



**CITY OF ONTARIO
DEVELOPMENT ADVISORY BOARD**

AGENDA

July 20, 2020

MEETING WILL BE HELD AT 1:30 PM VIA ZOOM

Scott Ochoa, City Manager
Scott Murphy, Executive Director, Development Agency
John P. Andrews, Executive Director, Economic Development
Kevin Shear, Building Official
Cathy Wahlstrom, Planning Director
Khoi Do, City Engineer
Chief Derek Williams, Police Department
Fire Marshal Paul Ehrman, Fire Department
Scott Burton, Utilities General Manager
Julie Bjork, Executive Director, Housing and Neighborhood Preservation

**SPECIAL AND URGENT NOTICE ELIMINATING IN-PERSON PUBLIC
PARTICIPATION AT CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD
MEETINGS**

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20) and the Governor's Stay at Home Order (Executive Order N-33-20), the Ontario DEVELOPMENT ADVISORY BOARD Meetings are being conducted via Zoom Conference and there will be no members of the public in attendance at the upcoming meeting of the City of Ontario Development Advisory Board. In place of in-person attendance, members of the public can observe and offer comment at this meeting remotely in the following ways:

TO VIEW THE MEETING:

- VISIT THE CITY'S WEBSITE AT THE FOLLOWING ADDRESS: ontarioca.gov/agendas/dab
- THE LINK FOR THE ZOOM CONFERENCE MEETING WILL BE LISTED AT THE WEBSITE ADDRESS ABOVE AT LEAST 72 HOURS BEFORE THE MEETING

TO PROVIDE PUBLIC COMMENT:

1. **PROVIDE PUBLIC TESTIMONY DURING THE MEETING:** Submit your request to speak no later than 12:00 PM the day of the meeting by either (1) emailing your name, telephone number, agenda item you are commenting on, and your comment to planningdirector@ontarioca.gov or (2) by completing the Comment Form on the City's website at: ontarioca.gov/agendas/dab.
Comments will be limited to 5 minutes. If a large number of individuals wish to speak on an item, the Development Advisory Board Chairman may limit the time for individuals wishing to speak to 3 minutes in order to provide an opportunity for more people to be heard. Speakers will be alerted when their time is up, and no further comments will be permitted.
2. **COMMENT BY E-MAIL:** Submit your comments by email no later than 12:00 PM on the day of the meeting by emailing your name, agenda item you are commenting on, and your comment to planningdirector@ontarioca.gov . All comments received by the deadline will be forwarded to the Development Advisory Board for consideration before action is taken on the matter.
3. **COMMENT BY TELEPHONE:** Submit your comments by telephone no later than 12:00 PM on the day of the meeting by providing your name, agenda item you are commenting on, and your comment by calling (909) 395-2036. All comments received by the deadline will be provided to the Development Advisory Board for consideration before action is taken on the matter.
4. **COMMENT BY MAIL:** To submit your comments by mail, provide your name, agenda item you are commenting on, and your comment by mailing to Planning Department, Ontario City Hall, 303 East "B" Street, Ontario, CA 91764. Comments by mail must be actually received by the Planning Department no later than 12:00 PM on the day of the meeting. Postmarks are not accepted. All comments received by the deadline will be provided to the Development Advisory Board for consideration before action is taken on the matter.

LOCATION WHERE DOCUMENTS MAY BE VIEWED: All documents for public review are on file in the Planning Department located at 303 E. B Street, Ontario, CA 91764.

The City of Ontario will gladly accommodate disabled persons wishing to communicate at a public meeting. Should you need any type of special equipment or assistance in order to communicate at a public meeting, please inform the Planning Department at (909) 395-2036, a minimum of 72 hours prior to the scheduled meeting.

PUBLIC COMMENTS

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

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

AGENDA ITEMS

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

CONSENT CALENDAR ITEMS

A. MINUTES APPROVAL

Development Advisory Board Minutes of June 15, 2020, approved as written.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND VARIANCE, CONDITIONAL USE PERMIT, AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PCUP19-032, PVAR19-008, AND PDEV19-070:** A request for approval of certain entitlements to facilitate the development of an automated carwash, including: [1] a Conditional Use Permit (File No. PCUP19-032) to establish the carwash land use; [2] a Variance (File No. PVAR19-008) for a reduction in the minimum drive aisle setbacks adjacent to certain arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet; and [3] a Development Plan (File No. PDEV19-070) to construct a 4,446 square foot carwash on 1.17 acres of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0238-041-22 and 0238-041-28) **submitted by Don Vogel, Fast 5 Xpress. Planning Commission action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines §15332

2. File No. PVAR19-008 (Variance)

Motion to recommend Approval/Denial

3. **File No. PCUP19-032** (Conditional Use Permit)

Motion to recommend Approval/Denial

4. **File No. PDEV19-070** (Development Plan)

Motion to recommend Approval/Denial

- C. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-049**: A Development Plan to construct 30 multiple-family residential units on 1.22 acres of land located at 855 South Benson Avenue, within the HDR-45 (High Density Residential 25.1 to 45 du/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1011-361-01) **submitted by Creative Design Associates. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines §15332

2. **File No. PDEV19-049** (Development Plan)

Motion to recommend Approval/Denial

- D. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-004**: A Development Plan to construct 100 single-family residential units (8-pack cluster), 114 multiple-family residential units (6-plex row town homes), and 120 multiple-family residential units (12-plex courtyard town homes) on 79.7 acres of land located on northeast corner of Schaefer Avenue and Haven Avenue, within Planning Areas 5A, 5C, and 5E (Residential – Small Lot SFD/Edison Easement) of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan (File No. PSP05-004) EIR (SCH# 2006051081) certified by the City Council on December 4, 2007. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 218-161-01) **submitted by LS-Ontario II LLC. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of previous addendum to an EIR

2. **File No. PDEV20-004** (Development Plan)

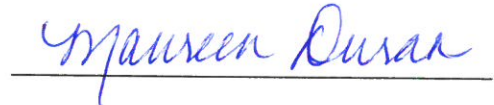
Motion to recommend Approval/Denial

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

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

The next **Development Advisory Board** meets on **August 3, 2020**.

I, Maureen Duran, Office Specialist of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **July 16, 2020**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East “B” Street, Ontario.



CITY OF ONTARIO

Development Advisory Board

Minutes

June 15, 2020

BOARD MEMBERS PRESENT VIA TEAMS

Rudy Zeledon, Chairman, Planning Department
Kevin Shear, Building Department
Charity Hernandez, Economic Development Agency
Jesus Plasencia, Engineering Department
Elda Zavala, Housing and Neighborhood Preservation
Ahmed Aly, Municipal Utilities Company
Emily Hernandez, Police Department

BOARD MEMBERS ABSENT

Paul Ehrman, Fire Department

STAFF MEMBERS PRESENT VIA TEAMS

Jeanie Irene Aguilo, Planning Department
Antonio Alejos, Engineering Department
Denny Chen, Planning Department
Maureen Duran, Planning Department
Lorena Mejia, Planning Department
Dean Williams, Engineering Department
Derrick Womble, Development Administration

PUBLIC COMMENTS

No one responded via telephone.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the May 18, 2020, meeting of the Development Advisory Board was made by Mr. Shear; seconded by Mr. Plasencia; and approved by roll-call vote (7-0).

PUBLIC HEARING ITEMS

Applicant representing Item H, Mr. Fong of AIA Architect, was available to speak on the project. Mr. Zeledon asked Mr. Fong if he reviewed the conditions of approval, and Mr. Fong replied he had and also wanted to confer to the owners for approval. Project Manager Mr. Hariya, Mr. Fong, and Mr. Singh were all in agreement with the conditions.

Mr. Ahmed Aly wished to point out that there were separate utility services for two different buildings. Mr. Hariya confirmed it was understood. There were no further questions or comments.

There were no phone calls, emails, or written correspondence regarding this project. Mr. Zeledon then entertained a motion.

Motion recommending approval of **File Nos. PCUP19-028 and PDEV19-067** subject to conditions to the Planning Commission was made by Mr. Aly; seconded by Ms. Zavala; and approved by roll call vote (7-0).

B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO.

PDEV17-016: A Development Plan to construct an 85,583 square-foot neighborhood commercial shopping center that includes the following: 1) a 45,000 square-foot market with an attached 10,500 square-foot multi-tenant commercial building; 2) 3 stand-alone multi-tenant commercial buildings totaling 17,945 square-feet; 3) one stand-alone multi-tenant commercial building with drive-thru facility totaling 4,500 square-feet; 4) a gasoline fueling station with a 4,088 square-foot convenience store (7-Eleven); and 5) one restaurant pad with a drive-thru facility totaling 3,500 square-feet on 13.4 acres of land located at the southeast corner of Haven Avenue and Fourth Street, within the Commercial land use district of the Piemonte Overlay Area- Ontario Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with PSPA16-003, for which a Mitigated Negative Declaration was adopted by the City Council on May 16, 2017. This application introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0210-531-06, 0210-531-07, 0210-531-08, 0210-531-09, 0210-531-10, 0210-531-11, 0210-531-12, 0210-531-13, 0210-531-14.) **submitted by Lewis Retail Centers.**

Project Planner Ms. Aguilo informed Mr. Zeledon that the Applicant, Mr. Manners of Lewis Retail Centers, was in contact with her via telephone, and he informed her that he was in agreement with all conditions of approval. Mr. Zeledon asked the board if there were any questions or concerns at which time there were none.

There were no phone calls, emails, or written correspondence regarding this project. Mr. Zeledon then entertained a motion.

Motion to approve **File No. PDEV17-016** subject to conditions was made by Mr. Plasencia; and seconded by Ms. Zavala; and approved by roll call vote (7-0).

C ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE

NO. PDEV19-029: A Development Plan to construct a 44,436-square foot industrial building on 2.29 acres of land located at 1485 and 1493 East Spruce Street, within the IG (General Industrial) zoning district. The project is categorically exempt from the requirements of the California

Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0113-462-10 and 0113-462-19) **submitted by KCT Investment LLC.**

Project Planner Ms. Aguilo informed Mr. Zeledon that the Applicant, Ms. Smith of Xebec Building Company, was in contact with her via telephone, and she informed Ms. Aguilo that she accepted the conditions of approval. Mr. Zeledon asked the board if there were any questions or concerns at which time there were none.

There were no phone calls, emails, or written correspondence regarding this project. Mr. Zeledon then entertained a motion.

Motion recommending approval of **File No. PDEV19-029** subject to conditions was made by Mr. Shear; seconded by Ms. E. Hernandez; and approved by roll call vote (7-0).

- D. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-026 AND PCUP19-010:** A Development Plan (File No. PDEV19-026) to construct a 6,000 square foot convenience store in conjunction with fuel sales, and a Conditional Use Permit (File No. PCUP19-010) to establish retail commercial land uses and alcoholic beverage sales for consumption off the premises, limited to beer and wine (Type 20 ABC License), on one-acre of land located at 1401 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32: In-Fill Development Projects) of the State CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP); (APN: 0113-361-54) **submitted by Virender Jain. Planning Commission action is required.**

Project Applicant Virender Jain was present via telephone. Mr. Zeledon asked Mr. Jain if he reviewed the conditions at which time Mr. Jain informed Mr. Zeledon he did and was all accepting of the conditions.

Mr. Ahmed Aly referred to the Integrated Waste Management Report and informed Mr. Jain and the board that it would be necessary to include in the conditions. Mr. Zeledon confirmed it was a standard procedure and would be included. There were no further questions or comments from the board.

There were no phone calls, emails, or written correspondence regarding this project. Mr. Zeledon then entertained a motion.

Motion recommending approval of **File Nos. PCUP19-010 and PDEV19-026** subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Ms. Zavala; and approved by roll call vote (7-0).

- E. ENVIRONMENTAL ASSESSMENT, VARIANCE, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR19-005 AND PDEV19-034:** A Variance (File No. PVAR19-005) to deviate from certain minimum Development Code standards, including a reduction in the

minimum building and drive-aisle setback from an arterial street (Vineyard Avenue) property line, from 25 feet to 15 feet, and for a reduction in the minimum drive-thru lane setback from a street (G Street) side property line, from 20 feet to 15 feet, in conjunction with a Development Plan (File No. PDEV19-034) to raze an existing In-N-Out Burger drive-thru restaurant and construct a new 2,291 square foot In-N-Out Burger drive-thru restaurant on 1.57 acres of land located at the northwest corner of G Street and Vineyard Avenue, at 1891 East G Street, within the CCS (Convention Center Support Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Class 2, Replacement or Reconstruction) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0110-241-50 and 0110-241-54) **Submitted by In-N-Out Burger. Planning Commission action is required.**

Applicant Katie Sanchez was present via telephone. Project Planner Alexis Vaughn informed Mr. Zeledon she is in agreement with the conditions of approval. Ms. Sanchez reiterated and said she is looking forward to moving to Planning Commission. Mr. Zeledon asked the board if there were any questions or concerned at which time there were not.

