conditional Use Permit request to establish a dental office on 0.08 acres of developed land, within a Historic Eligible building, located on the northeast corner of "B" Street and Laurel Avenue, within the C2 (Central Business Commercial) zoning district (APN: 1048-565-12).

The subject application has been reviewed by each agency/department listed below. A copy of each agency/department recommendation and comments are available for review in the Planning Department project file. Conditions of approval have been recommended by those agencies/departments marked below and are attached.

- PLANNING
- ENGINEERING
- UTILITIES/SOLID WASTE
- PUBLIC FACILITIES

- BUILDING

- POLICE
- FIRE
- REDEVELOPMENT AGENCY
- HOUSING & NEIGHBORHOOD
REVITALIZATION
- OTHER: _____



CONDITIONS OF APPROVAL

DATE: December 7, 2012

FILE NO.: PCUP12-029

SUBJECT: A Conditional Use Permit request to establish a dental office on 0.08 acres of developed land, within a Historic Eligible building, located on the northeast corner of "B" Street and Laurel Avenue, within the C2 (Central Business Commercial) zoning district (APN: 1048-565-12).

1.0 TIME LIMIT

- 1.1 Conditional Use Permit approval shall become null and void one (1) year following the effective date of application approval, unless the approved use has commenced. This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.0 GENERAL REQUIREMENTS

- 2.1 Failure to maintain compliance with the herein-listed conditions of approval shall be deemed just cause for revocation of conditional use permit approval.
- 2.2 The use shall be operated in full conformance with the description and requirements of the Conditional Use Permit on file with the City. Any variations from, or changes in, the approved use (i.e., increase in hours/days of operation, expansion or intensification of use, etc.), must first be reviewed and approved by the Zoning Administrator prior to commencement of the change.
- 2.3 The approved use is subject to all conditions, requirements and recommendations from all other affected departments/agencies, provided on the attached reports/memorandums.
- 2.4 A copy of the herein-listed conditions of approval shall be maintained on the subject premises at all times.
- 2.5 The Planning Department may, from time to time, conduct a review of the approved use to ascertain compliance with the herein-stated conditions of approval. Any noncompliance with the conditions of approval shall be immediately referred to the Zoning Administrator for possible action.

3.0 PARKING AND CIRCULATION

3.1 The project shall provide parking spaces pursuant to the requirements of Ontario Municipal Code § 9-1.3010. Parking shall be calculated and continuously maintained in accordance with established standards, as follows:

<i>Use</i>	<i>Area (in SF)</i>	<i>Parking Ratio</i>	<i>Parking Spaces Required</i>
Medical Office (Dental Office only)	3,067	One space for each 175 sq-ft of gross floor area	18
TOTAL	3,067		18
Medical Office (with Café)	2,045	One space for each 175 sq-ft of gross floor area	12
Restaurant (sit down/full service)	1,022	One space for each 100 sq-ft of gross floor area	10
TOTAL	3,067		22

4.0 GRAFFITI REMOVAL

- 4.1 Use of anti-graffiti material. Anti-graffiti material of a type and nature that is acceptable to the Director of Public Works, shall be applied to each of the publicly viewable surfaces on the improvements to be constructed on the site, which are deemed by the Director of Public Works to be likely to attract graffiti (“graffiti attracting surfaces”).
- 4.2 Right of access to remove graffiti. The City shall be granted the right of entry over and access to parcels, upon 48-hours of posting of notice by authorized City employees or agents, for the purpose of removing or “painting over” graffiti from graffiti attracting surfaces previously designated by the Director of Public Works, and the right to remove such graffiti.
- 4.3 Supply City with graffiti removal material. The City shall be provided sufficient matching paint and/or anti-graffiti material on demand, for a period of two (2) years after imposing this condition, for use in the painting over or removal of designated graffiti attracting surfaces.

5.0 SITE LIGHTING

- 5.1 Site lighting shall be reviewed and approved by the Planning Department and Police Department prior to the issuance of building/electrical permits.
- 5.2 Exterior lighting shall be arranged or shielded in such a manner as to contain direct illumination on the parking area and avoid glare on any adjoining site.

- 5.3 Along pedestrian movement corridors, the use of low mounted bollard light standards, which reinforce pedestrian scale, shall be encouraged. Steps, ramps and seatwalls should be illuminated wherever possible, with built-in light fixtures.

6.0 SIGNS

- 6.1 Individual sign plans (3 copies) for the project shall be submitted for separate review and approval to the Planning and Building Departments prior to installation. (See Downtown Ontario Design Guidelines for signage standards).

7.0 ENVIRONMENTAL REVIEW

- 7.1 The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to § 15301 of the State CEQA Guidelines.
- 7.2 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.



CITY OF ONTARIO
MEMORANDUM

ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL

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

DATE: 11.09.2012 (1st review)

PROJECT PLANNER: Jeanie Aguilo, Planning Department

PROJECT: PCUP12-029, a Conditional Use Permit request to establish a dental office on 0.08 acres of developed land, on a Historic ELIGIBLE building, located on the northeast corner of "B" Street and Laurel Avenue, 126 W "B" Street, within the C2 (Central Business Commercial) zoning district.

APN: 1048-565-12

LOCATION: 126 W "B" Street

PROJECT ENGINEER: Arij Badfour, Engineering Department

ENGINEERING DEPARTMENT HAS CONDITIONS FOR THE MOST RECENT SUBMITTAL OF THE ABOVE REFERENCED SITE.

1. Developer is required to install a backflow prevention assembly to the existing domestic water service per City of Ontario standard # 4206 or 4207.

**CITY OF ONTARIO
MEMORANDUM**

TO: PLANNING DEPARTMENT, Jeanie Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: October 17, 2012
SUBJECT: PCUP12-029

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:kc



TO: Jeanie Aguilo, Planning Intern
Planning Department

FROM: Jim Heenan, Fire Safety Specialist
Bureau of Fire Prevention

DATE: October 25, 2012

SUBJECT: PCUP12-0029 - A Conditional Use Permit to establish a dental office on 0.08 acres of developed land, on a Historic ELIGIBLE building, located on the northeast corner of "B" Street and Laurel Avenue, within the C2 (Central Business Commercial) zoning district.

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

-
1. Fire Extinguishers shall be provided in accordance with Chapter 9 section 906 of the 2010 California Fire Code.
 2. Required exit accesses, exits, or exit discharges shall be continually maintained free from obstructions for full instant use in case of fire or other when the areas served are occupied. As outlined in Chapter 10 of the 2010 California Fire Code.

For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ci.ontario.ca.us, click on Fire Department and then on forms.



City of Ontario
Memorandum

TO: Otto Kroutil, Development Director
Jerry Blum, Planning Director
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Raymond Lee, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Sheldon Yu, Municipal Utilities Agency
Corporal Fred Alvarez, Police Department
Chief Art Andres, Fire Marshal
Sigfrido Rivera, Housing & Neighborhood Revitalization Director (Copy of memo to Brent Schultz)
Steve Wilson, Engineering Department
Tom Danna, T.E., Traffic/Transportation Manager
Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)

FROM: Jeannie Aguilo
Planning Intern

DATE: 10-16-2012

SUBJECT: FILE No.: PCUP12-029

The following project has been submitted for review. Please send one (1) copy and e-mail one (1) copy of your DAB report to the Planning Department by 10/30/2012, noon (10 working days).

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

PROJECT DESCRIPTION:

A Conditional Use Permit request to establish a dental office on 0.08 acres of developed land, on a Historic ELIGIBLE building, located on the northeast corner of "B" Street and Laurel Avenue, within the C2 (Central Business Commercial) zoning district.

APN: 1048-565-12

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

Police Department *[Signature]* SR Management Analyst 10/24/12
Department Signature Title Date

Revised 7/2011

ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT



DECISION NO. 2012-026

HEARING DATE: December 17, 2012

DECISION DATE: December 18, 2012

FILE NO.: PCUP12-033

SUBJECT: A Conditional Use Permit to establish and operate a 1,731 square foot Homeless Outreach Services Center (Mercy House) on a 0.27 acres site, located at 435 S. Bon View Avenue, for property located within the M1 (Limited Industrial) land use designation.

STAFF

RECOMMENDATION: Approval Approval, subject to conditions Denial

PART A: BACKGROUND & ANALYSIS

CITY OF ONTARIO HOUSING & NEIGHBORHOOD REVITALIZATION AGENCY, herein after referred to as "the applicant," has filed an application requesting Conditional Use Permit approval, described as follows:

- (a) Project Description: A Conditional Use Permit request to establish and operate a 1,731 square foot Homeless Outreach Services Center (Mercy House) on a 0.27 acres site, located at 435 S. Bon View Avenue, for property located within the M1 (Limited Industrial) land use designation. The project site is depicted in Figure 1: (*Location Map*).



Figure 1: Location Map

Approved By:

___LB___ Senior Planner

(b) TOP Policy Plan Land Use Map Designation: Industrial

(c) Zoning Designation: Limited Industrial (M1)

(d) Surrounding Zoning and Land Uses:

	<u>Zoning</u>	<u>Existing Land Use</u>
North:	Limited Industrial (M1)	Vacant
South:	General Industrial (M3)	Rail System
East:	Medium Residential (R2)	Vacant
West:	General Industrial (M3)	Industrial

(e) Site Area: 0.27 Acres

(f) Assessor's Parcel No(s).: 1049-192-01 & 02

Project Analysis:

Background

On December 17, 2007 the Planning Commission approved, a Development Plan and Conditional Use Permit (File No.: PDEV07-038 and PCUP07-032) to construct and operate a 5,876 square foot emergency shelter for Mercy House on a 0.45 acres site located along the northwest corner of Mission Boulevard and Greenwood Avenue. However, due to the downturn in the economy and the elimination of the redevelopment agency, financing for the facility disappeared.

In May 2010, the City Council adopted Ordinance No. 2923, restricting any camping or having "camp paraphernalia" in any park, street, or any public parking lot or area, improved or unimproved. In order to enforce the Ordinance and provide the homeless with basic necessities, counsel recommended that the City provide facilities so that homeless can use the restroom, shower, do laundry, and store items in a safe location at no cost to them. As a result, the Housing Agency is requesting the approval of this Conditional Use Permit for the establishment and operation of a Transitional Living Facility that will provide such services.

