

# ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT



DECISION NO. 2014-21

HEARING DATE: November 03, 2014

DECISION DATE: November 12, 2014

FILE NO.: PCUP14-020

**SUBJECT:** A Conditional Use Permit to establish religious assembly for International Fellowship of Churches, Inc., within a 2,683 square foot suite of an existing building on 1.8 acres of land generally located at the southeast corner of Grove Avenue and Belmont Street, at 1115 South Grove Avenue, Unit #104, within the Business Park land use district of the Grove Avenue Specific Plan.

**STAFF**

**RECOMMENDATION:**  Approval  Approval, subject to conditions  Denial

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## PART A: BACKGROUND & ANALYSIS

INTERNATIONAL FELLOWSHIP OF CHURCHES, INC., herein after referred to as "the applicant," has filed an application requesting Conditional Use Permit approval, File No. *PCUP14-020*, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

- (a) Project Description: A Conditional Use Permit to establish religious assembly for International Fellowship of Churches, Inc., within a 2,683 square foot suite of an existing building on 1.8 acres of land generally located at the southeast corner of Grove Avenue and Belmont Street, at 1115 South Grove Avenue, Unit #104, within the Business Park land use district of the Grove Avenue Specific Plan.
- (b) TOP Policy Plan Land Use Map Designation: Business Park
- (c) Zoning Designation: SP (Specific Plan) - Business Park land use district of the Grove Avenue Specific Plan

(d) Surrounding Zoning and Land Uses:

	<u>Zoning</u>	<u>Existing Land Use</u>
North:	Grove Avenue Specific Plan Business Park	Office & Light Industrial
South:	Grove Avenue Specific Plan Business Park	Office & Light Industrial
East:	Grove Avenue Specific Plan Business Park	Office & Light Industrial
West:	Grove Avenue Specific Plan Business Park	Office & Light Industrial

(e) Site Area: 2,683 square foot suite

(f) Assessor's Parcel No(s): 0113-351-32

(g) Project Analysis:

**Proposed Use:** The project is located within a multi-tenant business park totaling 8 buildings, with street frontages on Grove Avenue, Belmont Street, and Mildred Avenue (See Exhibit A—Aerial Photograph). The project is proposed within one of the buildings that fronts onto Grove Avenue. The applicant proposes to utilize a 2,683 square foot suite within the existing multi-tenant building as a religious assembly facility (See Exhibit B—Site Plan and Exhibits C1 & C2—Floor Plans). International Fellowship of Churches, Inc. proposes to hold services on Sundays, from 10:00 AM to 3:00 PM, and on Thursday evenings, from 7:00 PM to 9:30 PM. Currently, there are no Bible Study classes proposed at this location. The applicant proposes to use approximately 1,984 square feet as the main assembly area and approximately 681 square feet will be used for office space.

**Land Use Compatibility:** A Conditional Use Permit is required to ensure compatibility between adjacent land uses, and limit exposure of nearby residents, businesses and property owners to potential nuisance activities. The existing business park is located on the east side of Grove Avenue, within the Business Park land use designation of the Grove Avenue Specific Plan. The properties to the north, south, east, and west of the project site are also within the Business Park land use designation of the Grove Avenue Specific Plan and are developed with office and light industrial uses. The properties to the north of project site are undeveloped vacant land. Industrial buildings surround the subject property along the west, south, and east sides (See Exhibit A - Aerial Map).

The major potential impacts from a religious assembly use typically include parking and possibly noise, which have been addressed in the conditions of approval as follows:

- The proposed facility provides adequate on-site parking, per the requirements of the Development Code.
- The project has been conditioned to allow regular assembly inside the building only, which will limit the potential noise impacts on the surrounding land uses.

- Amplified music is allowed; however, the sound must be contained within the building, and the exterior doors are to remain closed. Any special events to be held at the facility shall require a Temporary Use Permit and would be limited in duration.