There were no phone calls, emails, or written correspondence regarding this project. Mr. Zeledon then entertained a motion.

Motion recommending approval of **File Nos. PVAR19-005 and PDEV19-034** subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Ms. E. Hernandez; and approved by roll call vote (7-0).

F. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-036 AND PCUP19-015: A Development Plan (File No. PDEV19-036) and Conditional Use Permit (File No. PCUP19-015) to construct and establish a 6,800 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15532 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1014-111-08) **Submitted by Gracepoint Brethren in Christ Church. Planning Commission action is required.**

Project Engineer Jeff Meiter was present via telephone and informed Mr. Zeledon that they approved the conditions of approval. Representative Steven Airth was also present via telephone and confirmed they were in agreement with the conditions of approval. There were no questions or comments from the board.

There were no phone calls, emails, or written correspondence regarding this project. Mr. Zeledon then entertained a motion.

Motion recommending approval of **File Nos. PCUP19-015 and PDEV19-036** subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. Plasencia; and approved by roll call vote (7-0).

- G. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-014 AND PDEV19-055:** A Tentative Parcel Map (File No. PMTT19-014 / TPM 20170) to merge 12 lots into one parcel in conjunction with a Development Plan (File No. PDEV19-055) to construct a 200,966 square-foot industrial warehouse building, on 8.6 acres of land, located on the southwest corner of Elm Street and Vineyard Avenue, within the IG (General Industrial) zoning district. The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0113-415-42, 0113-415-43, 0113-415-44, 0113-415-45, 0113-415-46, 0113-415-47, 0113-415-48, 0113-415-49, 0113-415-50, 0113-415-53, 0113-415-54 and 0113-415-55) **Submitted by Duke Realty. Planning Commission action is required.**

Project Planner Jeanie Aguilo informed Mr. Zeledon that Mr. Gill, Project Representative, of RGA Office of Architectural Design was in agreement with the conditions of approval. Mr. Schmid was present via telephone and confirmed they approved the conditions of approval.

There were no phone calls, emails, or written correspondence regarding this project. Mr. Zeledon then entertained a motion


Motion recommending approval of **File Nos. PMTT19-014 and PDEV19-055** subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. Aly; and approved by roll call vote (7-0).

- H. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-067 AND PCUP19-028:** A Development Plan (File No. PDEV19-067) to construct a 157,370-square foot dual hotel (Hyatt Place and Hyatt House) and a 5,000 square-foot restaurant pad in conjunction with a Conditional Use Permit (File No. PCUP19-028) to establish a 265-room full-service hotel with alcoholic beverage sales for a Type 70 ABC License (On-Sale General Restrictive Service) on 4.94 acres of land, located at the southeast corner of Inland Empire Boulevard and Archibald Avenue, within the OH (Heavy Office) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0210-191-29, 0210-191-30, 0210-191-31, 0210-191-32) **Submitted by Ontario H Hotel LLC. Planning Commission and City Council action is required.**

Item H was addressed at the beginning of the meeting.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Maureen Duran
Recording Secretary



Development Advisory Board Decision

July 20, 2020

DECISION NO.: [insert #]

FILE NO.: PVAR19-008

DESCRIPTION: A Variance for a reduction in the minimum drive aisle setbacks adjacent to certain arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet, to facilitate the development of a 4,446 square foot carwash on 1.17 acres of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (APNs: 0238-041-22 and 0238-041-28); **submitted by Don Vogel, Fast 5 Xpress. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

DON VOGEL, FAST 5 XPRESS, (herein after referred to as “Applicant”) has filed an application requesting Variance approval, File No. PVAR19-008, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of two existing parcels of land totaling 1.17 acres (see Exhibits A – Project Location Map – Regional Context; and B—Project Location Map, attached), and includes the following:

- A primarily vacant 1.1 gross acre (0.95 net acre) triangular shaped parcel located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway. The parcel includes a portion of the developed street along Inland Empire Boulevard, a portion of the existing shared driveway and parking with the property to the west, and a small portion of the existing curb return radius and sidewalk which is to be dedicated to the City of Ontario.
- A vacant 0.06-acre triangular shaped parcel located at the northeast corner of Inland Empire Boulevard and Ontario Mills Parkway, which primarily serves as an extension of the existing parkway adjacent to the property to the north. This parcel is not a part of the scope of work of the proposed Project.

Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

| | Existing Land Use | General Plan Designation | Zoning Designation | Specific Plan Land Use |
|---------------|--------------------------|----------------------------------|---------------------------|---|
| Site: | Vacant | Ontario Mills Mixed Use District | SP (Specific Plan) | Office/Commercial Ontario Mills Specific Plan |
| North: | Hotel | Ontario Mills Mixed Use District | SP | Office/Commercial Ontario Mills Specific Plan |

| | Existing Land Use | General Plan Designation | Zoning Designation | Specific Plan Land Use |
|---------------|--------------------------|----------------------------------|---------------------------|---|
| <i>South:</i> | Retail | Ontario Mills Mixed Use District | SP | Office/Commercial Ontario Mills Specific Plan |
| <i>East:</i> | Retail | Ontario Mills Mixed Use District | SP | Office/Commercial Ontario Mills Specific Plan |
| <i>West:</i> | Retail | Ontario Mills Mixed Use District | SP | Office/Commercial Ontario Mills Specific Plan |

(2) **Project Description:**

(a) **Background** — On December 20, 2019, the Applicant submitted a Conditional Use Permit Application (File Nos. PCUP19-032), a Variance Application (File No. PVAR19-008), and a Development Plan Application (File No. PDEV19-070), to facilitate the construction of a 4,446 square-foot self-serve carwash. The Variance application requests a reduction in the minimum drive aisle setbacks adjacent to certain arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet. Given the irregular shape of the buildable portion of the lot, the Variance request would allow for the Applicant to develop the vacant parcel, while still allowing for orderly circulation and ample queuing space for the facility.

The Variance request is consistent with TOP Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances, and to achieve The Ontario Plan (“TOP”) Vision. Furthermore, in this particular case, the strict interpretation and enforcement of the Ontario Mills Specific Plan drive aisle setbacks along the Inland Empire Boulevard and Ontario Mills Parkway rights-of-way would result in practical difficulties and an unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Ontario Mills Specific Plan and the Development Code. The Variance application is necessary to facilitate the related Development Plan and Conditional Use Permit applications and various related site improvements, such as provision of sufficient on-site parking, queuing for the carwash, compliance with building and parking setbacks, and landscaping and trash enclosure standards. For these reasons, staff is recommending approval of the Variances requested.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

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

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

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

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

WHEREAS, on July 20, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines and meets all of the following conditions.

- a. The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations.
- b. The proposed development occurs within city limits, on a project site of no more than five acres and is substantially surrounded by urban uses.
- c. The Project site has no value as habitat for endangered, rare, or threatened species.
- d. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e. The Project site can be adequately served by all required utilities and public services.

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

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

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body

for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

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

(1) ***The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code.*** A portion of the 1.17-acre site is currently developed with a private street, a public sidewalk with wheelchair access ramp, parking spaces, a shared driveway, and a small portion of the property located across Inland Empire Boulevard (a private street), which is unbuildable. The remainder of the site is currently vacant, leaving approximately 0.95 buildable acre. Given the existing site constraints, such as the extensive site frontage along an intersection, and the irregular shape of the parcel, the strict application of the required drive aisle setbacks (20 feet from Inland Empire Boulevard, 25 feet from Ontario Mills Parkway, and 25 feet from the corner of Inland Empire Boulevard and Ontario Mills Parkway) would not allow the Applicant to feasibly construct the proposed carwash and associated trash enclosure, queuing lanes, and parking/vacuum stalls. The requested Variance approval is, therefore, necessary to facilitate the related site improvements, such as on-site queuing and site circulation, compliance with building and parking setbacks, compliance with landscaping and trash enclosure standards, and the provision of sufficient parking.

Furthermore, the TOP land use designation for the Project site is Ontario Mills Mixed Use District, which allows for a 0.5 FAR for retail uses. The irregular configuration of the Project site does not allow for maximization of the site, as exemplified by the Project's proposed 0.09 FAR. The strict interpretation and enforcement of the Project's drive aisle setbacks would result in practical difficulties and an unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Ontario Mills Specific Plan and the Ontario Development Code. Approval of the requested Variance is consistent with TOP Goal LU3, which allows for flexible response to conditions and circumstances in order to achieve the TOP Vision.

(2) ***There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other***

properties in the vicinity and in the same zoning district. Due to the irregular parcel shape and severely reduced buildable area, the proposed Variance is necessary to facilitate the proposed Project. Requiring enforcement of the current Ontario Mills Specific Plan and Development Code standards would not allow for efficient on-site circulation. Further, the requested relief from the minimum and drive aisle setbacks will allow for greater design flexibility and assist the Applicant in providing a project that will better serve its customers, will provide a safer site circulation and ample drive-thru queuing, and improve upon the streetscape in the neighborhood.

(3) **The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district.** The requested relief from the minimum drive aisle setbacks adjacent to arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet, will allow for greater design flexibility and will serve to equalize development rights between the Project site and other surrounding properties in the same land use district, located within the area of the Project site. In addition, the setback deviations will provide the Applicant the ability to comply with other Development Code regulations, such as landscape coverage, adequate parking, building setbacks, safe and effective site circulation, and trash enclosure design/location. Therefore, the strict or literal interpretation and enforcement of the specified regulations would deprive the Applicant of privileges enjoyed by owners of other properties in the same zoning district and reduce the Applicant's ability to create a well-designed project.

(4) **The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.** A thorough review and analysis of the proposed Variance and its potential to adversely impact properties surrounding the subject site was completed by staff. As a result of this review, certain design considerations will be incorporated into the Project as conditions of approval, to mitigate identified impacts to an acceptable level, including the use of upgraded materials, the inclusion of certain architectural design elements on building exteriors, intensified landscape elements and decorative paving, and orientation of noise-generating activities away from sensitive uses. Therefore, the granting of the Variance will not be detrimental to the public health, safety or welfare, and will not be materially injurious to properties or improvements in the vicinity.

(5) **The proposed Variance is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable specific plan or planned unit development, and the purposes of the Development Code.** The proposed Project is located with the Ontario Mills Mixed Use District of the Policy Plan Land Use Map, and the Commercial/Office land use designation of The Ontario Mills Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVE the Application, subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 6: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the Applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

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

APPROVED AND ADOPTED this 20th day of July 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP – REGIONAL CONTEXT