Proposed Use

The Housing Agency is requesting approval of a Conditional Use Permit to establish and operate a 1,731 square foot Homeless Outreach Services Center for Mercy House on a 0.27 acres site, located at 435 S. Bon View Avenue. Mercy House is a non-profit organization that provides housing and support services to a variety of the homeless population including families, adult men and women, mothers and their children, and individuals with mental illnesses and physical disabilities. The proposed facility is located along the northeast corner of Bon View and Washington Avenue, just north of Ontario Boulevard. A project site plan is illustrated in Figure 2.

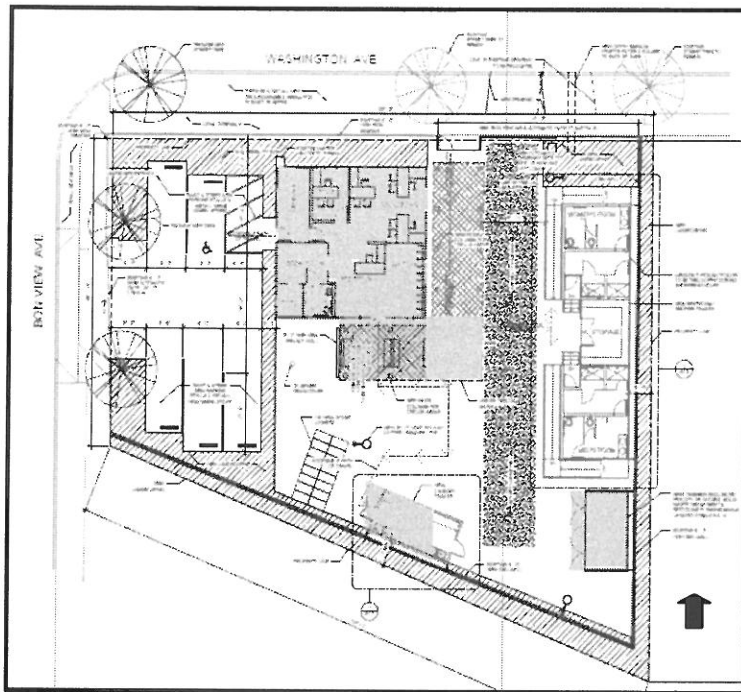


Figure 2: Proposed Site Plan

The site is currently developed with a 1,155 square foot building that will be remodeled and used by Mercy House for administrative offices. Some of the services that the Homeless Outreach Services Center will provide include the following:

- Case management
- Referrals
- Distribution of pre-packaged foods
- Vouchers for transportation, food, gas, motels, showers, bathrooms, lockers, and laundry facilities; and

- Other items that meet the immediate needs of homeless individuals or households at risk of becoming homeless.

The proposed facility will not provide overnight shelter on site, as the previously approved facility, it will only provide counseling and referral services.

Business Hours/Service Levels

The facility will have a staff of five (5) and the service hours will range from 7 a.m. to 5 p.m., seven days a week. It is estimated that the facility will serve approximately 300 people per month with an average of 10 per day. However, current funding will only allow the facility to stay open three days per week from 7 a.m. to 1 p.m...

Access & Propose Improvements

The subject property will have vehicular access along Bon View and Washington Avenue; however, primary access will be on Bon View Avenue. Access on Washington will only be used by personnel to make deliveries and by waste management. Entrance to the administrative building will be from the south side of the building. The building floor plan will include a reception area, waiting area, break room, counseling area, office, restroom and storage space.

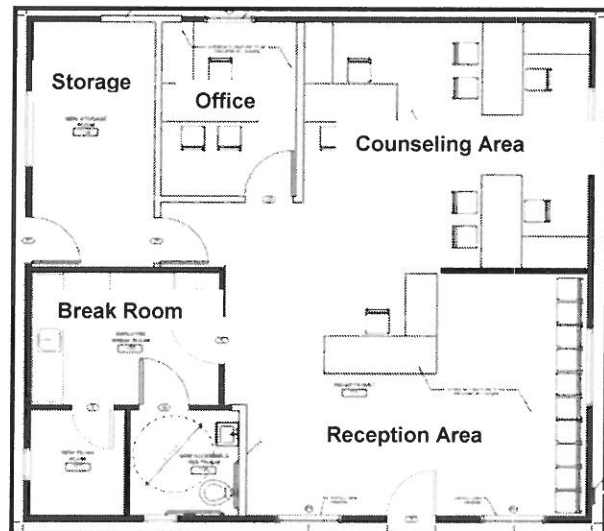


Figure 3: Administrative Offices

As part of the use, the applicant is proposing to make several improvements to the site. The improvements are the following:

- 1) *Development of a small parking lot comprised of 5 parking spaces.* Parking will comply with the Ontario Development Code; and
- 2) *Construction of a 10' x 9.5' trash enclosure; and*
- 3) *Landscaping and irrigation of the site.* Currently, the site does not have any landscaping; so the improvements will include 8 to 10-feet of landscape setbacks along Bon View and Washington Avenue, and 5-feet along the south and east property lines, and
- 4) *Remodel of the existing structure; and*
- 5) *Addition of a wood trellis to the existing structure.* The trellis will wrap around the east and south sides of the existing structure to enhance its appearance; and
- 6) *Addition of two modular structures to be used as a laundry facility (10' x 20' x 13') and as restrooms/showers/storage (16' x 56' x 13').* The structures will be setback 10-feet from the Washington Avenue property line and 5-feet from the east and south property lines. The women's and men's restrooms have been located on opposite ends of the structure for privacy. The exterior of the modular structures will feature a cement plaster finish and will be painted to match the existing structure. To enhance the exterior appearance of the larger modular structure, a wood trellis will also be incorporated along the north and west elevations. According to the applicant, clients will only be given access to the facilities by staff and by the use of a token/access pass system.

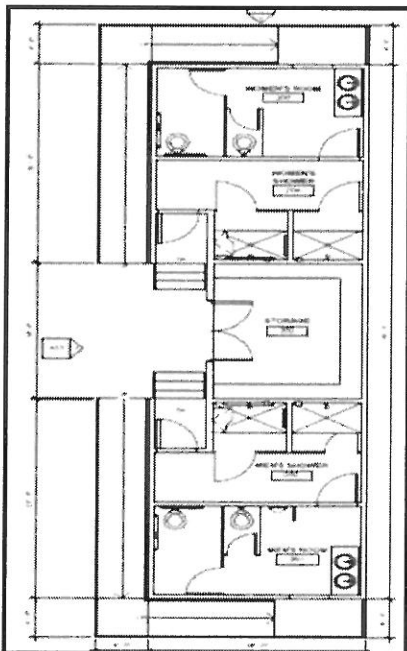


Figure 4: Restrooms/Showers

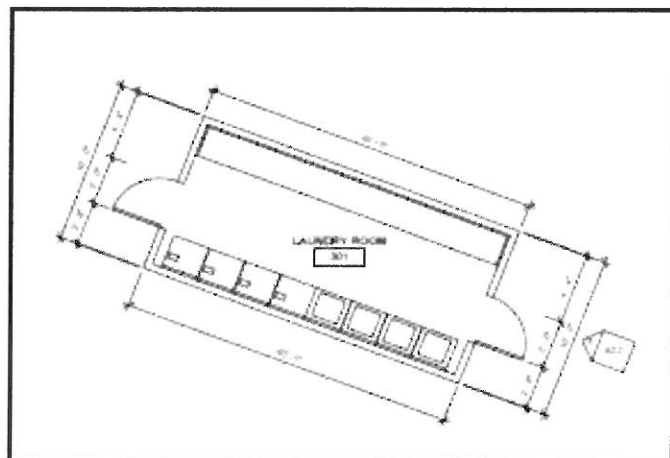


Figure 5: Laundry Room

Land Use Compatibility: A Conditional Use Permit review is required in order to weigh a proposed use's compatibility with adjacent uses, and identify and establish measures to mitigate any potential nuisance activities. The subject site is located in the M1 (Limited Industrial) land use designation. The proposed Homeless Outreach Services Center is a conditionally permitted land use. Staff believes that the recommended conditions of approval will sufficiently mitigate potential impacts associated with the proposed use due to the adjacent land uses being compatible with the proposed use.

Airport Land Use Compatibility Plan (ALUCP) Consistency: 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.

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

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

It is staffs believe that the proposed use will provide a much needed service to the community and it will also revitalize the existing vacant site that will be used. As such, staff recommends approval of the application, subject to the conditions of approval attached.

PART B: RECITALS

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

WHEREAS, Ontario Municipal Code § 9-1.0405(f) provides that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

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

WHEREAS, On the 17th day of December 2012, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(a) Luis E. Batres, Senior Planner, presented the staff report on the proposed use, indicating the staff recommendation of approval subject to the conditions of approval

attached to the staff report and the revised conditions received from the Ontario Police Department. Following staff's presentation, the Zoning Administrator opened the public hearing.

(b) Julie Bjork, Housing Director, representing the applicant, explained the business operation and spoke in favor of the application.

(c) Justin Van Duyne, Ontario Police Officer, responded to the questions from the Zoning Administrator on the Police Departments conditions of approval. He explained that he was assigned to the COPS Unit and that his team worked very closely with the homeless population. He explained that the individuals that will be using the Homeless Outreach Services Center will be provided with identifications. The identification process will include an examination of the individual's criminal record.

(d) Patti Long, Operations Director for Mercy House, explained the business operation and also spoke in favor of the application.

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

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

PART C: THE DECISION

NOW, THEREFORE, it is hereby found, determined and resolved by the Zoning Administrator of the City of Ontario as follows:

(a) All facts set forth in this Zoning Administrator Report and Decision are true and correct.

(b) Based upon the evidence presented to the Zoning Administrator during the above-referenced public hearing, the Zoning Administrator hereby concludes as follows:

(1) The proposed location of the Conditional Use Permit and the proposed conditions under which it will be operated or maintained will be consistent with the General Plan and will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The application has been reviewed by the various City departments which include police and fire and they are all in support of the application subject to the attached conditions. The proposed use is a permitted land use subject to a Conditional Use Permit and conditions have been drafted to mitigate any negative impacts that the use may have on the adjacent land uses.