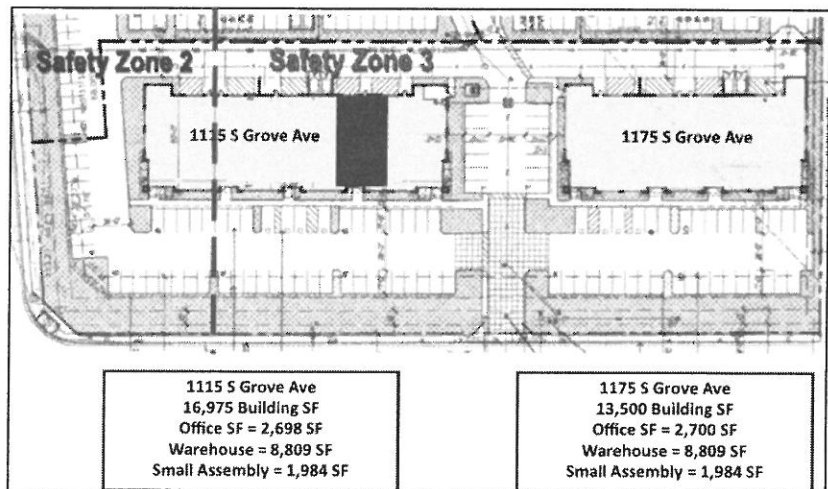
**Parking:** For religious assembly uses, parking spaces are required at a rate of one space for each 4 fixed seats in the main assembly area, or one space for each 40 square feet (1:40) of assembly area if non-fixed seating is provided. No fixed seating will be provided at this facility, and the main assembly area is 1,984 square feet, which requires 2 parking spaces for the 618 square feet office suite, for a total of 49 off-street parking spaces required for the Project.

The typical allowed uses within the office park, such as business offices and retail uses, have limited parking needs during the hours of operation of the International Fellowship of Churches, Inc. The overall building is 16,975 square feet and 62 parking spaces are allocated for the building. Therefore, the parking needs of the proposed religious assembly use can be accommodated on-site.

Staff believes the proposed use of the 1,984 square foot suite as a religious assembly facility to be consistent with the surrounding land uses, and the potential adverse impacts have been adequately addressed and mitigated.

Airport Land Use Compatibility Plan: The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and found to be consistent with the Airport Land Use Compatibility Plan (ALUCP) for ONT provided that conditions are met. The overall project site is located within Safety Zones 2 and 3 as shown below and the project site is located completely within Safety Zone 3. Projects located within any safety zone are required to meet Sitewide Average and Single-Acre intensity limit calculations that determines the number of people on the property at any single point in time during normal operating conditions. In addition, assembly uses are prohibited within Safety Zone 2 and there is a 0.03 FAR restriction placed on assembly uses within Safety Zone 3. Intensity Calculations and FAR restrictions were met for the proposed assembly use and are shown in **Exhibit E: Intensity Calculations**.

The project site is also located within the 70-75 dB CNEL Noise Impact Zone and large assembly uses are not permitted within this noise contour. However, the proposed use does not fall within the large assembly use definition of 300 to 999 occupants. The proposed religious assembly use will have less than 60 occupants during service hours at any



given time. Due to the small number of occupants that will be in attendance during service hours the proposed use is being categorized as a commercial service use and therefore allowed at their proposed location, provided that interior noise attenuation standards are met. The sanctuary must be capable of meeting CNEL 45 dB interior noise levels.

(h) 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 and are attached to this report.

(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 March, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(a) Denny D. Chen, Associate Planner, presented the staff report on the proposed use, indicating the staff recommendation of Approval subject to conditions. Following staff's presentation, the Zoning Administrator opened the public hearing.

(b) Dr. James Planck, President of the IMF Church, representing the applicant, explained the business operations and spoke in favor of the application. Dr. Planck asked the ZA (Ms. Millman) the following questions regarding the Conditions of Approval: Is the CNEL 45 dB interior noise level required? Is the applicant required to plant additional trees, per the attached Landscape conditions?

- (c) Ms. Millman stated that all COA (Conditions of Approval) listed on the Conditional Use Permit are required to be met by the applicant. She further stated that a building permit is also required to be submitted to and approved by the Building Department, prior to building occupancy.
- (d) Dr. Planck agreed to these additional conditions of approval and had no further questions to the Zoning Administrator. (Ms. Millman)
- (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 makes the following Conditional Use Permit findings:
  - (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 religious assembly use lies within the Business Park land use district of the Grove Avenue Specific Plan land use designation.
  - (2) Religious assembly uses are 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 Business Park land use district of the Grove Avenue Specific Plan.
  - (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.