Exhibit A CONTINUED – PROJECT LOCATION MAP



Exhibit C—SITE PLAN AND CONCEPTUAL LANDSCAPE PLAN

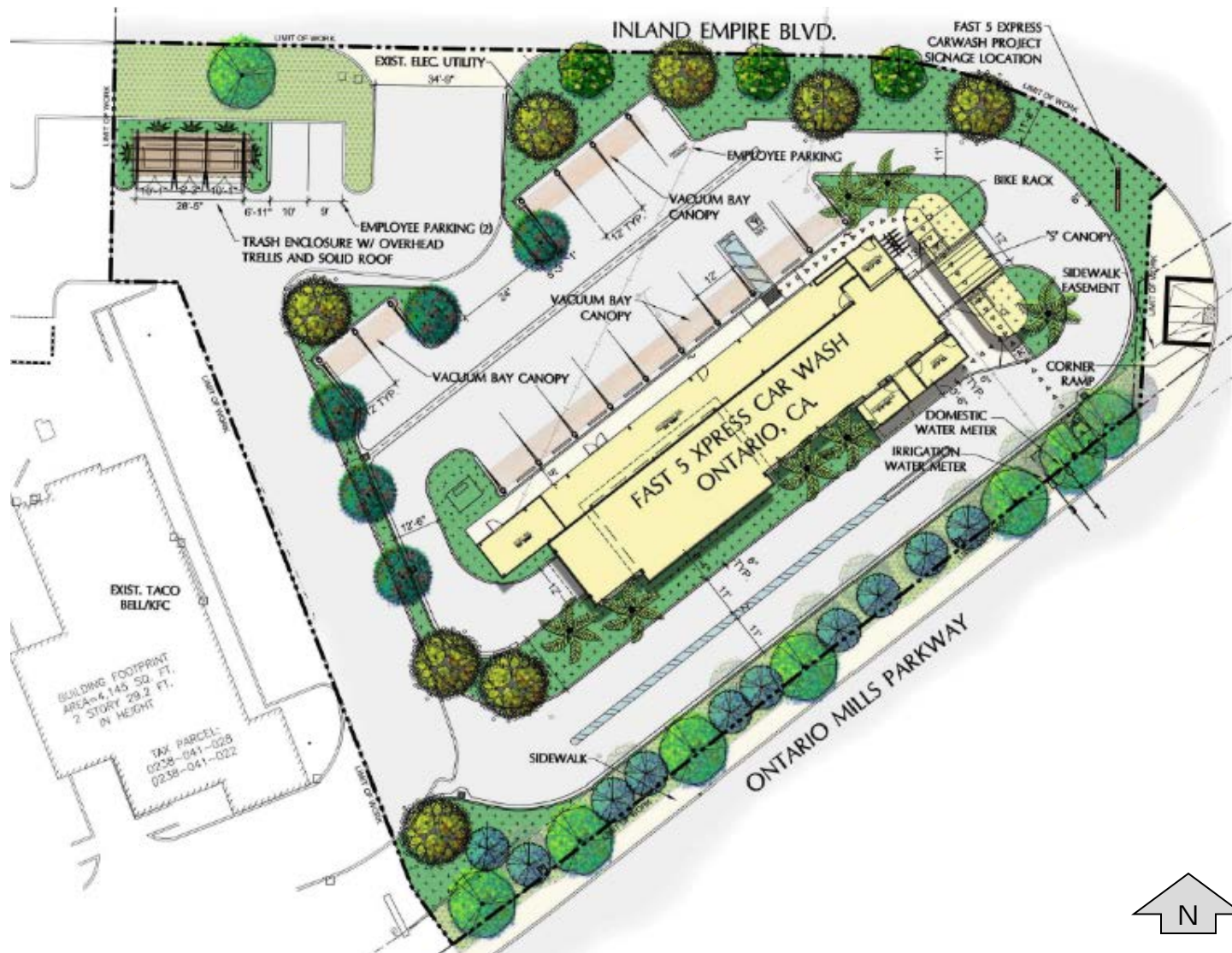
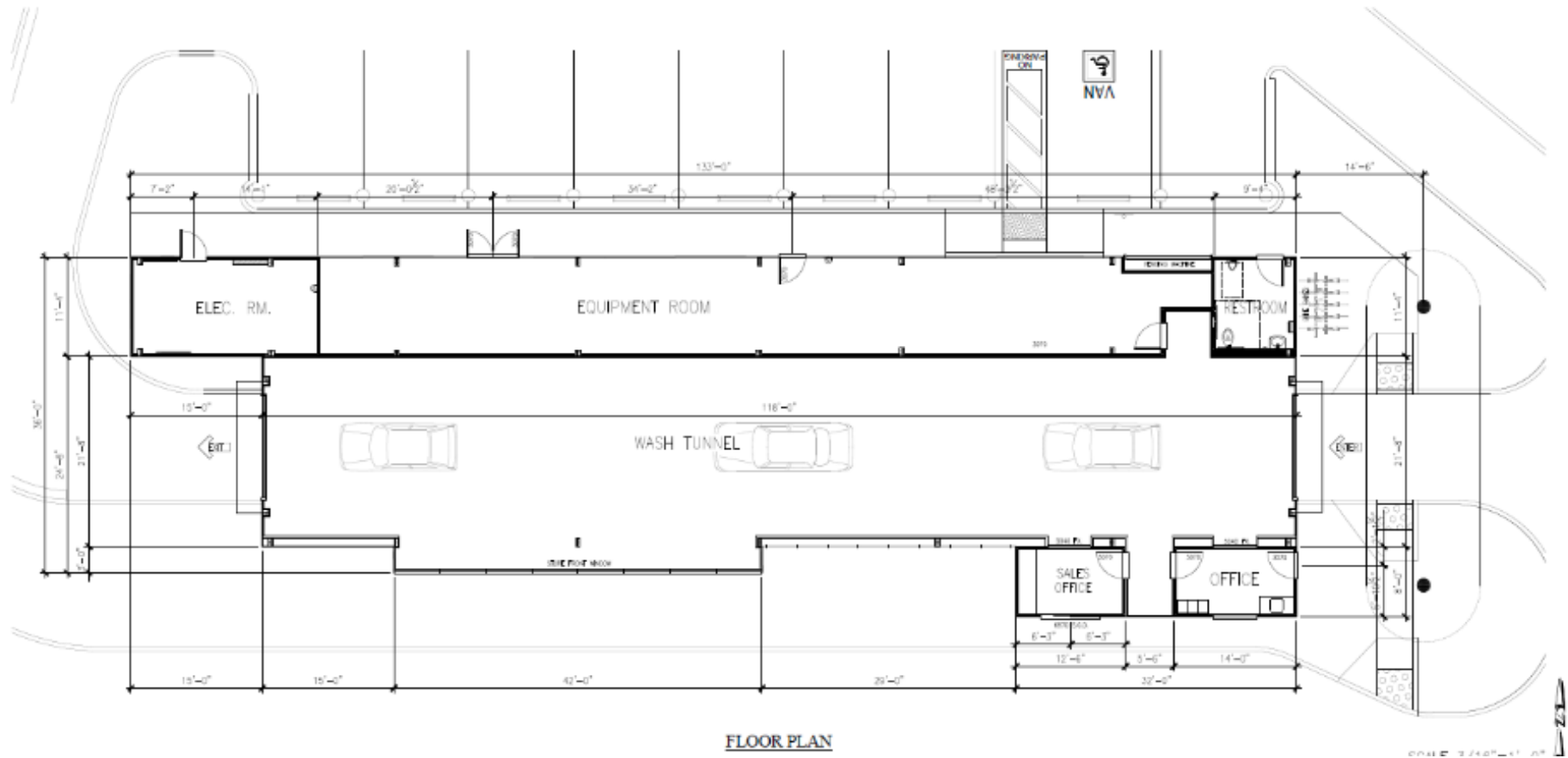
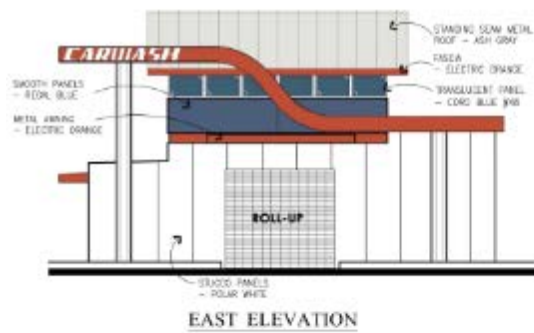


Exhibit D – FLOOR PLAN



FLOOR PLAN

Exhibit E—ELEVATIONS



PART 5 EXTERIOR
 (INCLUDE CO)

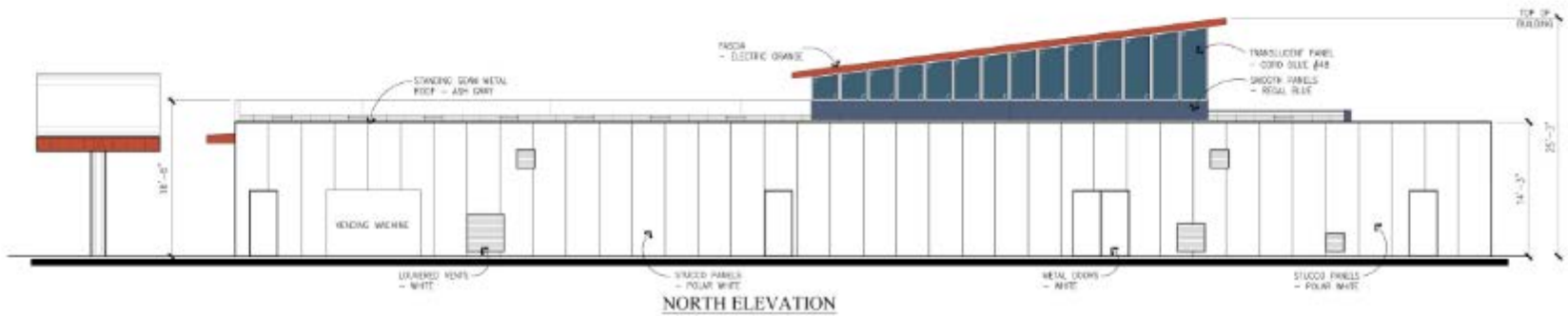
| EXTERIOR COLOR SCHEME | |
|---------------------------------|------------------------------|
| WALL PANELS | POLAR WHITE |
| SMOOTH HORIZONTAL PANELS | REGAL BLUE |
| ROOF | ASH GRAY |
| TRUSS PANEL | POLAR WHITE |
| METAL FINISH | ELECTRIC ORANGE |
| TRANSLUCENT WALL SYSTEM #1 | WHITE #88 |
| TRANSLUCENT WALL SYSTEM #2 | CORO BLUE #18 |
| STEEL COLUMN/DOOR/WINDOW FRAMES | TO MATCH ADJACENT WALL PANEL |

ALL FINISHES UNLESS OTHERWISE SPECIFIED.
 TONE EXPACT TO MATCH ADJACENT SURFACE.
 ALL PAINT FINISH TO BE APPLIED AT THREE COATS.

JOB # 19113
 Date Created: 10/24/2019

WALL FINISH: METAL FINISH
 ROOF: SHEDDING POLYURETHANE
 TRANSLUCENT WALL SYSTEM: KALAPAL

Golden 5 Construction
 Kevin L. Crook
 Architect
 Inc.



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: July 20, 2020
File No: PVAR19-008
Related Files: PCUP19-032 and PDEV19-070

Project Description: A Variance for a reduction in the minimum drive aisle setbacks adjacent to certain arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet, to facilitate the development of a 4,446 square foot carwash on 1.17 acres of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (APNs: 0238-041-22 and 0238-041-28); **submitted by Don Vogel, Fast 5 Xpress.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

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

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

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

2.1 Time Limits.

(a) Variance approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Variance approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

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

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

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

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

2.3 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to **Section 15332 (Class 32, In-Fill Development Projects)** of the CEQA Guidelines, meeting the following conditions:

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

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

2.5 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.6 Additional Requirements.

(a) Approval of File No. PVAR19-008 is contingent upon approval of related file numbers PCUP19-032 and PDEV19-070.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Alexis Vaughn
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 06, 2020
SUBJECT: PVAR19-008

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

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Emily Hernandez, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: January 02, 2020

SUBJECT: FILE #: PVAR19-008

Finance Acct#:

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

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

PROJECT DESCRIPTION: A Variance to deviate from the minimum Development Code standard for building setback along a minor arterial street, from 20 feet to 15 feet, as well as a deviation from the minimum building setback along a local street, from 15 feet to 4 feet, in conjunction with the construction of an express carwash building totaling 4,446 square feet on 0.95 acres of land located at the northwest corner of Inland Empire Blvd and Ontario Mills Parkway, within the Office/Commercial land use district of the California Commerce Center North (Ontario Mills) Specific Plan (APN(s): 238-041-22 & -28). Related File(s): PDEV19-070 and PCUP19-032.

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

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

The plan does not adequately address the departmental concerns.

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



Development Advisory Board Decision

July 20, 2020

DECISION NO.: [insert #]

FILE NO.: PCUP19-032

DESCRIPTION: A Conditional Use Permit to establish a carwash land use to facilitate the development of a 4,446 square foot carwash on 1.17 acres of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (APNs: 0238-041-22 and 0238-041-28); **submitted by Don Vogel, Fast 5 Xpress. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

DON VOGEL, FAST 5 XPRESS, (herein after referred to as “Applicant”) has filed an application requesting Conditional Use Permit approval, File No. PCUP19-032, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of two existing parcels of land totaling 1.17 acres (see Exhibits A – Project Location Map – Regional Context; and B—Project Location Map, attached), and includes the following:

- A primarily vacant 1.1 gross acre (0.95 net acre) triangular shaped parcel located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway. The parcel includes a portion of the developed street along Inland Empire Boulevard, a portion of the existing shared driveway and parking with the property to the west, and a small portion of the existing curb return radius and sidewalk, which is to be dedicated to the City of Ontario.
- A vacant 0.06-acre triangular shaped parcel located at the northeast corner of Inland Empire Boulevard and Ontario Mills Parkway, which primarily serves as an extension of the existing parkway adjacent to the property to the north. This parcel is not a part of the scope of work of the proposed Project.

Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

| | <i>Existing Land Use</i> | <i>General Plan Designation</i> | <i>Zoning Designation</i> | <i>Specific Plan Land Use</i> |
|---------------|---------------------------------|--|----------------------------------|--|
| <i>Site:</i> | Vacant | Ontario Mills Mixed Use District | SP (Specific Plan) | Office/Commercial Ontario Mills Specific Plan |
| <i>North:</i> | Hotel | Ontario Mills Mixed Use District | SP | Office/Commercial Ontario Mills Specific Plan |
| <i>South:</i> | Retail | Ontario Mills Mixed Use District | SP | Office/Commercial Ontario Mills Specific Plan |

| | Existing Land Use | General Plan Designation | Zoning Designation | Specific Plan Land Use |
|-------|--------------------------|----------------------------------|---------------------------|---|
| East: | Retail | Ontario Mills Mixed Use District | SP | Office/Commercial Ontario Mills Specific Plan |
| West: | Retail | Ontario Mills Mixed Use District | SP | Office/Commercial Ontario Mills Specific Plan |

(2) **Project Description:**

(a) **Background** — On December 20, 2019, the Applicant submitted a Conditional Use Permit Application (File No. PCUP19-032), a Variance Application (File No. PVAR19-008), and Development Plan Application (File No. PDEV19-070), to facilitate the construction of a 4,446 square-foot self-serve carwash. The Conditional Use Permit application is required by the Ontario Mills Specific Plan to establish a self-service carwash land use. The Variance application requests a reduction in the minimum drive aisle setbacks adjacent to certain arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet. The Ontario Development Code requires Development Advisory Board recommendation and Planning Commission review and approval for Development Plans filed in conjunction with Conditional Use Permit and/or Variance requests.