(2) The proposed Homeless Outreach Services Center is allowed upon approval of a Conditional Use Permit. The project has been conditioned so that the facility and use are operated in a manner that will not be detrimental to the health and safety of the surrounding community.

(3) The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the Ontario Development Code and zoning designation within which the site is located.

(4) Traffic generated by the proposed Conditional Use Permit will not overload the capacity of the surrounding street system and will not create a hazard to public safety. The police and traffic divisions have reviewed the proposed application and they are both in support of the application subject to the attached conditions.

(5) The proposed Conditional Use Permit will comply with each of the applicable provisions of the Ontario Development Code and applicable municipal codes. The subject property is an existing developed site and therefore, has several items that do not comply with today's development standards; such as the buildings setbacks. However, since the building is an existing non-conforming structure, staff was able to work with the applicant so that the project can provide landscaping on the site. As a result, the project will be providing an 8 to 10-foot landscape setback along Bon View and Washington Avenue and 5-feet along the south and east property lines.

(6) For a proposed use in the R2 or R3, also classified in the EA Euclid Avenue Overlay District, the use will be appropriate and consistent with the purposes of the district and will enhance the visual character and quality of Euclid Avenue. The proposed use is not located within the R2, R3 or EA Euclid Avenue Overlay District. The subject property is located within the M1 zone and the proposed land use is conditionally permitted.

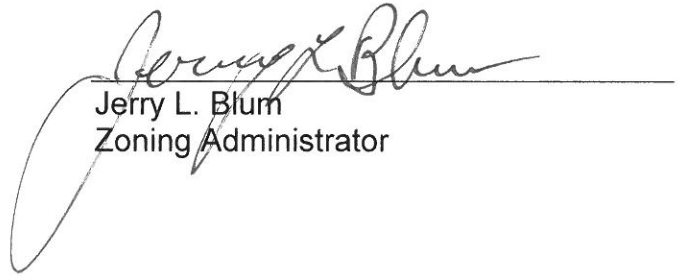
(7) For a use in the R2 or R3 Districts, also classified in the EA District, the proposed conditional use will be compatible with any existing residential use in the vicinity, in terms of scales and character, as prescribed in Article 23. The proposed use is not located within the R2, R3 or EA Euclid Avenue Overlay District. The subject property is located within the M1 zone and the proposed land use is conditionally permitted.

(c) The Zoning Administrator hereby finds and determines that the project identified in this Decision is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to § 15303 and 15332 (Class 3-New Construction or Conversion of Small Structures & Class 32-In-Fill Development Projects) of the State CEQA Guidelines.

(d) Based upon the findings and conclusions set forth in Parts A, B and C above, the Zoning Administrator hereby approves File No. PCUP12-033, subject to the conditions of approval attached hereto and incorporated herein by this reference.

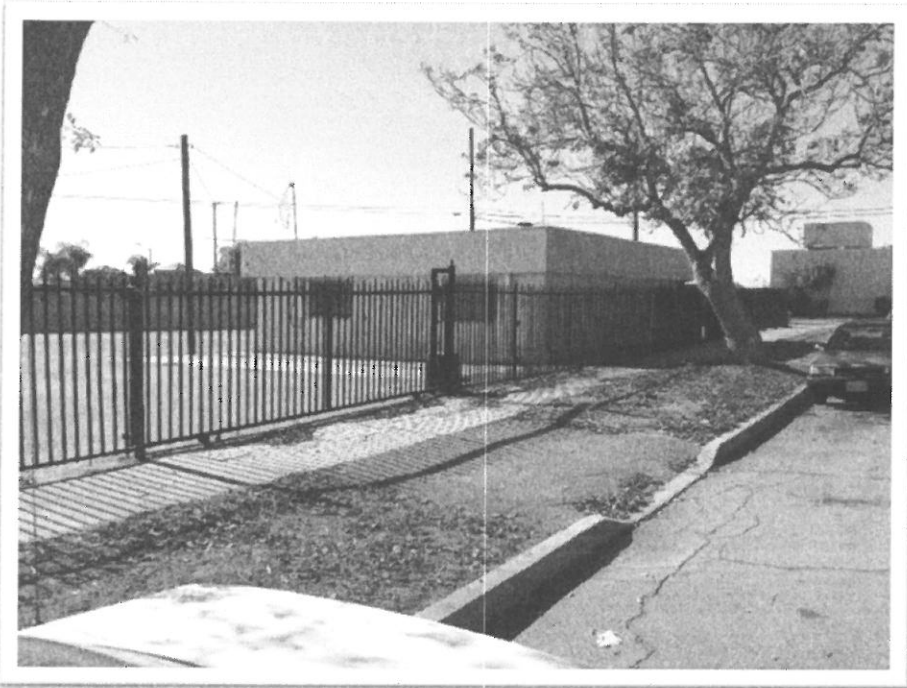


APPROVED by the Zoning Administrator of the City of Ontario on this 18th day of December, 2012.