The parking needs for the religious assembly use, beyond those parking spaces for the occupied suites, will be accommodated within the existing business park through a parking agreement.

(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 (Existing Facilities) of the State CEQA Guidelines.

(d) The Zoning Administrator hereby finds and determines that 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.

(e) Based upon the findings and conclusions set forth in Parts A, B and C above, the Zoning Administrator hereby approves File No. PCUP14-020, subject to the conditions of approval attached hereto and incorporated herein by this reference.

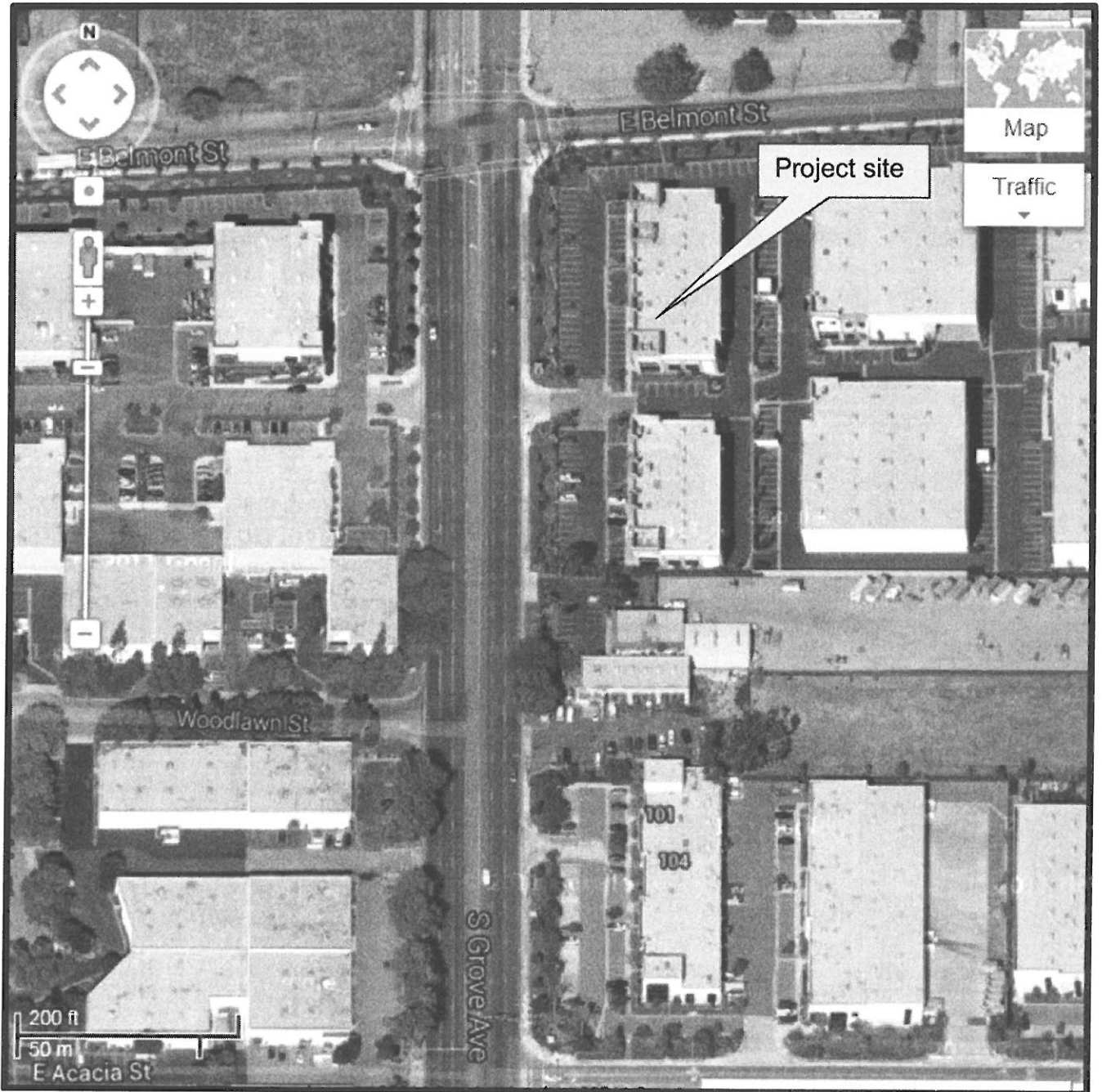


APPROVED by the Zoning Administrator of the City of Ontario on this 12th day of November, 2014.