A Conditional Use Permit (CUP) review is required for stand-alone automated car washes within the Commercial Office land use district of The Ontario Mills Specific Plan. The intent of a CUP application and review is to ensure that the proposed use will be operated in a matter consistent with all local regulations, and to ensure 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 Applicant, has been successfully operating self-service carwashes at over 10 locations throughout Southern California, including the City of Ontario, and is in the planning stages for an additional 10+ locations.

The Applicant operates an “express car wash”, which is a cross between a traditional automated carwash tunnel and a self-service carwash. The proposed carwash tunnel utilizes higher-quality technologies than traditional automated tunnels, to wash and dry. All water used on site is filtered and recycled, and all grease, oils, and solids are collected onsite and hauled to an offsite environmental waste collection center. Customers may utilize free vacuums to clean the inside of their vehicle, and a vending machine with items such as air fresheners, trash bags, and cleaning wipes is located adjacent to the vacuum stations for added convenience. The average wait time for a wash and dry is five minutes or less, from start to finish. Washes vary from \$6 to \$16, depending on features and finishing options. Club membership packages are also available, from \$19.99 to \$39.99 per month.

The Applicant employs 3 to 4 people per location, including a greeter who welcomes customers with items such as free coffee, stickers for kids, and biscuits for dogs; a loader who guides customers into the tunnel and checks cars for pre-existing damage; and a manager and/or assistant manager who is responsible for customer service, site pickup and maintenance, and ensuring customer compliance with site rules, such as no loud music coming from cars while vacuuming or idling in line. General hours of operation are from 7:00 a.m. to 8:00 p.m., with winter hours from 7:00 a.m. to 7:00 p.m., seven days a week.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

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

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

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

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

WHEREAS, on July 20, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines and meets all of the following conditions.

- a. The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations.
- b. The proposed development occurs within city limits, on a project site of no more than five acres and is substantially surrounded by urban uses.
- c. The Project site has no value as habitat for endangered, rare, or threatened species.
- d. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e. The Project site can be adequately served by all required utilities and public services.

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

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

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

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

(1) **The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the Commercial/Office land use district of The Ontario Mills Specific Plan, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed drive-thru retail, self-serve carwash land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the Commercial/Office land use district of The Ontario Mills Specific Plan. The Project site and its surroundings are intended to be developed with a mix of commercial, retail, and services uses. The site is located within the greater Ontario Mills shopping area, which serves as a regional retail destination. Per Determination of

Use File No. PDET20-001, a Conditional Use Permit was established as a requirement for stand-alone, automated carwash uses within the Commercial/Office land use district, and made the findings that the use is of no greater impact than other similar permitted and conditionally-permitted uses allowed in the district; and

(2) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed drive-thru retail, self-serve carwash land use will be located within the Ontario Mills Mixed Use District of the Policy Plan Land Use Map. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan. In accordance with Determination of Use File No. PDET20-001, Conditional Use Permit approval must be obtained prior to establishing a stand-alone, automated carwash within the Commercial/Office land use district of the Ontario Mills Specific Plan, and facts and reasons are established which find that the use is of no greater impact than other similar permitted and conditionally permitted uses allowed in the district. Furthermore, the Ontario Mills Mixed Use District of the Policy Plan intends for a diverse mix of commercial, retail, service, and residential land uses. The proposed carwash will provide an added convenience and further the regional commercial center's goals, as well as meet the City Council priority instructing the focus of resources in Ontario's commercial and residential neighborhoods; and

(3) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.*** The proposed drive-thru retail, self-serve carwash land use is located with the Ontario Mills Mixed Use District of the Policy Plan and the Commercial/Office land use district of the Ontario Mills Specific Plan, and has been reviewed and conditioned to ensure the establishment, operation, and maintenance of the proposed land use remains consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and the Ontario Mills Specific Plan. Additional conditions of approval have been established to minimize potential nuisance impacts on surrounding development, such as noise; and

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

SECTION 5: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVE the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 6: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the Applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

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

APPROVED AND ADOPTED this 20th day of July 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP – REGIONAL CONTEXT



Exhibit A CONTINUED – PROJECT LOCATION MAP



Exhibit D – FLOOR PLAN

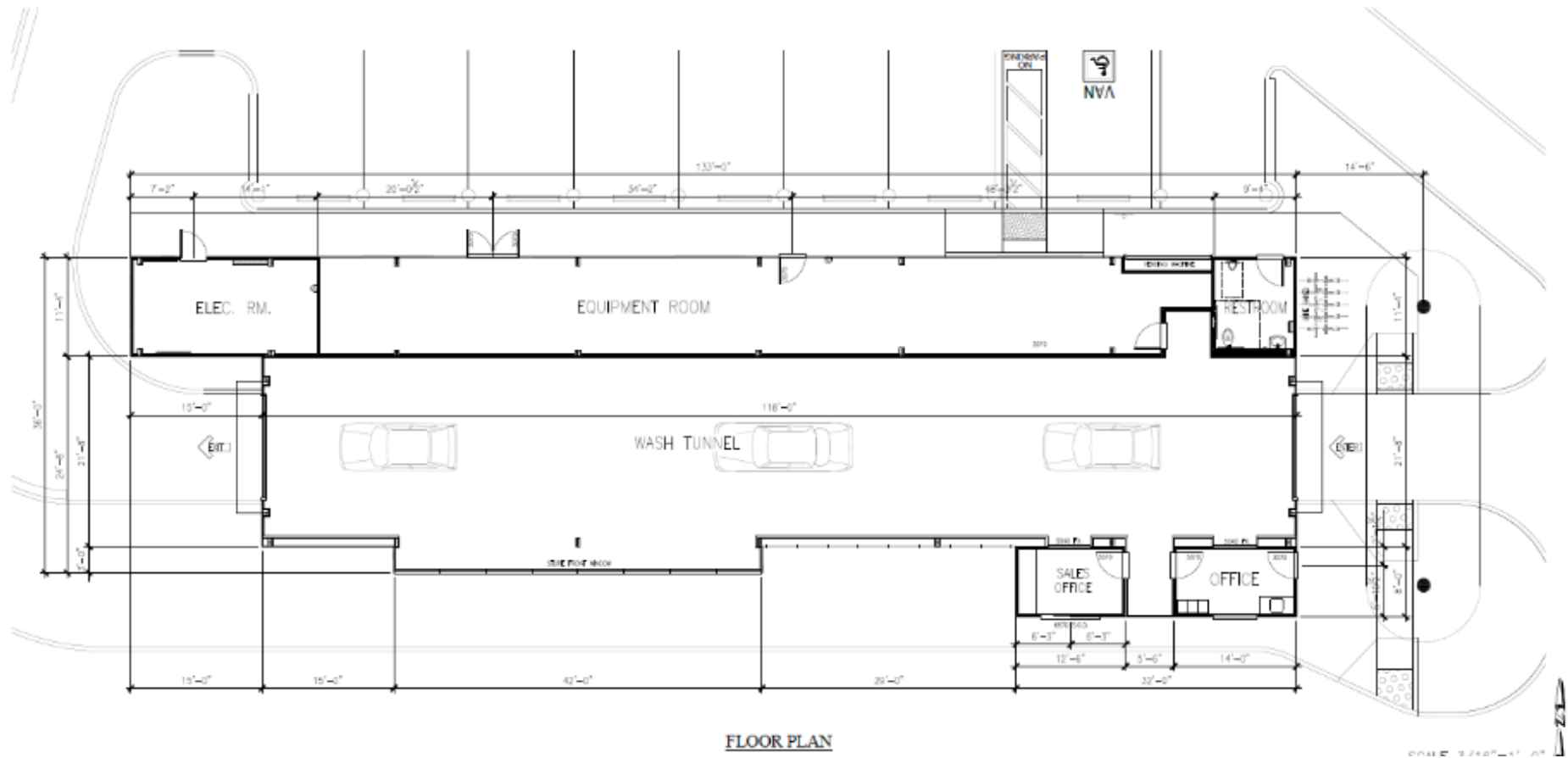
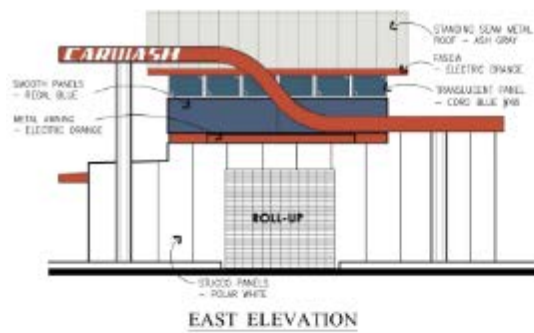


Exhibit E—ELEVATIONS



PART 5 EXTERIOR
 (INCLUDE CO)

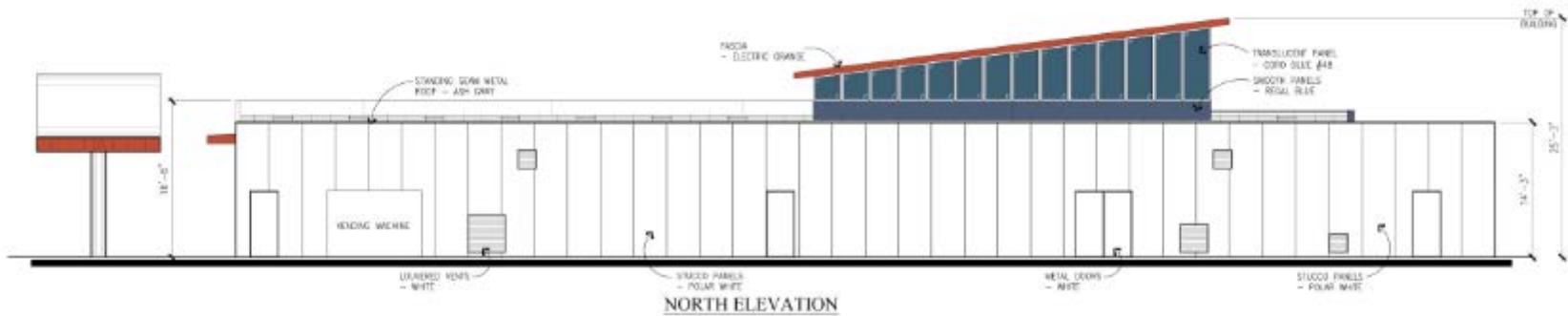
| EXTERIOR COLOR SCHEME | |
|---------------------------------|------------------------------|
| WALL PANELS | POLAR WHITE |
| SMOOTH HORIZONTAL PANELS | REGAL BLUE |
| ROOF | ASH GRAY |
| TRUSS PANEL | POLAR WHITE |
| METAL FINISH | ELECTRIC ORANGE |
| TRANSLUCENT WALL SYSTEM #1 | WHITE #88 |
| TRANSLUCENT WALL SYSTEM #2 | CORO BLUE #18 |
| STEEL COLUMN/DOOR/WINDOW FRAMES | TO MATCH ADJACENT WALL PANEL |

ALL FINISHES UNLESS OTHERWISE SPECIFIED.
 TONE EXPANDED TO MATCH ADJACENT SURFACE.
 ALL PAINT FINISHES TO BE APPLIED AT THREE COATS.

JOB # 19113
 Date Created: 10/24/2019

WALL FINISHES: METAL FINISH
 ROOF: SHEDDING POLYURETHANE
 TRANSLUCENT WALL SYSTEMS: KALAPAL

Kevin L. Crook Architect Inc.
 ARCHITECT



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: July 20, 2020
File No: PCUP19-032
Related Files: PDEV19-070 and PVAR19-008

Project Description: A Conditional Use Permit to establish the carwash land use to facilitate the development of a 4,446 square foot carwash on 1.17 acres of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (APNs: 0238-041-22 and 0238-041-28); **submitted by Don Vogel, Fast 5 Xpress.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

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

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

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

2.1 Time Limits.

(a) Conditional Use Permit approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Variance approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

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

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

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

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

2.3 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to **Section 15332 (Class 32, In-Fill Development Projects)** of the CEQA Guidelines and meets all of the following conditions:

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

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

2.5 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.6 Additional Requirements.

(a) Approval of File No. PCUP19-032 is contingent upon approval of related file numbers PVAR19-008 and PDEV19-070.