Jerry L. Blum
Zoning Administrator

Figure 6: Site Photos

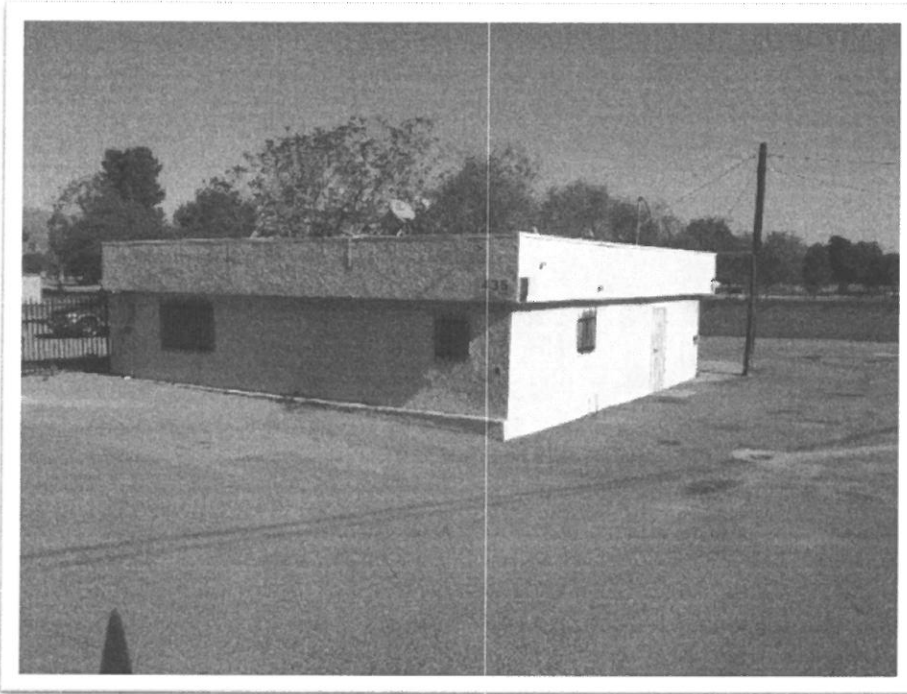


View on Washington Avenue Looking South

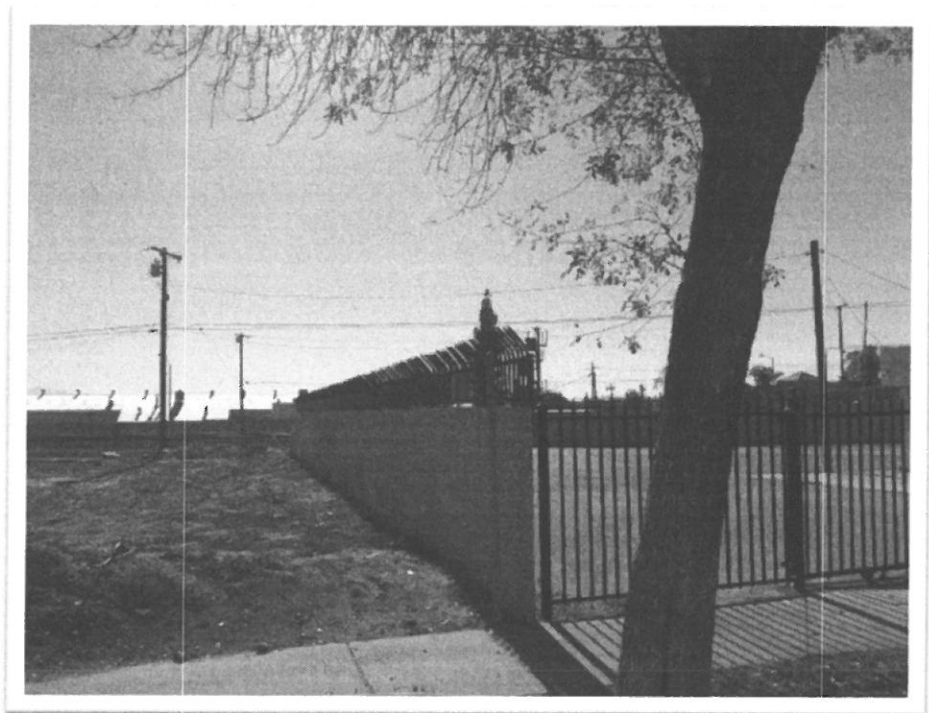


View on Washington Avenue Looking South

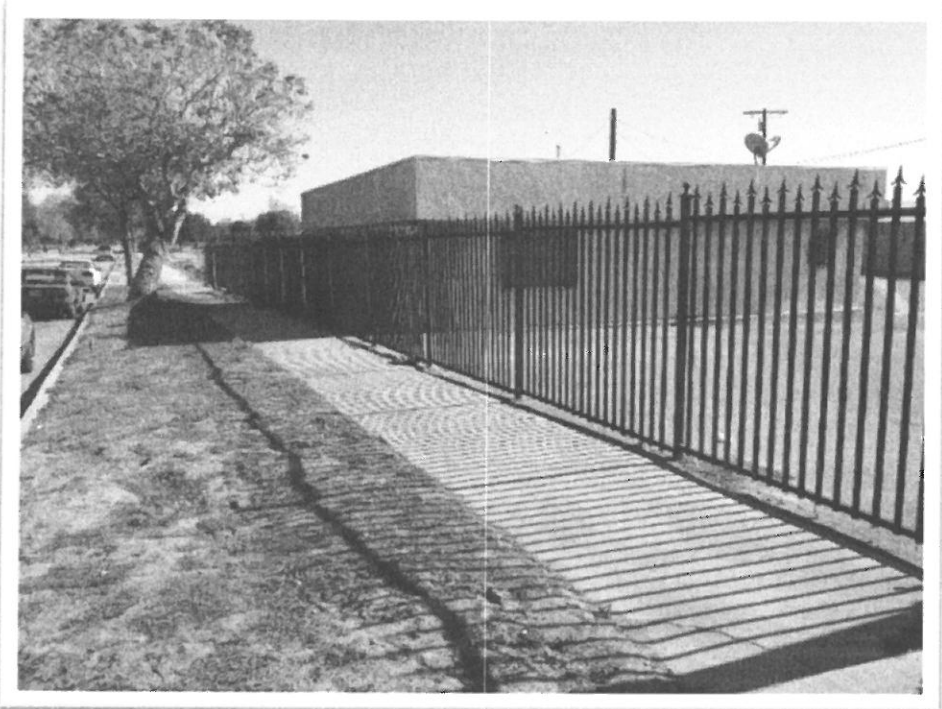
Figure 6: Site Photos



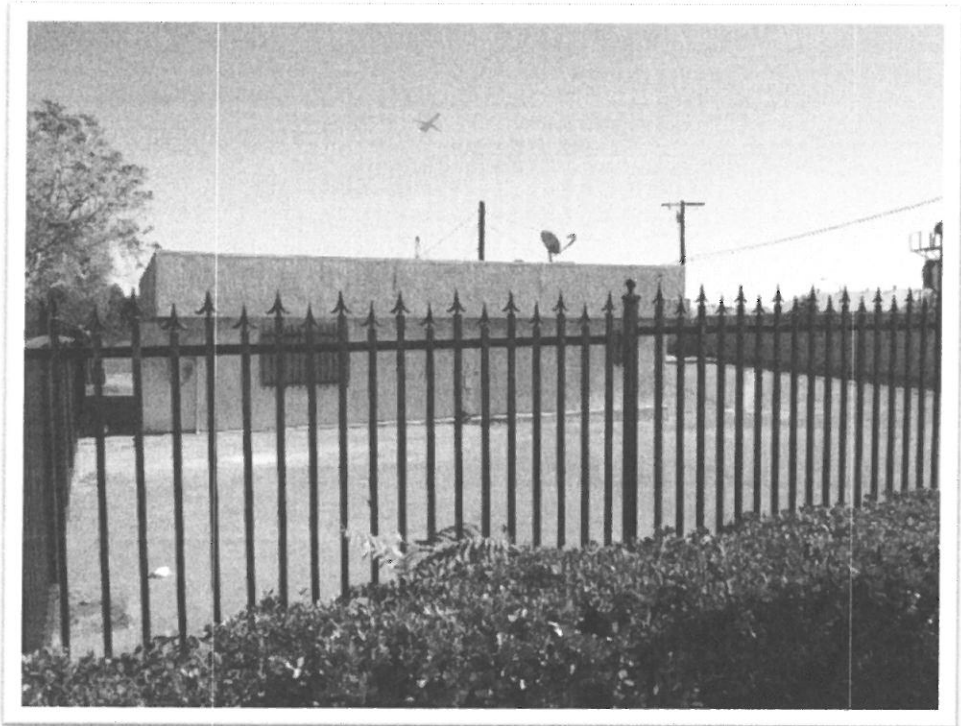
View of Existing Structure Looking East from Bon View Avenue



View of West Side of Project Site



View of Project Site Looking East from Bon View Avenue

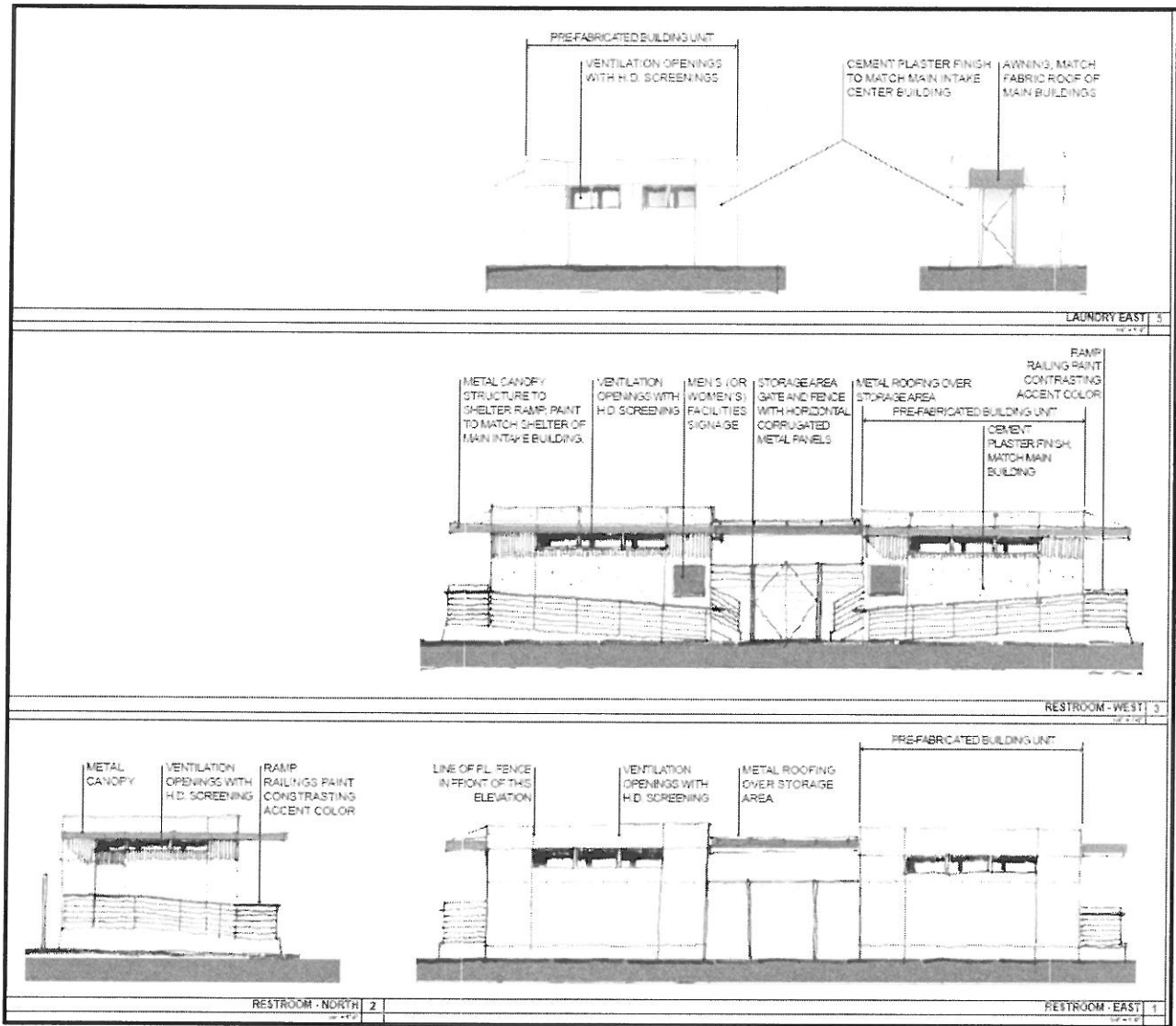


View of Project from Bon View Avenue

Figure 7: Color Perspectives



Figure 8: Color Elevations of Modular Structures



**DEPARTMENT ADVISORY BOARD
COMMENTS, CONDITIONS AND RECOMMENDATIONS**

DATE: December 17, 2012

FILE NO.: PCUP12-033

SUBJECT: A Conditional Use Permit to establish and operate a 1,731 square foot Homeless Outreach Services Center (Mercy House) on a .27 acres site, located at 435 S. Bon View Avenue, within the Limited Industrial (M1) land use designation. **Submitted by City of Ontario-Housing & Neighborhood Revitalization Agency** (APN: 1049-192-01 & 02).

The subject application has been reviewed by each agency/department listed below. A copy of each agency/department recommendation and comments are available for review in the Planning Department project file. Conditions of approval have been recommended by those agencies/departments marked below and are attached.

- PLANNING
- ENGINEERING
- UTILITIES/SOLID WASTE
- LANDSCAPING

- BUILDING

- POLICE
- FIRE
- REDEVELOPMENT AGENCY
- HOUSING & NEIGHBORHOOD
REVITALIZATION
- OTHER: _____



CONDITIONS OF APPROVAL

DATE: December 17, 2012

FILE NO.: PCUP12-033

SUBJECT: A Conditional Use Permit to establish and operate a 1,731 square foot Homeless Outreach Services Center (Mercy House) on a .27 acres site, located at 435 S. Bon View Avenue, within the Limited Industrial (M1) land use designation. **Submitted by City of Ontario-Housing & Neighborhood Revitalization Agency** (APN: 1049-192-01 & 02).

1.0 TIME LIMIT

- 1.1 Conditional Use Permit approval shall become null and void one (1) year following the effective date of application approval, unless the approved use has commenced. This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.0 GENERAL REQUIREMENTS

- 2.1 Failure to maintain compliance with the herein-listed conditions of approval shall be deemed just cause for revocation of conditional use permit approval.
- 2.2 The use shall be operated in full conformance with the description and requirements of the Conditional Use Permit on file with the City. Any variations from, or changes in, the approved use (i.e., increase in hours/days of operation, expansion or intensification of use, etc.), must first be reviewed and approved by the Zoning Administrator prior to commencement of the change.
- 2.3 The approved use is subject to all conditions, requirements and recommendations from all other affected departments/agencies, provided on the attached reports/memorandums.
- 2.4 A copy of the herein-listed conditions of approval shall be maintained on the subject premises at all times.
- 2.5 The Planning Department may, from time to time, conduct a review of the approved use to ascertain compliance with the herein-stated conditions of approval. Any noncompliance with the conditions of approval shall be immediately referred to the Zoning Administrator for possible action.