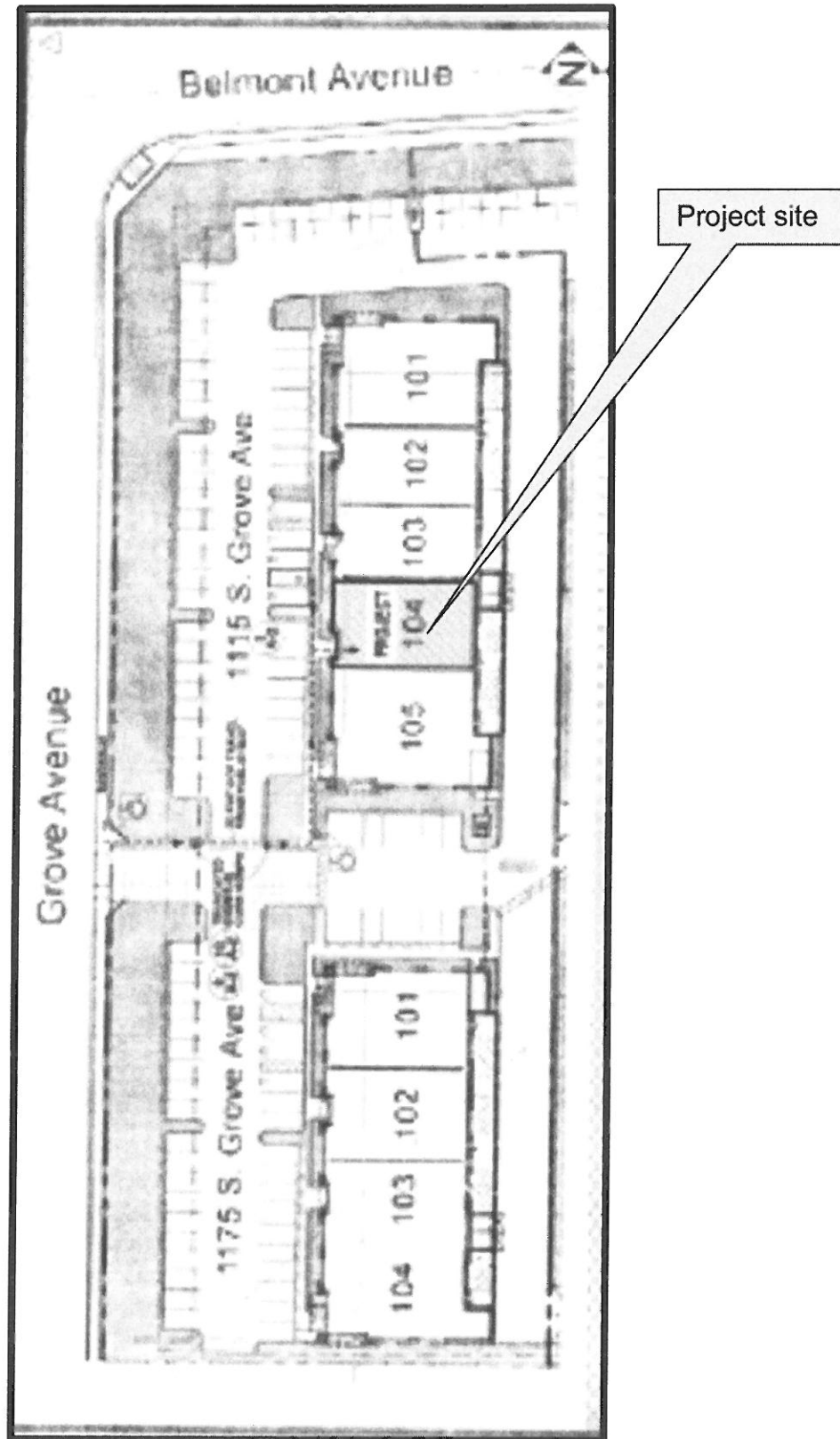
  
\_\_\_\_\_  
Barbara Millman  
Zoning Administrator

EXHIBITS

Exhibit A: Aerial Map



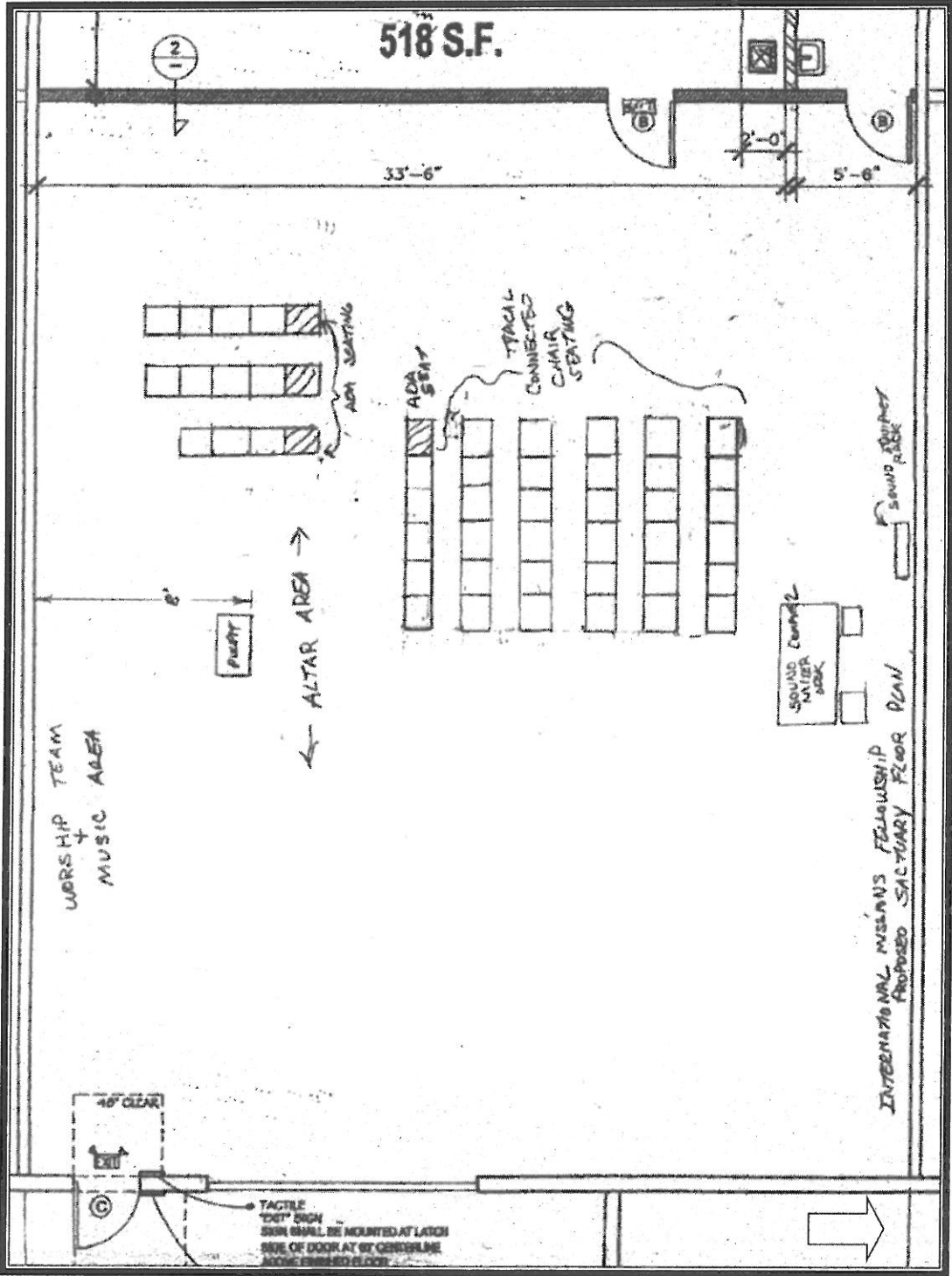
**Exhibit B: Site Plan**







**Exhibit C-2: Sanctuary Floor Plan**



**Exhibit D: Site Photos**



**Exhibit E: Intensity Calculations**

CE No.: 2014-063

Intensity Calculations for PCUP14-020

Intensity Calculations			Zone 2 Land Use SF	Zone 3 Land Use SF	ALUCP Load Factor	ALUCP Load Factor	ALUCP Load Factor	ALUCP Load Factor	Zone 3 Single Calculations (Zone 3 = 100 P/AC max)	Zone 3 Single Calculations (Zone 3 = 250 P/AC max)	ALUCP Load Factor
Building No.	Proposed Land Use										
1115 & 1175 South Grove Ave	Warehouse		2,798	19,608	1,000	3	20	8,809	9		
	Small Assembly		-	1,984	15	0	132	1,984	132		
	Office		695	5,399	215	3	25	2,699	13		
<b>Totals</b>							<b>70</b>			<b>154</b>	
<b>Site Information</b>											
Safety Zone	Average	Square Footage									
Zone 2	0.38	16,553									
Zone 3	2.15	93,654									
<b>Totals</b>	<b>2.53</b>	<b>110,207</b>									
<b>Steward Average Calculation</b>			<b>Safety Zone 2 = 16</b>			<b>Safety Zone 3 = 70</b>			<b>Safety</b>		
* Safety Zone 2 land area is not large enough to calculate single acre intensity.											
<b>Floor Area Ratio Calculations</b>											
Assembly use is allowed in Safety Zone 3 with an 0.03 FAR (Floor Area Ratio)											
Allowed FAR	Land Use	Site Average	Maximum Land Use SF Allowed								
0.03	small assembly use	2.15	2,816								
* Proposed SF of small assembly use is 1,984 and 984 SF less than what is allowed.											

October 27, 2014

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