(b) The business' staff and management shall reinforce the following during operation hours to limit disruption to adjacent properties:

- (i)** No noise permitted prior to 6:50 a.m. for setup.
- (ii)** No patron car radios shall project sound.
- (iii)** Mechanical equipment room to remain closed during operational hours and proper ventilation shall be installed to prevent overheating during summer months.
- (iv)** Vacuum station compressors shall be equipped with "silencers".

(c) The property owner shall maintain the site free of graffiti and/or vandalism.

(d) The business and/or property owner shall promptly report any criminal activities occurring on-site to the Ontario Police Department.

(e) During regular business hours, staff shall maintain safe and orderly queuing of vehicles, and prevent overflow onto adjacent rights-of-way.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Alexis Vaughn
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 06, 2020
SUBJECT: PCUP19-032

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

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner
Planning Department

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

DATE: January 15, 2020

SUBJECT: PCUP19-032 – A Conditional Use Permit to establish a carwash totaling 4,446 square feet on 0.95-acre of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (APNs: 238-041-22 and 238-041-28). Related Files: PDEV19-070 and PVAR19-008.

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



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Emily Hernandez, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: January 02, 2020

SUBJECT: FILE #: PCUP19-032

Finance Acct#:

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

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

PROJECT DESCRIPTION: A Conditional Use Permit to establish an express carwash building totaling 4,446 square feet on 0.95 acres of land located at the northwest corner of Inland Empire Blvd and Ontario Mills Parkway, within the Office/Commercial land use district of the California Commerce Center North (Ontario Mills) Specific Plan (APN(s): 238-041-22 & -28). Related File(s): PDEV19-070 and PVAR19-008.

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

Landscape Planning Division
Signature: [Handwritten Signature] Title: Landscape Planner Date: 2/12/20



Development Advisory Board Decision

July 20, 2020

DECISION NO.: [insert #]

FILE NO.: PDEV19-070

DESCRIPTION: A Development Plan to construct a 4,446 square foot carwash on 1.17 acres of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (APNs: 0238-041-22 and 0238-041-28); **submitted by Don Vogel, Fast 5 Xpress. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

DON VOGEL, FAST 5 XPRESS, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-070, as described in the subject of this Decision (herein after referred to as “Application” or “Project”).

(1) **Project Setting:** The Project site is comprised of two existing parcels of land totaling 1.17 acres of land (see Exhibits A – Project Location Map – Regional Context; and B—Project Location Map, attached), and includes the following:

- A primarily vacant 1.1 gross acre (0.95 net acre) triangular shaped parcel located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway. The parcel includes a portion of the developed street along Inland Empire Boulevard, a portion of the existing shared driveway and parking with the property to the west, and a small portion of the existing curb return radius and sidewalk which is to be dedicated to the City of Ontario.
- A vacant 0.06-acre triangular shaped parcel located at the northeast corner of Inland Empire Boulevard and Ontario Mills Parkway, which primarily serves as an extension of the existing parkway adjacent to the property to the north. This parcel is not a part of the scope of work of the proposed Project.

Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

| | Existing Land Use | General Plan Designation | Zoning Designation | Specific Plan Land Use |
|---------------|--------------------------|----------------------------------|---------------------------|--|
| <i>Site:</i> | Vacant | Ontario Mills Mixed Use District | SP (Specific Plan) | Office/Commercial Ontario Mills Specific Plan |
| <i>North:</i> | Hotel | Ontario Mills Mixed Use District | SP | Office/Commercial Ontario Mills Specific Plan |
| <i>South:</i> | Retail | Ontario Mills Mixed Use District | SP | Office/Commercial Ontario Mills Specific Plan |

| | Existing Land Use | General Plan Designation | Zoning Designation | Specific Plan Land Use |
|-------|--------------------------|----------------------------------|---------------------------|---|
| East: | Retail | Ontario Mills Mixed Use District | SP | Office/Commercial Ontario Mills Specific Plan |
| West: | Retail | Ontario Mills Mixed Use District | SP | Office/Commercial Ontario Mills Specific Plan |

(2) **Project Description:**

(a) **Background** — On December 20, 2019, the Applicant submitted a Conditional Use Permit Application (File No. PCUP19-032), a Variance Application (File No. PVAR19-008), and a Development Plan (File No. PDEV19-070), to facilitate the construction of a 4,446 square-foot self-serve carwash. The Conditional Use Permit application is required by the Ontario Mills Specific Plan to establish a self-service carwash land use. The Variance application requests a reduction in the minimum drive aisle setbacks adjacent to certain arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet. The Ontario Development Code requires Development Advisory Board recommendation and Planning Commission review and approval for Development Plans filed in conjunction with Conditional Use Permit and/or Variance requests.

(b) **Site Design/Building Layout** — The Application proposes the construction of a 4,446 square foot self-service carwash, oriented on the Project site in a southwest-northeast direction (see Exhibit C: Site Plan and Conceptual Landscape Plan). The proposed floor plan includes an electrical room, equipment room, sales office, management office, restroom, and wash tunnel (see Exhibit D—Floor Plan).

The Applicant has made efforts to isolate significant noise-generating elements away from the adjacent sensitive uses (hotel). The equipment room, which houses systems for both the carwash tunnel and the motor system for the vacuums, as well as the vacuum stalls, are proposed on the northwest side of the building, facing toward Inland Empire Boulevard and the Project’s main vehicular entrance.

The proposed vacuum stalls will be located approximately 150 feet from the nearest hotel, to the north. The vacuums are required to be equipped with “silencers” to reduce noise impacts. Additionally, the exit tunnel, the largest producer of noise, is oriented toward the southwest, facing an existing fast food restaurant, thereby reducing further noise impacts to the hotel uses to the north of the subject property.

(c) **Site Access/Circulation** — Access to the Project site is provided from Inland Empire Boulevard by a shared full access drive approach. The site is also accessible by a shared drive aisle that runs along the west property line.

There are two queuing lanes proposed for patrons to enter the carwash—typically one for pre-paid members and one for pay-per-visit customers. Patrons will enter the carwash tunnel at the northeast corner of the site and exit at the tunnel at the southwest portion of the site, and may either leave the site or pull around to use the vacuum stations.

(d) **Parking** — The Project has provided off-street parking pursuant to the “Car Washes, Full-Service and Self-Service” parking standards specified in the Development Code. The off-street parking calculations for the Project are as follows:

| Type of Use | Building Area | Parking Ratio | Spaces Required | Spaces Provided |
|---|-----------------|--|-----------------|-----------------|
| Car Washes, Full-Service and Self-Service | 4,446 SF | One space per employee, minimum 10 spaces; plus required parking for accessory uses (i.e., motor vehicle repair and service, and retail uses). | 10 | 17 |
| TOTAL | 4,446 SF | | 10 | 17 |

The Project is required to provide a minimum of 10 off-street parking spaces pursuant to the parking standards specified in the Development Code and has provided 17 spaces, exceeding the minimum standards. Fourteen of the parking stalls include vacuum stations, and three standard parking spaces have been provided for employee parking.

(e) Architecture — The Project features a simple and modern commercial style, utilizing the following architectural treatments (see Exhibit D—Elevations):

- White stucco panels with vertical reveal lines;
- Orange metal awnings;
- Horizontal and angled metal parapets with a contrasting blue band at the base;
- Standing seam metal roof; and
- A decorative architectural element at the carwash tunnel exit along the west elevation, displaying signage for the building. In addition, 15 canopies will be provided for the vacuum stalls, as shown in **Figure 3: Vacuum Bay Canopy**, below.



Figure 3: Vacuum Bay Canopy

(f) Landscaping — The Project provides landscaping along the street frontages (Inland Empire Boulevard and Ontario Mills Parkway) and the remaining perimeter of the site as appropriate. The Ontario Development Code requires a minimum of 15 percent landscaping coverage, and 34 percent will be provided, substantially exceeding the minimum requirement (see Exhibit E—Conceptual Landscape Plan). The Project will maintain approximately half of the existing mature trees on site, including eight London Plane trees (ten White Ironbark Eucalyptus trees will be removed to accommodate the new building, parking, and drive aisles). The landscape plan proposes a variety of new trees and shrubs

throughout the site, including Coral Gum Tree, Coast Live Oak, Firewheel Tree, Queen Palm, agave, kangaroo paw, bird of paradise, blue chalk sticks, and blood red trumpet vine, among other plantings.

(g) Signage — The Project will be required to submit a sign plan application prior to installation of any signage at the site. All signage will follow all Ontario Development Code standards related to signage for drive-thru retail facilities.

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

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

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

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

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

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

WHEREAS, on July 20, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines and meets all the following conditions.

- a. The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations.
- b. The proposed development occurs within city limits, on a project site of no more than five acres and is substantially surrounded by urban uses.
- c. The Project site has no value as habitat for endangered, rare, or threatened species.
- d. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e. The Project site can be adequately served by all required utilities and public services.

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

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

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Ontario Mills Mixed Use District of the Policy Plan Land Use Map, and the Commercial/Office land use district of the Ontario Mills Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. In conjunction with approval of the related Variance File No. PVAR19-008, the construction of the proposed self-service carwash facility will provide the neighborhood with an additional retail convenience within the existing regional retail center, per Policy Plan LU-6 (Complete Community), while improving the vacant site and providing landscaping and streetscape in accordance with policies CD2-9 (Landscape Design) and CD3-6 (Landscaping) of the Policy Plan; and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** In conjunction with the approval of related Variance File No. PVAR19-005, the Project has been designed consistent with the requirements of the City of Ontario Development Code and the Commercial/Office land use district of The Ontario Mills Specific Plan, including standards relative to the particular land use proposed (drive-thru retail, self-serve carwash), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The Project site is predominantly vacant and is thus underutilized. The proposed Project will be constructed consistent with the Development Code, The Ontario Mills Specific Plan, and The Ontario Plan ("TOP"), and will blend in with the surrounding commercial uses; and

(3) **The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Ontario Mills Specific Plan and applicable provisions of the Ontario Development Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Ontario Mills Specific Plan. The proposed Project is complementary to the surrounding in terms of use, massing, and architecture, will revitalize the existing vacant site, and will install extensive landscaping along Inland Empire Boulevard and Ontario Mills Parkway to soften the use and appearance of the building and associated drive-thru. Moreover, conditions of approval have been imposed on the Project that will ensure appropriate site lighting of the Project site for purposes of public safety; and

(4) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Ontario Mills Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and

fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (drive-thru retail, self-serve carwash). The Project proposes to develop a vacant site in order to construct a carwash and associated landscaping, drive-thru lanes, parking and trash enclosure, and requires a Conditional Use Permit to allow for the land use, and a Variance request to optimize these goals. As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval and related Conditional Use Permit File No. PCUP19-032 and Variance File No. PVAR19-005, will be consistent with the development standards and guidelines described in the Ontario Mills Specific Plan.

SECTION 5: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVE the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 6: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the Applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

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

APPROVED AND ADOPTED this 20th day of July 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP – REGIONAL CONTEXT



Exhibit A CONTINUED – PROJECT LOCATION MAP



Exhibit D – FLOOR PLAN

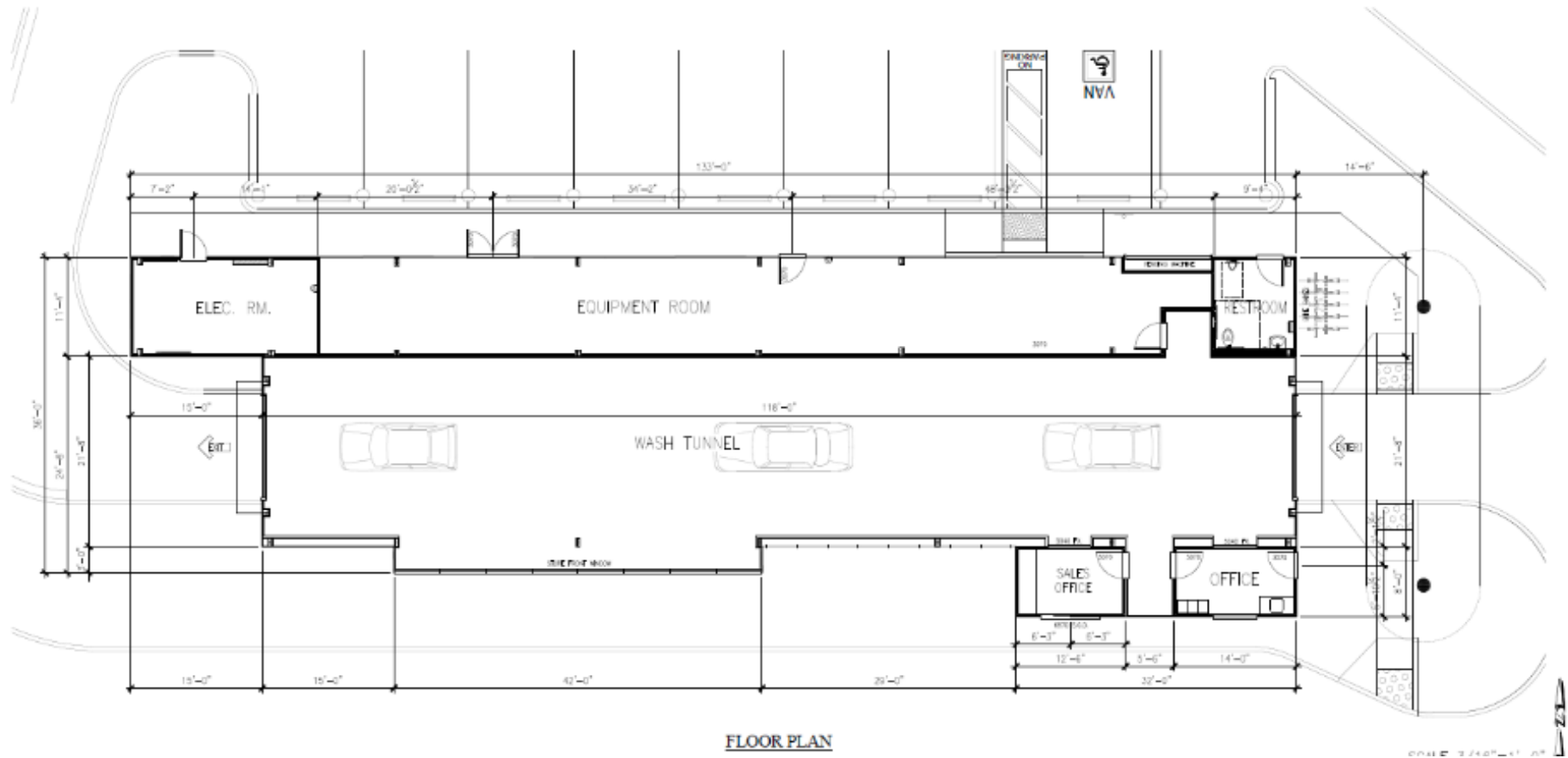


Exhibit E—ELEVATIONS



EAST ELEVATION

PART 5 EXTERIOR
 (INCLUDE CO)