3.0 PARKING AND CIRCULATION

3.1 The project shall provide off-street parking spaces pursuant to the requirements of Ontario Municipal Code § 9-1.3010. Parking shall be calculated and continuously maintained in accordance with established standards, as follows:

<i>Use</i>	<i>Area (in SF)</i>	<i>Parking Ratio</i>	<i>Parking Spaces Required</i>
Office	1,155	1:250	5
TOTAL			5

4.0 GRAFFITI REMOVAL

- 4.1 Use of anti-graffiti material. Anti-graffiti material of a type and nature that is acceptable to the Director of Public Works, shall be applied to each of the publicly viewable surfaces on the improvements to be constructed on the site, which are deemed by the Director of Public Works to be likely to attract graffiti (“graffiti attracting surfaces”).
- 4.2 Right of access to remove graffiti. The City shall be granted the right of entry over and access to parcels, upon 48-hours of posting of notice by authorized City employees or agents, for the purpose of removing or “painting over” graffiti from graffiti attracting surfaces previously designated by the Director of Public Works, and the right to remove such graffiti.
- 4.3 Supply City with graffiti removal material. The City shall be provided sufficient matching paint and/or anti-graffiti material on demand, for a period of two (2) years after imposing this condition, for use in the painting over or removal of designated graffiti attracting surfaces.

5.0 SITE LIGHTING

- 5.1 Site lighting shall be reviewed and approved by the Planning Department and Police Department prior to the issuance of building/electrical permits.
- 5.2 Exterior lighting shall be arranged or shielded in such a manner as to contain direct illumination on the parking area and avoid glare on any adjoining site.
- 5.3 Along pedestrian movement corridors, the use of low mounted bollard light standards, which reinforce pedestrian scale, shall be encouraged. Steps, ramps and seatwalls should be illuminated wherever possible, with built-in light fixtures.

6.0 ENVIRONMENTAL REVIEW

- 6.1 The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to § 15303 and 15332 (Class 3-New Construction or Conversion of Small Structures & Class 32-In-Fill Development Projects) of the State CEQA Guidelines.
- 6.2 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.

7.0 ADDITIONAL REQUIREMENTS

- 7.1 Business Hours allowed 7 a.m. to 6 p.m., seven days a week.
- 7.2 A landscape plan shall be submitted and approved by the Planning Department (Landscape Planner).
- 7.3 A trellis element must be provided along the north and west side of the larger modular structure.
- 7.4 Trees and shrubs shall be planted along the south and east property line landscape planter in addition vine pockets shall be provided along the outside of the blocks walls so that the vines climb on to the walls.
- 7.5 Any damage to existing block walls and wrought iron fencing/gates shall be repaired. Existing block walls shall also be repainted/stucco to match existing structure.
- 7.6 Existing wrought iron/metal fencing shall be painted.
- 7.7 The modular structures, trash enclosure and existing structure shall be coordinated and painted all the same.
- 7.8 Parkways shall be landscaped with an irrigation system and any missing trees shall be replaced.
- 7.9 The modular structures shall be placed on a permanent foundation system.
- 7.10 The exterior covering material of the modular structures must extend to the ground.



ENGINEERING DEPARTMENT

CONDITIONS OF APPROVAL

(Traffic/Transportation Division, Engineering Services Division and Ontario Municipal Utilities Company Conditions incorporated)

<input type="checkbox"/> DEVELOPMENT PLAN	<input type="checkbox"/> PARCEL MAP	<input type="checkbox"/> TRACT MAP
<input checked="" type="checkbox"/> OTHER	<input type="checkbox"/> FOR CONDOMINIUM PURPOSES	
PROJECT FILE NO. PCUP12-033		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___		

CITY PROJECT ENGINEER & PHONE: Mike Eskander, PE. (909) 395-2132 *ME*

CITY PROJECT PLANNER: Luis Batres, Senior Planner

DATE: 12/17/2012

PROJECT NAME/ DESCRIPTION: Mercy House Traditional Living Center. Establish and operate a 1,731 sq. ft homeless shelter facility on an existing 2.79 acres industrial site within the M1 zone.

LOCATION: 435 S. Bon View Avenue

APPLICANT: City of Ontario Housing and Neighborhood Revitalization Agency

REVIEWED BY: *[Signature]* 11/29/12
 Khoi Do, PE
 Principal Engineer Date

APPROVED BY: *[Signature]* 12/3/12
 Raymond Lee, PE
 Assistant City Engineer Date

PLANNING DEPARTMENT CONDITIONS OF APPROVAL
FILE NO.: PCUP12-033

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 PROJ. ENGR: Mike Eskander, PE
 DATE: 12/17/2012



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY CITY COUNCIL (RESOLUTION NO. 2010-021) AND THE PROJECT-SPECIFIC CONDITIONS SPECIFIED IN THE REPORT (ONLY APPLICABLE CONDITIONS ARE CHECKED IN THIS REPORT). THE APPLICANT AND/OR APPLICANT'S REPRESENTATIVE SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS (STANDARD AND PROJECT SPECIFIC CONDITIONS) PRIOR TO FINAL MAP RECORDATION, ISSUANCE OF CONSTRUCTION PERMITS, AND/OR OCCUPANCY, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP RECORDATION Check When Complete

- 1.01 Dedicate the following right-of-way in locations listed below: _____
- 1.02 Dedicate an easement _____
- 1.03 Restrict vehicular access to the approved driveway locations on the Tentative Map.
- 1.04 Vacate the following _____
- 1.05 Provide and record a reciprocal use agreement to assure common ingress and egress and joint maintenance of all common access, parking areas and drives, landscaping, and raised median landscape.
- 1.06 Provide a copy of proposed Covenants, Conditions and Restrictions as applicable to the project to the City Engineer to be reviewed and approved by the City Attorney. These CC&R's shall ensure, among other things, common ingress and egress, joint maintenance of all common access parking areas, utilities and drives as applicable to the project. The CC&R's shall also cover the maintenance and repair of those public utilities (water, sewer, storm drain, recycled water, etc) that are located within open space. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to City standards. Include language to this effect in the CC&R's.
- 1.07 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.08 Provide a monument bond (i.e. cash deposit) in an amount determined by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's California Registered Professional Engineer or California Registered Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.09 Provide a preliminary title report not older than 30 days to the Engineering Department.
- 1.10 This subdivision is within the existing assessment districts as listed below. An application for reapportionment of assessment, together with payment of a reapportionment processing fee must be filed for each assessment district prior to final map approval. Contact Mark Lassler in the Administrative Services at (909) 395-2124 regarding this requirement: _____
- 1.11 The property owner shall be responsible for all costs associated with the annual operation and maintenance of the street lighting facilities and appurtenances that serve this property. This property shall be annexed to a Street Lighting Maintenance Assessment District. A Consent and Waiver to Annexation agreement, executed by all the record owner(s) of the property, together with payment of an annexation processing fee of \$2,500.00 must be filed with the City prior to the issuance of a Building Permit or Final Subdivision Map/Lot Line Adjustment approval, whichever occurs first. Contact Mark Lassler in the Management Services at (909) 395-2124 regarding this requirement.
- 1.12 File an application, together with an initial deposit payment, to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and deposit shall be submitted a minimum of three (3) 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 in the CFD and will be collected along with _____

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the annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2124 regarding this requirement.

- 1.13 NMC Developments: Prior to approval of any Final Map, developer must submit an evidence of City Council approved final cancellation of Williamson Act Contracts associated with this tract.
- 1.14 Well Site: A City well site is required as part of this project. Unless otherwise approved by the Engineering Department, said site shall consist of a minimum 10,000 square feet of land area. Applicant shall show the location of the well site, as well as easements for access, water mains, and drain lines, if required on the site plan. The location of the well site should be discussed with the Utilities Department prior to preparing a Final Parcel/Tract Map.
- 1.15 Other Conditions: _____

2. PRIOR TO PERMITTING (GRADING, BUILDING, ENCROACHMENT, ETC)

A. GENERAL

- 2.01 Record Parcel Map No. _____ pursuant to the Subdivision Map Act and in accordance with City Code. Provide a duplicate photo Mylar of the recorded map to the City Engineer's office.
- 2.02 The subject parcels APN _____ is unrecognized. A certificate of compliance is required for each parcel to become recognized.
- 2.03 This project requires a Lot Line Adjustment
- 2.04 The project will require a subdivision map to be processed.
- 2.05 This project requires the following: _____
- 2.06 All required public improvement plans and studies shall be prepared by a Registered Professional Civil Engineer in the State of California, and submitted to the City Engineer for review and approval.
- 2.07 Provide a copy of proposed Covenants, Conditions and Restrictions as applicable to the project to the City Engineer to be reviewed and approved by the City Attorney. These CC&R's shall ensure, among other things, common ingress and egress, joint maintenance of all common access parking areas, utilities and drives as applicable to the project. The CC&R's shall also cover the maintenance and repair of those public utilities (water, sewer, storm drain, recycled water, etc) that are located within open space. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to City standards. Include language to this effect in the CC&R's.
- 2.08 The applicant shall obtain an Encroachment Permit and Traffic Control Permit, as required, for all work within the public right-of-way. Prior to issuance of the Encroachment Permit, all public improvement plans, which include but are not limited to, street, water, sewer, lighting, signing and striping, etc shall be reviewed and approved by the City Engineer.
- 2.09 In lieu of constructing the required public improvements, an agreement and security in an amount acceptable to the City Engineer may be submitted to guarantee proper construction of the public improvements. All security must be acceptable to City Attorney's office, pursuant to Government Code, Section 66499 and City's Subdivision Ordinance.
- 2.10 All Development Impact Fees (DIF) shall be paid to the Building Department prior to permit issuance.
- 2.11 All existing street and property monuments within or abutting this project site shall be preserved consistent with AB1414. If during construction of onsite or offsite improvements, monuments are damaged or destroyed, the applicant shall retain a licensed land surveyor or civil engineer to set new monuments, to the satisfaction of the City Engineer.
- 2.12 Detailed on-site utility information shall be shown on the grading plan, which includes but is not limited to, location of monitoring manholes, backflow prevention devices, exact location of laterals, etc. (include low, average, and peak water demand in GPM for the proposed development and proposed water meter size). The grading plan will not be approved by the Engineering Department until this detailed utility information is included on the plans.