**DATE:** November 03, 2014

**FILE NO.:** PCUP14-020

**SUBJECT:** A Conditional Use Permit to establish religious assembly for International Fellowship of Churches, Inc., within a 2,640 square foot suite of an existing building on 1.8 acres of land located at 1115 South Grove Avenue, Unit #104, within the Business Park land use district of the Grove Avenue Specific Plan.

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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.

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> PLANNING             | <input type="checkbox"/> ECONOMIC DEVELOPMENT |
| <input checked="" type="checkbox"/> LANDSCAPING DIVISION | <input type="checkbox"/> HOUSING              |
| <input type="checkbox"/> ENGINEERING                     | <input checked="" type="checkbox"/> FIRE      |
| <input type="checkbox"/> UTILITIES/SOLID WASTE           | <input type="checkbox"/> POLICE               |
| <input checked="" type="checkbox"/> BUILDING             |   |



## CONDITIONS OF APPROVAL

**DATE:** November 03, 2014

**FILE NO.:** PCUP14-020

**SUBJECT:** A Conditional Use Permit to establish religious assembly for International Fellowship of Churches, Inc., within a 2,640 square foot suite of an existing building on 1.8 acres of land generally located at the southeast corner of Grove Avenue and Belmont Street, at 1115 South Grove Avenue, Unit #104, within the Business Park land use district of the Grove Avenue Specific Plan.

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### 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.