| EXTERIOR COLOR SCHEME | |
|---------------------------------|------------------------------|
| WALL PANELS | POLAR WHITE |
| SMOOTH HORIZONTAL PANELS | REGAL BLUE |
| ROOF | ASH GRAY |
| TRUSS PANEL | POLAR WHITE |
| METAL FINING | ELECTRIC ORANGE |
| TRANSLUCENT WALL SYSTEM #1 | WHITE #88 |
| TRANSLUCENT WALL SYSTEM #2 | CORO BLUE #18 |
| STEEL COLUMN/DOOR/WINDOW FRAMES | TO MATCH ADJACENT WALL PANEL |

ALL FINISHES UNLESS OTHERWISE SPECIFIED.
 TONE EXPANDED TO MATCH ADJACENT SURFACE.
 ALL FINISHES TO BE MATCHED AT THESE COORDINATES.

JOB # 19113
 Date Created: 10/24/2019

WALL FINISH: METAL FINING
 ROOF: SHEDDING POLYMER
 FINISH: SHEDDING POLYMER
 TRANSLUCENT WALL SYSTEM: KALAPAL

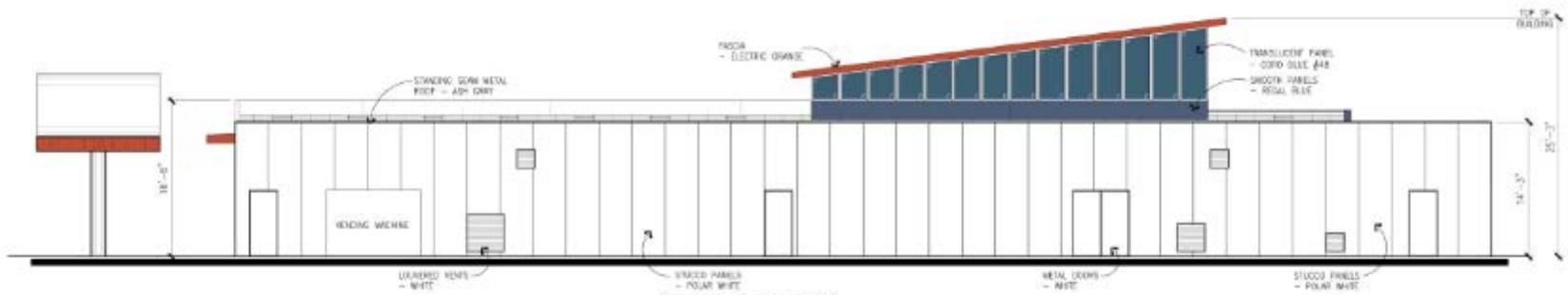
WILSON 5
 Kevin L. Crook
 Architect
 Inc.



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: July 20, 2020
File No: PDEV19-070
Related Files: PCUP19-032 and PVAR19-008

Project Description: A Development Plan to construct a 4,446 square foot carwash on 1.17 acres of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (APNs: 0238-041-22 and 0238-041-28); **submitted by Don Vogel, Fast 5 Xpress.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

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

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

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

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

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

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking

areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

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

2.7 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

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

2.9 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations). Signage shall be reviewed and approved in conjunction with a Sign Plan Application prior to the installation of any site signage.

2.10 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.11 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to **Section 15332 (Class 32, In-Fill Development Projects)** of the CEQA Guidelines and meets all of the following conditions:

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

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

2.13 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.14 Additional Requirements.

(a) Approval of File No. PDEV19-070 is contingent upon approval of related file numbers PCUP19-032 and PVAR19-008.

(b) The business' staff and management shall reinforce the following during operation hours so as to limit disruption to adjacent properties:

- (i)** No noise permitted prior to 6:50 a.m. for setup.
- (ii)** No patron car radios shall project sound.
- (iii)** Mechanical equipment room to remain closed during operational hours and proper ventilation shall be installed so as to prevent overheating during summer months.
- (iv)** Vacuum station compressors shall be equipped with "silencers".

(c) The property owner shall maintain the site free of graffiti and/or vandalism.

(d) The business and/or property owner shall promptly report any criminal activities occurring on-site to the Ontario Police Department.

(e) During regular business hours, staff shall maintain safe and orderly queuing of vehicles, and prevent overflow onto adjacent rights-of-way.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

| | |
|--|---|
| <input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER | <input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES |
| PROJECT FILE NO. <u>PDEV19-070</u> RELATED FILE NO(S). <u>PCUP19-032 & PVAR19-008</u> | |
| <input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> </u> / <u> </u> / <u> </u> | |

CITY PROJECT ENGINEER & PHONE NO: Antonio Alejos *A.A.* (909) 395-2384

CITY PROJECT PLANNER & PHONE NO: Alexis Vaughn (909) 395-2416

DAB MEETING DATE: July 20th, 2020

PROJECT NAME / DESCRIPTION: PDEV19-070, a Development Plan to construct a 4,446-square foot carwash on 0.95-acre of land within the Office/Commercial land use district of the Ontario Mills Specific Plan.

LOCATION: North West Corner of Inland Empire Boulevard and Ontario Mills Parkway

APPLICANT: Don Vogel, Fast 5 Xpress

REVIEWED BY: *[Signature]* 6/30/20
Bryan Lirley, P.E. Date
Principal Engineer

APPROVED BY: *[Signature]* 6/30/20
Raymond Lee, P.E. Date
Assistant City Engineer



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ontarioca.gov) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of 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 upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

A. GENERAL (Permits includes Grading, Building, Demolition and Encroachment)

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario Per Parcel Map No. 14738-1.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____ .
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement.
- 2.06 **Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches as applicable to the project.**
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified



boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 2.08 Submit a soils/geology report.
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:

- State of California Department of Transportation (Caltrans)
- San Bernardino County Road Department (SBCRD)
- San Bernardino County Flood Control District (SBCFCD)
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- Other: _____

- 2.10 **Dedicate to the City of Ontario the right-of-way described below:**
 1. **A portion around the curb return radius at the northwest corner of Ontario Mills Parkway and Inland Empire Boulevard.**

- 2.11 Dedicate to the City of Ontario the following easement(s): _____

- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).

- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**

- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.



- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$20,000.00, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**

- 2.16 Other conditions: _____



B. PUBLIC IMPROVEMENTS

(See attached Exhibit 'A' for plan check submittal requirements.)

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

| Improvement | Ontario Mills Pw | Street 2 | Street 3 | Street 4 |
|---------------------------------|--|---|---|---|
| Curb and Gutter | <input type="checkbox"/> New; ___ ft. from C/L | <input type="checkbox"/> New; ___ ft. from C/L | <input type="checkbox"/> New; ___ ft. from C/L | <input type="checkbox"/> New; ___ ft. from C/L |
| AC Pavement | <input type="checkbox"/> Replacement | <input type="checkbox"/> Replacement | <input type="checkbox"/> Replacement | <input type="checkbox"/> Replacement |
| PCC Pavement (Truck Route Only) | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing |
| Drive Approach | <input type="checkbox"/> New | <input type="checkbox"/> New | <input type="checkbox"/> New | <input type="checkbox"/> New |
| Sidewalk | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace |
| ADA Access Ramp | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace |
| Parkway | <input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation) | <input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation) | <input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation) | <input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation) |
| Raised Landscaped Median | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace |
| Fire Hydrant (see Sec. 2.D) | <input checked="" type="checkbox"/> Equip Break-Off Check Valve | <input type="checkbox"/> New / Upgrade | <input type="checkbox"/> New / Upgrade | <input type="checkbox"/> New / Upgrade |
| Sewer (see Sec. 2.C) | <input checked="" type="checkbox"/> New Lateral w/ Monitoring Man-Hole & Clean-Outs | <input type="checkbox"/> Main <input type="checkbox"/> Lateral | <input type="checkbox"/> Main <input type="checkbox"/> Lateral | <input type="checkbox"/> Main <input type="checkbox"/> Lateral |
| Water (see Sec. 2.D) | <input checked="" type="checkbox"/> New Service for Domestic Use w/ Meter & Backflow <input checked="" type="checkbox"/> New Service for Irrigation Use w/ Meter & Backflow | <input type="checkbox"/> Main <input type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service |
| Recycled Water (see Sec. 2.E) | <input type="checkbox"/> Main <input type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service |



| | | | | |
|--|---|---|---|---|
| Traffic Signal System (see Sec. 2.F) | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing |
| Traffic Signing and Striping (see Sec. 2.F) | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing |
| Street Light (see Sec. 2.F) | <input checked="" type="checkbox"/> Upgrade to LED <input type="checkbox"/> Relocation | <input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation | <input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation | <input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation |
| Bus Stop Pad or Turn-out (see Sec. 2.F) | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing |
| Storm Drain (see Sec. 2.G) | <input type="checkbox"/> Main <input type="checkbox"/> Lateral | <input type="checkbox"/> Main <input type="checkbox"/> Lateral | <input type="checkbox"/> Main <input type="checkbox"/> Lateral | <input type="checkbox"/> Main <input type="checkbox"/> Lateral |
| Fiber Optics (see Sec. 2K) | <input checked="" type="checkbox"/> Conduit / Appurtenances | <input type="checkbox"/> Conduit / Appurtenances | <input type="checkbox"/> Conduit / Appurtenances | <input type="checkbox"/> Conduit / Appurtenances |
| Overhead Utilities | <input type="checkbox"/> Underground <input type="checkbox"/> Relocate | <input type="checkbox"/> Underground <input type="checkbox"/> Relocate | <input type="checkbox"/> Underground <input type="checkbox"/> Relocate | <input type="checkbox"/> Underground <input type="checkbox"/> Relocate |
| Removal of Improvements | <input checked="" type="checkbox"/> Abandon services/laterals no longer to be used | _____ | _____ | _____ |
| Other Improvements | _____ | _____ | _____ | _____ |

Specific notes for improvements listed in item no. 2.17, above:

1. If there is a conflict with existing improvements (utility devices, utility lines/poles, etc.) during the construction of the proposed improvements, then the ultimate location of these improvements shall be in accordance with City Standard Drawing Numbers 1216 and 1217.
2. Existing utility mains/services no longer to be used shall be abandoned or removed per the current City procedure. All services/laterals shall be abandoned by shutting off the corporation stops at the existing main and removing the service pipe at the point of connection with the main.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.



- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **A 10-inch sewer main is available for connection by this project in Inland Empire Bl. (Ref: Sewer plan bar code: S11560)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 1. The applicant/developer shall install a new sewer lateral to the existing 10-inch public sewer main in Inland Empire Boulevard and equip the lateral with a clean-out and monitoring manhole behind the property line per the latest City Design Guidelines/Standard Drawings.
 2. The applicant/developer or occupant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>)

Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact:

Michael Birmelin, Environmental Programs Manager
omucenvironmental@ontarioca.gov
 Phone: (909) 395-2661

D. WATER

- 2.27 **A 12-inch water main is available for connection by this project in Ontario Mills Pw. (Ref: Water plan bar code: UNK)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions:**
 1. The applicant/developer shall install a domestic water service to the existing 12-inch domestic water main in Ontario Mills Parkway and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
 2. The applicant/developer shall install a separate water service (for irrigation purposes only) to the existing 12-inch domestic water main in Ontario Mills Parkway and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
 3. The applicant/developer shall equip the existing fire hydrant, along the Ontario Mills Parkway property frontage, with a break-off check valve per City Standard Drawing Number 4101.