PLANNING DEPARTMENT CONDITIONS OF APPROVAL
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- 2.13 Submit electronic files (in PDF file, on disc) of project related off-site improvement plans. These electronic files shall accompany all submittals of improvement plans to be reviewed by the City, including any City redline comments on previous submittals.
- 2.14 Submit a soils/geology report to the project engineer for review and approval in accordance with Government Code, Section 66434.5 as required by the City Engineer.
- 2.15 Other Agency Permit/Approval: Prior to issuance of permits from the Engineering Department, this project will require a permit from the following agencies:
- Caltrans
 - San Bernardino County Road Department
 - San Bernardino County Flood Control District (SBCFCD)
 - FEMA
 - Cucamonga Valley Water District (CVWD) for Sewer/Water service
 - Army Corps of Engineers (ACOE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency
- 2.16 Dedicate the following right-of-way in locations listed below:
- 2.17 NMC Developments
1. On-site wells shall be destroyed/ abandoned per the County Health Department Guidelines. A copy of such permit shall be provided to the Engineering Department and Public Works Agency prior to issuance of grading and/or building permits.
 2. If the Developer proposes temporary use of an existing agricultural well for purposes other than agriculture, such as grading, dust control, etc., the developer shall make a formal request to the City of Ontario for such use prior to issuance of permits for any construction activity. Upon approval, the Developer shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by the agreement.
- 2.18 Other Conditions:
- Dedicate 11-ft along the easterly half of Bon View Avenue to achieve the ultimate half right-of-way width of 44-ft from the CL in accordance with the City of Ontario General Plan and Master Plan of Streets.
 - Dedicate the corner cut-off on Bon View Avenue and Washington street.

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B. PUBLIC IMPROVEMENTS

Refer to attached Exhibit 'A' for Plan Check Submittal Requirements.

- 2.20 Design and construct full public improvements in accordance with City Code, Standards and Specifications, and/or approved specific plan for the area. Such public improvements may include, but not be limited to, the following:

Improvement Item	Bon View Avenue	Washington Street		
Curb & Gutter	<input type="checkbox"/> New; from C/L south <input type="checkbox"/> Replace Damaged	<input type="checkbox"/> New; from C/L east <input type="checkbox"/> Replace Damaged	<input type="checkbox"/> New; ft from C/L west <input type="checkbox"/> Replace Damaged	<input type="checkbox"/> New; ft from C/L north <input type="checkbox"/> Replace Damaged
AC Pavement	<input type="checkbox"/> Widen; ft from C/L south, incl. pavement transitions	<input type="checkbox"/> Widen; from C/L east, incl. pavement transitions	<input type="checkbox"/> New	<input type="checkbox"/> New
PCC Commercial Driveway Approach	<input type="checkbox"/> New <input type="checkbox"/> Replacement	<input type="checkbox"/> New <input type="checkbox"/> Replacement	<input type="checkbox"/> New <input type="checkbox"/> Replacement	<input type="checkbox"/> New <input type="checkbox"/> Replacement
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Replacement	<input type="checkbox"/> New W/Street trees <input checked="" type="checkbox"/> Replacement of damaged panels	<input type="checkbox"/> New <input type="checkbox"/> Replacement	<input type="checkbox"/> New <input type="checkbox"/> Replacement
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Replacement	<input type="checkbox"/> New <input type="checkbox"/> Replacement	<input type="checkbox"/> New <input type="checkbox"/> Replacement	<input type="checkbox"/> New <input type="checkbox"/> Replacement
Parkway	<input type="checkbox"/> Tree <input checked="" type="checkbox"/> Landscaping (w/irrigation) <input type="checkbox"/> Hard Landscaping	<input type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation) <input type="checkbox"/> Hard Landscaping	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation) <input type="checkbox"/> Hard Landscaping	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation) <input type="checkbox"/> Hard Landscaping
Raised Median	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation) <input type="checkbox"/> Hard Landscaping	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation) <input type="checkbox"/> Hard Landscaping	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation) <input type="checkbox"/> Hard Landscaping	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation) <input type="checkbox"/> Hard Landscaping
Street Lights (See Sec 2-G)	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation
Fire Hydrant (300-ft intervals as needed)	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation

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Water Service (See Sec. 2D)	<input type="checkbox"/> Main <input type="checkbox"/> Service Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Service Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Service Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Service Lateral
Sewer Service (See Sec. 2C)	<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
Recycled Water Service (See Sec. 2E)	<input type="checkbox"/> Main <input type="checkbox"/> Laterals	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Storm Drain (SD) (See Sec. 2H)	<input type="checkbox"/> Main <input type="checkbox"/> Catch Basin	<input type="checkbox"/> Main <input type="checkbox"/> Catch Basin	<input type="checkbox"/> Main <input type="checkbox"/> Catch Basin	<input type="checkbox"/> Upsize lateral <input type="checkbox"/> Catch Basin
Traffic Signal Facilities (See Sec. 2G)	<input type="checkbox"/> New <input type="checkbox"/> Modification	<input type="checkbox"/> New <input type="checkbox"/> Modification	<input type="checkbox"/> New <input type="checkbox"/> Modification	<input type="checkbox"/> New <input type="checkbox"/> Modification
Traffic Signing and Striping, as required (See Sec. 2G)	<input type="checkbox"/> New <input type="checkbox"/> Modification	<input type="checkbox"/> New <input type="checkbox"/> Modification	<input type="checkbox"/> New <input type="checkbox"/> Modification	<input type="checkbox"/> New <input type="checkbox"/> Modification
Bus Stop and Bus Turn-out	<input type="checkbox"/> New <input type="checkbox"/> Modification	<input type="checkbox"/> New <input type="checkbox"/> Modification	<input type="checkbox"/> New <input type="checkbox"/> Modification	<input type="checkbox"/> New <input type="checkbox"/> Modification
Underground Overhead Utilities (See item 2.26)	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
Removal of	_____	_____	_____	_____
Other req'd improvements	_____	_____	_____	_____

* SPECIFIC NOTES FOR IMPROVEMENTS LISTED IN ITEM 2.20.

- 2.21 OMC Developments: For all developments in the Old Model Colony (OMC), utility services, which include sanitary sewers, one 1" minimum potable and recycled water service, electric power, gas, telephone, and cable television, shall be provided, when required, to each parcel. All utilities shall be undergrounded.
- 2.22 NMC Developments: For all developments in the New Model Colony (NMC), utility services, which include sanitary sewers, one 1" minimum water service, electric power, gas, and OntarioNet fiber optic conduit, shall be provided to each parcel. All utilities shall be undergrounded. In addition, the applicant shall incorporate OntarioNet fiber optic conduit system design into the project dry utility plans or other utility plans as applicable. Contact the Engineering Department for additional information.
- 2.23 The following existing streets being cut for new services or being finished with curb and gutter may require an asphalt concrete overlay: _____
- 2.24 The Developer shall slurry seal _____ along the project's frontage to the satisfaction of

PLANNING DEPARTMENT CONDITIONS OF APPROVAL
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the City Engineer. Limits of the slurry seal will be determined during the plan check process.

- 2.25 This property is within the water/ sewer service area of the Cucamonga Valley Water District (CVWD). Applicant shall make arrangements with CVWD for those services and provide the City with proof that all CVWD fees have been paid.
- 2.26 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804). Said improvements shall be completed prior to Building Permit issuance, and all costs associated with said improvements shall be solely borne by the applicant.
- 2.27 Other conditions: _____

C. SEWER

- 2.30 _____inch Sewer main is available in _____for connection by this project.
- 2.31 No sewer main is available for direct connection in Jurupa Street to serve proposed building 1 located on the north side of Jurupa Street. Applicant's Engineer shall prepare an improvement plan to install a new sewer main (minimum 8-inch diameter) in Jurupa Street from approximately 300 feet west of Hofer Ranch Road to Turner Avenue per Figures 4.2 of the Hofer Ranch Airport Business Park Specific Plan.
- 2.32 Utilize existing laterals, whenever provided, for connection to the public sewer system
- 2.33 On-site monitoring facilities shall be installed for all commercial or industrial units in accordance with City Standards and shall be shown on the grading plans of the project.
- 2.34 The project site is within a deficient public sewer system area. Applicant shall submit expected peak loading values to the City for modeling the impact to the existing sewer system. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, the applicant/developer may be required to mitigate the project impacts 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 other sewer.
- 2.35 Other Conditions: _____

D. WATER

- 2.40 Water main is available for connection by this project in _____
- 2.41 No water line is available for direct connection. Applicant shall design and construct a water main extension.
- 2.42 The existing 6 inch water main in Transit Avenue shall be upsized to a new 8 inch water main and shall be connected to the existing water lines in Euclid Avenue and Lemon Street in order to provide the required fire flow for this development. The project shall utilize the upsized 8 inch water main in Transit Street for water service connections.
- 2.43 Contact the City of Ontario Fire Department for approval of on-site fire hydrants and services as required.
- 2.44 Offsite fire hydrant locations and appropriate main sizes shall be established and approved by Engineering and Fire Departments, in accordance to City Standards at 300-foot intervals.
- 2.45 Backflow prevention devices shall be required for:
 - (a) All commercial / industrial service laterals.
 - (b) All on-site fire systems.
 - (c) Any business where any hazardous substances may be stored or used.
 - (d) For all recycled water connections.
 - (e) Irrigation Systems
- 2.46 The applicant shall utilize existing service laterals, whenever provided and possible, for connection to

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the public water system.