### 2.0 SIGNAGE

- 2.1 The location, quantity, size, and design of all signage shall comply with the Ontario Development Code, Specific Plan, or applicable sign program, pursuant to the zoning district for which the project site is located within.

- 2.2 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.
- 2.3 View obscuring material that is applied to any window, preventing direct view into or outside of the building is prohibited. Additionally, any furniture, shelving system, or product stacked in front of a window which prevents an unobstructed view into or outside of the building is prohibited.

**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>
Religious Assembly Main Assembly area	1,984	1 space per 40 square feet of main assembly area	49
Office	518	1 space per 250 square feet of GFA	2
Total Required			51
<b>TOTAL Provided</b>			<b>62</b>

- 3.2 The project provides 62 on-site parking spaces and a total of 51 parking spaces are required. The approval of the religious assembly use is contingent upon provision of adequate parking.

**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 § 15301 (Existing Facilities) 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 Assembly activities shall only take place inside the enclosed building. Any special events shall require approval of a Temporary Use Permit prior to the event.
- 7.2 Amplified music is permitted; however, the sound emitted from the facility shall not be audible outside the exterior walls of the facility. The doors shall be kept closed at all times during the operation of the facility, except for direct ingress and egress, or in case of emergency.
- 7.3 Upon approval the applicant shall obtain a Business License prior to commencement as a religious assembly use.