- 2.47 Water Meter sizes shall be based on the peak water demand. Fee shall be based on meter size and quantity purchased. The applicant shall contact Engineering Department for current fees.
- 2.48 Other Conditions : _____

E. RECYCLED WATER

- 2.50 A recycled water main currently exists in the vicinity of this project. The applicant is required to design and construct an onsite irrigation system (or other authorized use) for this project using pipes, sprinklers, and other fittings specifically suited for recycled water (i.e. purple pipes, fittings, etc.) per all applicable standards including City Ordinance No. 2689 – Chapter 8C – Recycle water use, California Department of Public Health (CDPH) and building/plumbing codes.
- 2.51 A recycled water main does not exist in the vicinity of this project but is planned for the near future. The applicant at his/her cost shall connect to the recycled water main for approved uses when available in the vicinity of the project. The applicant is required to design and construct an onsite irrigation system (or other authorized use) for this project using pipes, sprinklers, and other fittings specifically suited for recycled water (i.e. purple pipes, fittings, etc.) per all applicable standards including City Ordinance No. 2689 – Chapter 8C – Recycle water use, California Department of Public Health (CDPH) and building/plumbing codes.
- 2.52 A single connection is required for recycled water use in the immediate vicinity of public street right-of-way. The Applicant shall protect the City's potable water supply from cross connection as per section 6-8.720 of City's Ordinance no. 2689. Plans for connection in the public right-of-way and cross connection device will be submitted to the Engineering Department for review and approval.
- 2.53 Onsite plumbing for all recycled water uses shall meet all applicable standards including California Department of Public Health (CDPH) and building/plumbing codes.
- 2.54 Submit 4 sets of engineer's report (ER) for use of recycled water with a proof showing they have been submitted to California Department of Public Health (CDPH) for approval. Provide one electronic copy of the ER in PDF format.
- 2.55 The Review and approval process by the City and CDPH is approximately three (3) months. The applicant shall submit an Engineering Report (ER) for recycled water usage for approval by the City and CDPH.
- 2.56 Other Conditions: _____

F. SOLID WASTE

- 2.58 Comply with City refuse collection standards:
 - (a) Apartment – For apartments using commercial bin service applicant shall comply with Municipal Code Sec. 6-3.314 Commercial Storage Standards and Sec. 6-3.601 Business Recycling Plan.
 - (b) Residential – For curbside automated container service applicant shall comply with Municipal Code Sec. 6-3.308.9(a) and (d), Residential Receptacles, Placement.
 - (c) Recycling Requirements – Applicant shall comply with Municipal Code Article 6. Recycling Requirements for Specified Business Activity, Sec. 6-3.601 Business Recycling Plan, and Sec. 6-3.602 Construction and Demolition Recycling Plan.
 - (d) Site Improvement Plans shall follow the City of Ontario refuse collections standards.
- 2.59 Other Conditions: _____

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G. TRAFFIC/TRANSPORTATION

- 2.60 Construction of public improvements in the Caltrans right-of-way shall be approved by Caltrans as to type, size, and location of the proposed improvements. The applicant shall provide the City with a copy of the Caltrans permit prior to issuance of Encroachment Permit.
- 2.61 Submit a focused traffic impact study. The study shall address any or all of the following issues as required by the City Traffic/Transportation Manager: parking, on and off-site circulation, and/or build-out and future years traffic level of service (LOS) and impacts at intersections selected by the City.
The applicant shall construct all mitigation, or pay fair-share costs identified in the report as required by the City Traffic/Transportation Manager. When appropriate, the traffic study shall also identify timelines for construction of required traffic mitigation and other public improvements for phased or master planned developments.
- 2.62 Submit a County of San Bernardino, Congestion Management Plan Traffic Impact Analysis (CMP-TIA) in accordance with the latest edition of the CMP document, and to the satisfaction of the City Traffic/Transportation Manager and the San Bernardino Association of Governments (SanBAG). The applicant shall construct all mitigation or pay fair-share costs identified in the report and as required by the City Traffic/Transportation Manager.
- 2.63 Other Conditions: _____

H. DRAINAGE / HYDROLOGY

- 2.70 A hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California, in accordance with the San Bernardino County Hydrology Manual and the City of Ontario's Standards and Guidelines is required. The applicant's Engineer should contact the Engineering Department for specific details to be included in the report. Additional drainage facilities may be required as a result of the findings of this study.
- 2.71 Since no adequate drainage facility exists downstream to accept additional runoff, a retention/infiltration basin of appropriate size shall be designed and constructed per City Standards. Show its location and size on the Grading/Drainage Plan. Post-development flows shall not exceed 80% of pre-development flows. The developer shall submit a hydrology study to justify the proposed basin size prior to the project's approval
- 2.72 Any drainage above historical flow routed onto adjacent property must be directed to a recorded private drainage easement. Applicant must provide a copy of the recorded document (i.e. letter of acceptance of drainage, in a format acceptable to the City) to the Engineering Department prior to approval of the Grading/drainage Plan.
- 2.73 Proposed site/portion of site falls within SFHA (Special Flood Hazard Area) as indicated on the FIRM (Flood Insurance Rate Maps) and is subjected to flooding in a 100 year frequency storm. This site plan will be subject to the provisions of the National Flood Insurance program and comply with the City's Flood Damage Prevention Ordinance #2409.
- 2.74 Other Conditions: _____

I. STORMWATER QUALITY (NPDES)

- 2.80 Prior to the approval of the Grading Plan and issuance of Grading Permits, an Erosion and Sediment Control Plan shall be submitted to and approved by the Engineering Department. The Erosion and Sediment Control Plan shall specifically identify the Best Management Practices (BMPs) that will be implemented on this project during construction, to reduce the discharge of sediment and other pollutants into the City's storm drain system. An electronic copy of the City's "Erosion and Sediment Control Plan Requirements" is available upon request.
- 2.81 Prior to the approval of the Grading Plan and issuance of Grading Permits, a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the Engineering Department. The

PLANNING DEPARTMENT CONDITIONS OF APPROVAL
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WQMP shall be submitted on the San Bernardino County Stormwater Program's model form and shall identify all Post-Construction, Site Design, Source Control and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters. Please direct all questions on the WQMP to Mr. Steve Wilson at (909) 395-2389. An electronic copy of the WQMP standard form is available on-line at: http://www.waterboards.ca.gov/santaana/water_issues/programs/stormwater/sb_wqmp.shtml. An electronic copy of the companion Guidance document for preparation of the WQMP is also available at: http://www.waterboards.ca.gov/santaana/water_issues/programs/stormwater/sb_wqmp.shtml.

- 2.82 NMC Developments: This development project is within the eastern half of the New Model Colony, which is tributary to the proposed regional wetlands in the ultimate condition. Prior to the approval of the Grading Plan and issuance of Grading Permits, interim and permanent on-site water quality measures consistent with the requirements for New Development in the SB County Regional Stormwater Program WQMP shall be incorporated into the Grading Plan and the WQMP for this project. All stormwater runoff pollutants not adequately addressed by on-site Source Control, and Site Design BMPs or off-site treatment controls shall be addressed by on-site Treatment Control BMPs.
- 2.83 All projects that develop one (1) acre or more of total land area or which are part of a larger phased development that will disturb at least one acre of land, are required to obtain coverage under the State Water Resources Control Board's General Permit For Storm Water Discharges Associated With Construction Activity. Proof of filing a Notice of Intent (NOI) with the State for coverage under this permit is required prior to approval of the grading plan and issuance of grading permits. The applicant shall submit a copy of the Waste Dischargers Identification Number (WDID) for coverage under the General Construction Permit to the Engineering Department. More detailed information regarding the General Permit, applicable fee information and the necessary forms to complete the NOI are available on the web at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/gen_const.shtml. An electronic An electronic copy of the NOI form and instructions is available upon request.
- 2.84 SWPPP Plan – All projects that develop one (1) acre or more of total land area or which are part of a larger phased development that will disturb at least one acre of land, are required to prepare a Storm Water Pollution Prevention Plan (SWPPP), utilizing the model form in Appendix B of the 2003 CASQA Stormwater Best Management Practices (BMP) Handbook for Construction at: www.cabmphandbooks.com and submit a copy of the plan to the City of Ontario Engineering Department for review. A copy of the adopted SWPPP shall be maintained in the construction site office at all times during construction and the Site Superintendent shall use the plan to train all construction site contractors and supervisory personnel in construction site BMP, prior to starting work on the site.
- 2.85 401/404 Permits – Development and/or construction work that will permanently or temporarily affect any surface water body (lake, creek, open drainage channel, etc.) may require a 404 Permit from the Army Corps of Engineers and/or a 401 Water Quality Certification from the Santa Ana Regional Water Quality Control Board (RWQCB). The groups of water bodies classified in these requirements are perennial and ephemeral (flow only during rain conditions) and include direct connections into SB County Flood Control District Channels as well as new storm drains tributary to those direct connections. Prior to Grading Permit issuance, a copy of any applicable 404 Permit and/or 401 Certification for this project must be submitted to the City's project engineer. If a 404 permit and/or 401 certification are not required, a letter stating such from the applicant's engineer must be submitted. Contact information: Army Corps of Engineers (909) 794-7704 or (805) 585-2147, RWQCB (909) 782-4990 or (909) 782-3234.
- 2.86 Other Conditions: _____

J. SPECIAL DISTRICTS

- 2.90 The subject site is within the below special district(s). Special assessments or special taxes are levied annually on this property and are included on the annual property tax bill that is issued by the County. For further information, contact Mark Lassler in the Management Services at (909) 395-2124.
- 2.91 The property owner shall be responsible for all costs associated with the annual operation and maintenance of the street lighting facilities and appurtenances that serve this property. This property shall be annexed to a Street Lighting Maintenance Assessment District. A Consent and Waiver to Annexation agreement, executed by all the record owner(s) of the property, together with payment of

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an annexation processing fee of \$2,500.00 must be filed with the City prior to the issuance of a Building Permit or Final Subdivision Map/Lot Line Adjustment approval, whichever occurs first. Contact Mark Lassler in the Management Services at (909) 395-2124 regarding this requirement.

- 2.92 Prior to approval of the final subdivision map and/or lot line adjustment referred to in Section 1 and/or Section 2 of this report. An application for reapportionment of assessments and processing fee shall be filed for each of the following Assessment Districts.

Contact Mark Lassler in the Administrative Services at (909) 395-2124 regarding this requirement.