- 7.4 Sign permits shall be obtained for any signage prior to installation.
- 7.5 The comments and conditions from all other departments shall be addressed.
- 7.6 The sanctuary must be capable of meeting CNEL 45 dB interior noise levels and an acoustical report shall be submitted demonstrating how interior noise levels will be met.**
- 7.7 The applicant must not exceed 60 occupants at any given time.**
- 7.8 Prior to building occupancy, the applicant must submit Tenant Improvement (T.I.) plans to the Building Department for Building's review and approval.

**CITY OF ONTARIO  
MEMORANDUM**

**TO:** PLANNING DEPARTMENT, Denny Chen  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** August 20, 2014  
**SUBJECT:** PCUP14-020

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

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Conditions of Approval

1. Plans and permits are required for improvement.
2. Building to meet all requirements for change of use to A-3.

KS:kb

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

<b>DAB CONDITIONS OF APPROVAL</b>	
Sign Off	
	09/16/2014
Jamie Richardson, Associate Landscape Planner	Date

Reviewer's Name: <b>Jamie Richardson, Associate Landscape Planner</b>	Phone: <b>(909) 395-2615</b>
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D.A.B. File No.: <b>PCUP14-020</b>	Related Files:	Case Planner: <b>Denny Chen</b>
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Project Name and Location: <b>Ontario Office</b> <b>1115 S. Grove Ave.</b>
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Applicant/Representative: <b>International Fellowship of Churches, Inc. – Jeannie Madali</b> <b>3068 2<sup>nd</sup> Street</b> <b>Norco, CA 92860</b>
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<input checked="" type="checkbox"/>	<b>A site plan (dated 8/18/2014) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met.</b>
<input type="checkbox"/>	<b>A site plan (dated) has not been approved. Corrections noted below are required prior to DAB approval.</b>

**CONDITIONS OF APPROVAL**

1. The designated street tree for S. Grove Ave. is the Cinnamomum camphora. Replace with 24" box size if missing or damaged.
2. Provide shade trees (if missing or damaged) adjacent to parking spaces such as Ulmus parvifolia, Pistachia chinensis, and Koelreuteria paniculata.
3. Contact the property owner or property maintenance company to repair (if required) all landscape areas. Remove a 36" diameter of lawn at tree trunks and add 1" layer of mulch.
4. The maintenance company shall verify that irrigation is in proper working order and that all plant material is in good health; replace and repair where broken.
5. Shredded mulch is required in all planter areas at a depth of 3" for shrubs and 1" for groundcover. Soil shall not be visible. Keep mulch 3" clear of plant stems and 6" away from tree trunks.
6. Replace (if required) dead shrubs and groundcovers with like size and type.





## CITY OF ONTARIO MEMORANDUM

**TO:** Denny Chen, Planning Department

**FROM:** Kenna Leonard, Fire Safety Specialist  
Bureau of Fire Prevention

**DATE:** September 2, 2014

**SUBJECT:** PCUP14-020: A Conditional Use Permit to establish a religious assembly at 1115 South Grove Ave, within the Business Park designation of the Grove Avenue Specific Plan

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

- 
1. The occupancy load of a business shall be determined by the Ontario Fire and/or Building Department. If the occupant load is 50 or more, all requirements of an assembly occupancy shall be met. Assembly occupancies requirements include multiple, exits, illuminated exit signs, panic hardware, and flame retardant treated decorative materials. These materials include curtains, tablecloths and all materials hung from ceilings and/or walls. Flame retardant application services and certifications must be obtained from a California state fire Marshal licensed company.
  2. Minimum 2A10BC fire extinguishers shall be installed in approved locations and shall be located every 75 feet.
  3. Post occupancy load signs for approved room capacity near exit.
  4. Provide/maintain illuminated exit passageway and exit signs as required.
  5. Mount a sign on or next to front door reading "THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED".

For copies of Ontario Fire Department Standards please access the City of Ontario web site at [www.ci.ontario.ca.us](http://www.ci.ontario.ca.us), click on Fire Department and then on forms.