- 2.93 *The subject project lies within the following special drainage impact zone/fee district and is required to pay the applicable fee as estimated below prior to the issuance of building permit:*

Special Drainage Impact Zone II

*Estimated Fee = AC x \$2,696.29/ac = \$

Others: _____

*Contact Mark Lassler in the Administrative Services at (909) 395-2124 to obtain the exact fee amount.

- 2.94 NMC Developments: Prior to City Council approval of any Final Map, or if no subdivision map is required, then prior to issuance of any permits, a Community Facilities District (CFD) shall be established pursuant to the Mello-Roos Community Facilities District Act of 1982. 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 and exclusive lead agency in the formation of the CFD. Contact Mark Lassler in the Management Services at (909) 395-2124.

- 2.95 Other Conditions: _____

3. PRIOR TO CERTIFICATE OF OCCUPANCY

- 3.01 All remaining fees/ deposits required by the Engineering Department must be paid in full prior to issuance of a Certificate of Occupancy.
- 3.02 Complete all required public improvements to the satisfaction of the City Engineer.
- 3.03 Submit a set of Record Drawings on mylar of all Engineering Department approved plans for review.
- 3.04 Record an approved "Water Quality Management Plan and Stormwater BMP Transfer, Access and Maintenance Agreement" with the San Bernardino County Recorder on a standard City form. An electronic copy of this document is available at the City's website.
- 3.05 Set all monuments in accordance with the final map, and submit all centerline ties to the Engineering Department. Any monuments damaged as a result of construction, shall be reset to the satisfaction of the City.
- 3.06 Other Conditions:
- The CUP shall include a provision to review the project no less than 5 years from the date of approval to assess whether or not the use is still temporary.

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EXHIBIT 'A'

**ENGINEERING SERVICES DIVISION
First Plan Check Submittal Checklist**

If any of the checked items below are missing, your submittal will be returned, un-checked, until all required items are submitted.

Project Number: PCUP12-033

Items Required for First Plan Check Submittal:

(PDF copies of all required documents listed below are required with each submittal. For subsequent submittals, PDF copies of the City's previous redline comments are also required)

- A COPY OF THIS CHECK LIST MUST BE SUBMITTED WITH THE FIRST PLAN CHECK
- Check(s) for Plan Check fees (Engineering)
- 1 Copy of Engineering Cost Estimate (On City forms) with Engineer's Wet Signature and Stamp
- 1 Copy of approved Conditions of Approval
- 3 Sets of Potable 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).
- 3 Sets of Recycled Water Plans (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 areas being irrigated by each recycled water meter)
- Water demand calculations showing low, average, and peak water demand in GPM for the proposed development and proposed water meter size
- 3 Sets of Public Water Plans
- 4 Sets Public Storm Drain Plans
- 3 Sets of Traffic Signal Plans
- 3 Sets of Street-Light Plans
- 3 Sets of Signing/ Striping Plans
- 1 Copy of Hydrology/ Drainage Study
- 2 Copies of Water Quality Management Plan (WQMP)
- Check for Final Map processing fees
- 2 Sets of Final Map
- 2 Sets of dedication documents (Legal and Exhibit)
- 2 Copies of Preliminary Title Report (within last 30 days)
- 1 Set of Supporting Documents and Maps (legible copies) for the required legal documents: referenced record Final Maps (full size, 18"x26"), Assessor's Parcel Map (full size, 11"x17"), recorded documents such as Deeds, lot line adjustments, easements, referenced improvement plans etc.
- Grading/drainage plans shall be submitted to the Building Department for processing



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Sr. Planner
Planning Department

FROM: Jim Heenan, Fire Safety Specialist
Bureau of Fire Prevention

DATE: November 20, 2012

SUBJECT: PCUP12-033 - A Conditional Use Permit (CUP) request to establish and operate a 1,731 sq ft homeless shelter facility (Mercy House Transitional Living Center) on an existing 2.79 acres industrial site, located at 435 S. Bon View Avenue, for property located within the M-1 zone. The CUP will include the construction of a new wood trellis, a new 10'x 18' trash enclosure and the installation of two new modular structures. A 16'x 55' modular will be used for showers/restrooms and storage and a 10'x20' modular will be used as a laundry room.

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

No comments

Report below.

-
1. Exit signs shall be required as outlined in 2010 California Fire Code Section 1011.
 2. Required exit accesses, exits, or exit discharges shall be continually maintained free from obstructions for full instant use in case of fire or other when the areas served are occupied. As outlined in 2010 California Fire Code Section 1011.
 3. Fire Extinguishers shall be provided in accordance with 2010 California Fire Code 906.1.

For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ci.ontario.ca.us, click on Fire Department and then on forms.



CITY OF ONTARIO MEMORANDUM

TO: Luis Batres, Sr. Planner
Planning Department

FROM: Jim Heenan, Fire Safety Specialist
Bureau of Fire Prevention

DATE: November 20, 2012

SUBJECT: PCUP12-033 - A Conditional Use Permit (CUP) request to establish and Operate a 1,731 sq ft homeless shelter facility(Mercy House Transitional Living Center) on an existing 2.79 acres industrial site, located at 435 S. Bon View Avenue, for property located within the M-1 zone. The CUP will include the construction of a new wood trellis, a new 10'x 18' trash enclosure and the installation of two new modular structures. A 16'x 55' modular will be used for showers/restrooms and storage and a 10'x20' modular will be used as a laundry room.

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

-
1. Exit signs shall be required as outlined in 2010 California Fire Code Section 1011.
 2. Required exit accesses, exits, or exit discharges shall be continually maintained free from obstructions for full instant use in case of fire or other when the areas served are occupied. As outlined in 2010 California Fire Code Section 1011.
 3. Fire Extinguishers shall be provided in accordance with 2010 California Fire Code 906.1.

For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ci.ontario.ca.us, click on Fire Department and then on forms.

**CITY OF ONTARIO
MEMORANDUM**

TO: PLANNING DEPARTMENT, Luis Batres
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: November 15, 2012
SUBJECT: PCUP12-033

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:kc



CITY OF ONTARIO

MEMORANDUM

“Excellence Through Teamwork”

TO: Luis Batres, Planning Department

FROM: Scott Melendrez, Police Department

DATE: December 12, 2012

SUBJECT: FILE NUMBER PCUP12-033 A Conditional Use Permit to establish and operate a 1,731 sq. ft. homeless intake center at 435 S. Bon View Avenue.

IN ADDITION TO THE STANDARD CONDITIONS OF APPROVAL, THE POLICE DEPARTMENT IS REQUESTING THE FOLLOWING CONDITIONS FOR APPROVAL ON THIS PROJECT:

- 1) Clearly post proper signage regarding “No Loitering”, “No Trespassing”, “Customer Parking Only – Vehicles Towed at Owner Expense” as well as facility “Rules and Regulations”. **(REVISED)**
- 2) Add bicycle rack(s) to site plan.
- 3) Add anti-graffiti surface to all windows and mirrors.
- 4) No parolees or convicted sex offenders allowed in permitted areas such as showers, laundry and lockers. **(REVISED)**
- 5) All facilities and premises, including restrooms, showers, laundry and lockers shall be fully secured at end of business each day.
- 6) No animals allowed on the premises.
- 7) No overnight storage in lockers.
- 8) Use and operation of lockers, laundry room, restrooms and showers shall be monitored and controlled by on-site staff via key check-out, token, timer and/or other appropriate restrictive methods to prevent unauthorized and improper use.
- 9) All entry/exit shall be monitored and controlled by onsite staff to prevent unauthorized access.

- 10) If food and/or other items are to be distributed to the public on or adjacent to the premises, such distribution shall be monitored and controlled by applicant, and applicant shall provide this information to the COPS division.
- 11) Applicant shall meet with the COPS division prior to completion of the project to review all signage, rules, regulations, hours of operation and other aspects of the project in order to minimize criminal activity and limit calls for service.

The Applicant is invited to call Scott Melendrez at (909) 395-2292 regarding any questions or concerns regarding these conditions.

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

DAB CONDITIONS OF APPROVAL	
Sign Off	
<i>Carolyn Bell</i> Carolyn Bell, Sr. Landscape Planner	11/19/12 Date

Reviewer's Name: Carolyn Bell, Sr. Landscape Planner	Phone: (909) 395-2237
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D.A.B. File No.: PCUP12-033	Related Files:	Case Planner: Luis Batres
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Project Name and Location:
Mercy House Transitional Living Center
 435 south Bon View Avenue

Applicant/Representative:
Brent Shultz, Ontario Housing and Neighborhood Revitalization Agency
 208 W Emporia Street
 Ontario, CA 91762

<input checked="" type="checkbox"/>	A site plan (dated October 2012) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met.
<input type="checkbox"/>	A site plan (dated) has not been approved. Corrections noted below are required prior to DAB approval.

CONDITIONS OF APPROVAL

1. Call out new street tree on Washington Avenue to be Fraxinus velutina 'Modesto', 24" box.
2. Call out new trees along Bon View Ave to be Chitalpa tashkentensis – 24" box
3. Call out all on-site landscaping such as warm season turf grass for possible pedestrian use areas (north parkway, and space south of building between the parking area and outdoor patio (if not fenced) Tifgreen hybrid Bermuda sod;
4. Call out low water shrubs 36" high hedge along the north and west fence line such as Ligustrum texanum or Photinia fraseri -5 gallon 30" on center. Add foundation shrubs on the west side of the building such as Rhapsiolepis 'Clara'.
5. Call out groundcovers for the remaining area; Lonicera Honeysuckle groundcover 1 gallon size spaced 24" on center for non-pedestrian areas perimeter at base of hedges.
6. Call out for CMU walls to have 1 gallon vines spaced 10' apart, alternating Ficus repens and Parthenocissus tricuspidata both sides. Outside of property line wall may have vines with bubbler irrigation and mulch only.
7. Add 1 tree – 24" box to the south landscape area between the last parking space and the new lockers such as Quercus agrifolia or Platanus acerifolia 'Bloodgood', note to be 5' from the property line wall.
8. Note irrigation to be water efficient and effective; heads shall be placed 12" away from paved surfaces; nozzles shall be rotating or rotary type on 6" min. pop ups; provide backflow device if missing; trees shall have 5' quarter bubbler heads 2 per tree on a separate valve.