E. RECYCLED WATER

- 2.30 **A recycled water main is not available for connection by this project.**
(Ref: Recycled Water plan bar code: None)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.

- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 1. On-site and off-site circulation
 2. Traffic level of service (LOS) at 'build-out' and future years
 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
 1. **The applicant/developer shall be responsible to replace any existing street light fixtures along the Ontario Mills Parkway property frontage with the current City approved LED equivalent fixture per the Traffic and Transportation Design Guidelines.**

G. DRAINAGE / HYDROLOGY

- 2.38 **A 24-inch storm drain main is available to accept flows from this project in Ontario Mills Pw.**
(Ref: Storm Drain plan bar code: D10524)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions: _____



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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year-round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located along Ontario Mills Parkway property frontage, see Fiber Optic Exhibit herein for reference.**
- 2.51 **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.**



L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:

<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>

- 2.53 Other conditions:
1. The applicant/developer shall construct a new trash enclosure with a solid roof per the Refuse & Recycling Planning Manual.
 2. The applicant/developer shall update the Conceptual Solid Waste Handling Plan and convert it into a Final Solid Waste Handling Plan Sheet, which shall be included with the Precise Grading Plan Submittal for review and approval by the City/OMUC. See "Solid Waste Handling Plan (SWHP) Requirements" document for details.
 3. The applicant/developer shall submit an Integrated Waste Management Report for review and approval with the Precise Grading Plan. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.). The IWMR shall demonstrate compliance with the "Integrated Waste Management Report Requirements" document.



3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01 **Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.**
- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 **The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.**
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 **Confirm payment of all Development Impact Fees (DIF) to the Building Department.**
- 3.06 **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).**

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 **Complete all Conditions of Approval listed under Sections 1-3 above.**
- 4.02 **Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**
- 4.03 **The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PDEV19-070

The following items are required to be included with the first plan check submittal:

1. A copy of this check list
2. Payment of fee for Plan Checking
3. One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.
4. One (1) copy of project Conditions of Approval
5. Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. Three (3) sets of Public Street improvement plan with street cross-sections
7. Three (3) sets of Private Street improvement plan with street cross-sections
8. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10. Four (4) sets of Public Sewer improvement plan
11. Five (5) sets of Public Storm Drain improvement plan
12. Three (3) sets of Public Street Light improvement plan
13. Three (3) sets of Signing and Striping improvement plan
14. Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)
15. Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
16. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
17. Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).
18. One (1) copy of Hydrology/Drainage study
19. One (1) copy of Soils/Geology report
20. Payment for Final Map/Parcel Map processing fee
21. Three (3) copies of Final Map/Parcel Map



- 22. One (1) copy of approved Tentative Map
- 23. One (1) copy of Preliminary Title Report (current within 30 days)
- 24. One (1) copy of Traverse Closure Calculations
- 25. One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.
- 26. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 27. **Other:**
 - 1. **Three (3) copies of the Easement Deed of Right-of-way Dedication Form (include all items in the Easement Deed of Right-of-way Dedication Application Checklist)**

TITLE MATTERS:
 ITEM 6 - AN EASEMENT FOR STREET PUBLIC UTILITY AND INCIDENTAL PURPOSES, RECORDED NOVEMBER 25, 1994 AS INSTRUMENT NO. 189700357 OF OFFICIAL RECORDS, IN THE COUNTY OF ONTARIO, A MUNICIPAL CORPORATION, AFFECTS ANY AND ALL LANDS WITHIN THE STREET RIGHTS LIMITS OF THE CITY OF ONTARIO.
 ITEM 7 - A LICENSE TO CONDUIT, LANTERNS, MANHOLES, PUBLIC UTILITY EASEMENTS AND INCIDENTAL PURPOSES, RECORDED NOVEMBER 25, 1994 AS INSTRUMENT NO. 18980436777 OF OFFICIAL RECORDS, IN THE COUNTY OF ONTARIO, A MUNICIPAL CORPORATION, AFFECTS AS DESCRIBED THEREIN (PLOTTED).
 ITEM 8 - AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED NOVEMBER 25, 1994 AS INSTRUMENT NO. 18980436777 OF OFFICIAL RECORDS, IN THE COUNTY OF ONTARIO, A MUNICIPAL CORPORATION, AFFECTS AS DESCRIBED THEREIN (PLOTTED).
 ITEM 9 - AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED NOVEMBER 25, 1994 AS INSTRUMENT NO. 18980436777 OF OFFICIAL RECORDS, IN THE COUNTY OF ONTARIO, A MUNICIPAL CORPORATION, AFFECTS AS DESCRIBED THEREIN (PLOTTED).
 ITEM 10 - AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED NOVEMBER 25, 1994 AS INSTRUMENT NO. 18980436777 OF OFFICIAL RECORDS, IN THE COUNTY OF ONTARIO, A MUNICIPAL CORPORATION, AFFECTS AS DESCRIBED THEREIN (PLOTTED).
LEGAL DESCRIPTION:
 THIS PARCEL IS LOCATED IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
 PARCEL 1:
 PARCEL 4 OF PARCEL MAP NO. 147338-1, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN ON THE PLAT OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, EXCEPTING THE FOLLOWING DESCRIBED PORTION OF SAID PARCEL, BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF PARCEL 4 THAT BEARS SOUTH 00° 25' 32" WEST, 83.00 FEET FROM THE NORTHEASTERLY CORNER OF SAID PARCEL 4; THENCE SOUTH 87° 34' 08" EAST, PARALLEL WITH THE WESTERLY BOUNDARY OF SAID PARCEL 4, A DISTANCE OF 7.22 FEET; THENCE SOUTH 21° 50' 52" EAST, 171.33 FEET TO AN INTERSECTION WITH SAID WESTERLY BOUNDARY; THENCE NORTH 36° 14' 14" WEST ALONG SAID WESTERLY BOUNDARY, 46.87 FEET TO AN ANGLE POINT THEREIN; THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, NORTH 00° 25' 32" EAST, 14.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, NORTH 00° 25' 32" EAST, 10.50 FEET OF THE NORTH 83.00 FEET OF PARCEL 4; THENCE EAST ALONG SAID WESTERLY BOUNDARY OF SAID PARCEL 4, A DISTANCE OF 10.50 FEET TO THE POINT OF BEGINNING; ADJUSTMENT NO. LL-89-22 RECORDED NOVEMBER 19, 1990 AS INSTRUMENT NO. 478585, OF OFFICIAL RECORDS.
 PARCEL 2:
 PARCEL 4 OF PARCEL MAP NO. 147338-1, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN ON THE PLAT OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, EXCEPTING THE FOLLOWING DESCRIBED PORTION OF SAID PARCEL, BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF PARCEL 4 THAT BEARS SOUTH 00° 25' 32" WEST, 83.00 FEET FROM THE NORTHEASTERLY CORNER OF SAID PARCEL 4; THENCE SOUTH 87° 34' 08" EAST, PARALLEL WITH THE WESTERLY BOUNDARY OF SAID PARCEL 4, A DISTANCE OF 7.22 FEET; THENCE SOUTH 21° 50' 52" EAST, 171.33 FEET TO AN INTERSECTION WITH SAID WESTERLY BOUNDARY; THENCE NORTH 36° 14' 14" WEST ALONG SAID WESTERLY BOUNDARY, 46.87 FEET TO AN ANGLE POINT THEREIN; THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, NORTH 00° 25' 32" EAST, 14.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, NORTH 00° 25' 32" EAST, 10.50 FEET OF THE NORTH 83.00 FEET OF PARCEL 4; THENCE EAST ALONG SAID WESTERLY BOUNDARY OF SAID PARCEL 4, A DISTANCE OF 10.50 FEET TO THE POINT OF BEGINNING; ADJUSTMENT NO. LL-89-22 RECORDED NOVEMBER 19, 1990 AS INSTRUMENT NO. 478585, OF OFFICIAL RECORDS.
 PARCEL 3:
 PARCEL 4 OF PARCEL MAP NO. 147338-1, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN ON THE PLAT OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, EXCEPTING THE FOLLOWING DESCRIBED PORTION OF SAID PARCEL, BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF PARCEL 4 THAT BEARS SOUTH 00° 25' 32" WEST, 83.00 FEET FROM THE NORTHEASTERLY CORNER OF SAID PARCEL 4; THENCE SOUTH 87° 34' 08" EAST, PARALLEL WITH THE WESTERLY BOUNDARY OF SAID PARCEL 4, A DISTANCE OF 7.22 FEET; THENCE SOUTH 21° 50' 52" EAST, 171.33 FEET TO AN INTERSECTION WITH SAID WESTERLY BOUNDARY; THENCE NORTH 36° 14' 14" WEST ALONG SAID WESTERLY BOUNDARY, 46.87 FEET TO AN ANGLE POINT THEREIN; THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, NORTH 00° 25' 32" EAST, 14.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, NORTH 00° 25' 32" EAST, 10.50 FEET OF THE NORTH 83.00 FEET OF PARCEL 4; THENCE EAST ALONG SAID WESTERLY BOUNDARY OF SAID PARCEL 4, A DISTANCE OF 10.50 FEET TO THE POINT OF BEGINNING; ADJUSTMENT NO. LL-89-22 RECORDED NOVEMBER 19, 1990 AS INSTRUMENT NO. 478585, OF OFFICIAL RECORDS.

OPERATION SUMMARY:
FIBER OPTIC EXHIBIT
LAND FILE NO. PDEV19-070
NWC INLAND EMPIRE BL & ONTARIO MILLS PKW

PROJECT DIRECTORY:

| | |
|-----|----------|
| ERS | SITE 600 |
| S | SITE 300 |
| SO | SITE 200 |
| SO | SITE 100 |
| SO | SITE 50 |
| SO | SITE 20 |
| SO | SITE 10 |
| SO | SITE 5 |
| SO | SITE 2 |
| SO | SITE 1 |
| SO | SITE 0 |
| SO | SITE -1 |
| SO | SITE -2 |
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| SO | SITE -18 |
| SO | SITE -19 |
| SO | SITE -20 |

LEGEND:

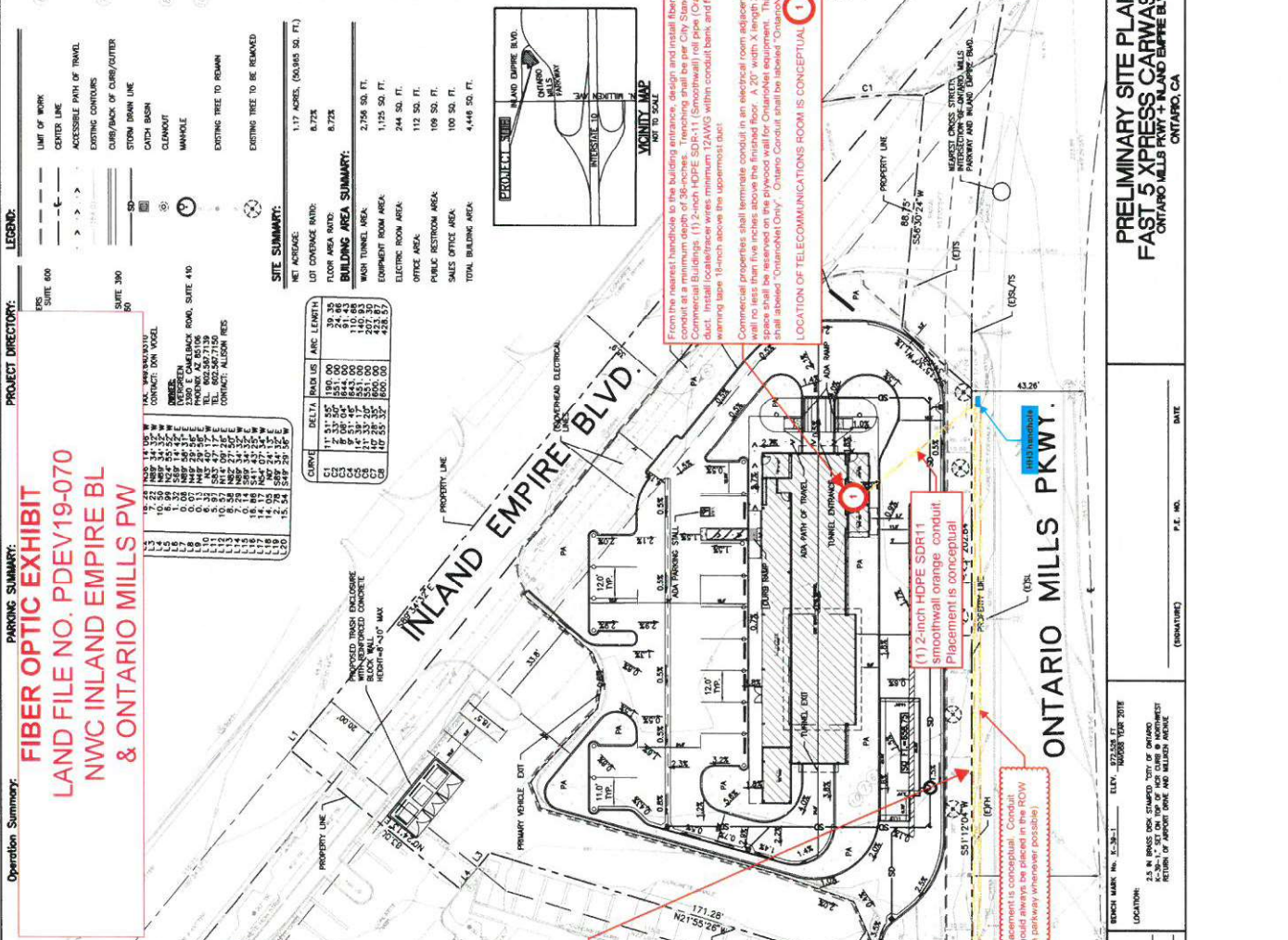
- PA PLASTER AREA/ASCOSCAPE (REFER TO LANDSCAPE PLANS FOR DETAILS)
- PROPOSED CONCRETE BUILDING (REFER TO ARCHITECTURAL PLANS FOR DETAILS)
- THINWALLED DOMES
- One (1) 7-way Micro Duct (Duraline) - 16mm Tubes or Equivalent
- One (1) 2-inch HDPE SDR-11 Smoothwall Orange Conduit
- Two (2) 2-inch HDPE SDR-11 Smoothwall Orange Conduit
- One (1) 13x24x18 Composite Polymer Concrete Hand Hole (HH1)
- One (1) 24x36x30 Composite Polymer Concrete Hand Hole (HH2A)
- One (1) 30x48x36 Composite Polymer Concrete Hand Hole (HH3)
- One (1) 36x60x36 Composite Polymer Concrete Hand Hole (HH4)
- HH-17-22 - PCA132418-90087 - Size 13" x 24" x 18"
- HH-24-22 - PCA173024-90116 - Size 17" x 30" x 24"
- HH-24-22 - PCA243630-90064 - Size 24" x 36" x 30"
- HH-37-22 - PCA304836-90249 - Size 30" x 48" x 36"
- HH-47-22 - PCA366036-90146 - Size 36" x 60" x 36"

OPERATION SUMMARY:

CONSTRUCT/INSTALL FIBER OPTIC CONDUIT AT A MINIMUM DEPTH OF 36". TRENCING SHALL BE PER CITY STANDARD 1306. TWO (2) 2" SDR-11 (SMOOTHWALL) ROLL PIPE (1 ORANGE AND 1 ORANGE WITH BLACK STRIPE) OR EQUIVALENT. ALL UNUSED CONDUITS/DUCTS/MICRODUCTS SHALL BE PROTECTED WITH DUCTS PLUGS THAT PROVIDE A POSITIVE SEAL. DUCTS THAT ARE OCCUPIED SHALL BE PROTECTED WITH INDUSTRY ACCEPTED DUCT SEAL COMPOUND. CONDUIT BANK REQUIRES (1) 12AWG HIGH STRENGTH (MIN. BREAK LOAD 452#) COPPER-CLAD STEEL W/30MIL HDPE ORANGE INSULATION FOR LOCATE/TRACER WIRE.

INSTALL FIBER OPTIC HANDHOLE HH-3722 (PCA304836-90249) NEWBASIS, LESS THAN OR EQUAL TO 432 STRANDS. PER CITY STANDARD 1316 CONDUITS SWEEPING INTO HANDHOLES SHALL ENTER IN FLUSH WITH THE BOX OUT MOUSE HOLES ALIGNED PARALLEL TO THE BOTTOM OF THE BOX AND COME IN PERPENDICULAR TO THE WALL OF THE BOX. CONDUITS SHALL NOT ENTER AT ANY ANGLE OTHER THAN PARALLEL. PROVIDE 5" MIN CLEARANCE FROM EXISTING/PROPOSED UTILITIES. ALL HANDHOLES WILL HAVE 1/4" INCH GALVANIZED WIRE BETWEEN THE HANDHOLES AND THE GRAVEL IT'S PLACED ON.

CONTRACT: _____
ACCOUNT: _____
DRAWN BY: _____
CHECKED BY: _____
DATE: _____



PRELIMINARY SITE PLAN
FAST 5 EXPRESS CARWASH
ONTARIO MILLS PKWY + INLAND EMPIRE BLVD.
ONTARIO, CA

REVISIONS:

| DATE | APPROVED BY | DATE | APPROVED BY |
|------|-------------|------|-------------|
| | | | |
| | | | |
| | | | |

CITY OF ONTARIO
 RECOMMENDED BY: _____ DATE: _____
 DESIGNED BY: _____ DATE: _____
 CHECKED BY: _____ DATE: _____

REVISIONS: APPROVED BY: _____ DATE: _____

OPERATION SUMMARY:

CONTRACT: _____
ACCOUNT: _____
DRAWN BY: _____
CHECKED BY: _____
DATE: _____



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner

FROM: Emily Hernandez, Police Officer

DATE: January 21, 2020

SUBJECT: PDEV19-070 AND PCUP19-032: A DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT APPLICATION TO CONSTRUCT AN EXPRESS CAR WASH TOTALING 4,446 SQUARE FEET ON THE NORTHWEST CORNER OF INLAND EMPIRE BOUELARD AND ONTARIO MILLS PARKWAY.

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

- Required lighting for walkways, driveways, doorways, parking lots and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed and maintained on the building as stated in the Standard Conditions.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

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

- The business shall install and maintain a video surveillance system. Cameras shall be installed to cover, at a minimum, the car wash entrance, the car wash exit, all pedestrian doors leading into the business, all cash registers, and any coin payment boxes. Each camera shall record at a minimum resolution of 640x480 and a minimum of fifteen (15) frames per second. Recorded video shall be retained for a minimum of 30 days and made available to the Police Department upon request.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises

for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

The Applicant is invited to contact Officer Emily Hernandez at (909)408-1755 with any questions or concerns regarding these conditions.



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner
Planning Department

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

DATE: January 15, 2020

SUBJECT: PDEV19-070 – A Development Plan to construct a 4,446-square foot carwash on 0.95-acre of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (APNs: 238-041-22 and 238-041-28). Related Files: PCUP19-032 and PVAR19-008.

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 4,446 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 4,446 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): B

CONDITIONS OF APPROVAL:

1.0 GENERAL

- 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by Fire Department and other emergency services.

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

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

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of Fire Department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

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

- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.

7.0 PROJECT SPECIFIC CONDITIONS

- ☒ 7.1 NOTE: Although it appears the project may not meet turning radius standards, all Fire Department activities will most likely be performed from the street and not on the property, so this condition can be waived if need be.

<END.>

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Alexis Vaughn
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 06, 2020
SUBJECT: PDEV19-070

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

Conditions of Approval

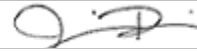
1. Standard Conditions of Approval apply.
2. The Site Address for the project will be 4392 E Ontario Mills Parkway.

KS:lr

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

CONDITIONS OF APPROVAL

Sign Off



5/11/2020

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV19-070

Case Planner:

Alexis Vaughn

Project Name and Location:

Xpress Carwash
 NWC of Inland Empire Blvd & Ontario Mills Pkwy

Applicant/Representative:

Don Vogel – dvogel@fast5xpress.com
 567 San Nicolas Dr., Suite 390
 Newport Beach, CA 92660



A Preliminary Landscape Plan (dated 5/11/2020) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Show backflow devices set back 4' from paving all sides. Locate on level grade
2. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
3. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the utility minimum spacing and show utility lines at the edges of the parkway to allow space for street trees.
4. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at corners. Show 5' sidewalk and 7' parkway within the right of way or as required by Engineering dept.
5. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
6. Dimension all planters to have a minimum 5' wide inside dimension.
7. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.

Landscape Plans

8. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening. Do not encircle utility, show as masses and duplicate masses in other locations on regular intervals.
9. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
10. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.

11. Show corner ramp and sidewalk per city standard drawing 1213.
12. Show appropriate parking lot shade trees with min 30' canopy at maturity. Replace 2 palms with broad canopy shade trees.
13. Show landscape hydrozones on plan or legend with plants per WUCOLS. Moderate water plants may be used for part shade north and east facing locations, low water plants everywhere else.
14. Overhead spray systems shall be designed for plant material less than the height of the spray head.
15. Provide a planting list of proposed water efficient plants. Use turfgrass for recreation areas only. Proposed water use must meet water budget.
16. Provide screening mounding shrubs (consider Grevillea, Cistus, Salvia) at landscape areas opposite of the car wash entry and exit to screen the wash bay.
17. Replace Syagrus (maintenance and messy) consider Washingtonia filifera; use succulents and Agaves in accent areas that are protected from frost.
18. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
19. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
20. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

| | |
|--|-----------------|
| Plan Check—less than 5 acres | \$1,301.00 |
| Inspection—Construction (up to 3 inspections per phase)..... | <u>\$278.00</u> |
| Total..... | \$1,579.00 |
| Inspection—Field – any additional..... | \$83.00 |

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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-070, PVAR19-008 & PCUP19-032
 Address: NWC of Ontario Mills Pkwy & Inland Empire
 APN: 23804128
 Existing Land Use: Vacant
 Proposed Land Use: 4,446 SF Stand-alone Carwash
 Site Acreage: 1.15 acres Proposed Structure Height: 26 ft
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Alexis Vaughn
 Date: 7/15/2020
 CD No.: 2019-090
 PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

| Safety | Noise Impact | Airspace Protection | Overflight Notification |
|-------------------------------|---------------------------------------|---|--|
| <input type="radio"/> Zone 1 | <input type="radio"/> 75+ dB CNEL | <input type="radio"/> High Terrain Zone | <input type="radio"/> Avigation Easement Dedication |
| <input type="radio"/> Zone 1A | <input type="radio"/> 70 - 75 dB CNEL | <input checked="" type="checkbox"/> FAA Notification Surfaces | <input type="radio"/> Recorded Overflight Notification |
| <input type="radio"/> Zone 2 | <input type="radio"/> 65 - 70 dB CNEL | <input checked="" type="checkbox"/> Airspace Obstruction Surfaces | <input checked="" type="checkbox"/> Real Estate Transaction Disclosure |
| <input type="radio"/> Zone 3 | <input type="radio"/> 60 - 65 dB CNEL | <input type="radio"/> Airspace Avigation Easement Area | |
| <input type="radio"/> Zone 4 | | Allowable Height: <u>90 FT</u> | |
| <input type="radio"/> Zone 5 | | | |

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP
 Consistent
 Consistent with Conditions
 Inconsistent

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.

Airport Planner Signature: _____



CITY OF ONTARIO MEMORANDUM

TO: Chairman and Members of the Development Advisory Board

FROM: Rudy Zeledon, Assistant Planning Director *RZ*

DATE: July 20, 2020

SUBJECT: **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN**
REVIEW FOR FILE NO. PDEV19-049: A Development Plan to construct 30 multiple-family residential units on 1.22 acres of land located at 855 South Benson Avenue, within the HDR-45 (High Density Residential 25.1 to 45 du/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 1011-361-01) **Submitted by Creative Design Associates. Planning Commission action is required.**

Staff is recommending that the above-described item be continued to the August 17, 2020, Development Advisory Board meeting, to allow staff additional time to verify the purpose of an existing on-site easement.



Development Advisory Board Decision

July 20, 2020

DECISION NO.: [insert #]

FILE NO.: PDEV20-004

DESCRIPTION: A Development Plan to construct 100 single-family residential units (8-pack cluster), 114 multiple-family residential units (6-plex row townhomes), and 120 multiple-family residential units (12-plex courtyard townhomes) on 79.7 acres of land located at the northeast corner of Schaefer and Haven Avenues, within Planning Areas 5A, 5C, and 5E (Residential – Small Lot SFD/Edison Easement) of the Rich Haven Specific Plan; (APN: 218-161-01) **submitted by LS-Ontario II, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

LS-ONTARIO, LLC, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV20-004, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of 79.7 acres of land located at the northeast corner of Schaefer and Haven Avenues, and is depicted in Exhibit A—Aerial Photograph, attached. Existing land uses, General Plan, zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

| | Existing Land Use | General Plan Designation | Zoning Designation | Specific Plan Land Use |
|--------------|--|--|--------------------------------------|---|
| <i>Site</i> | Vacant/SCE Transmission Line Corridor | (MDR) Medium Density Residential (11.1 – 25 DU/AC) & (OS-NR) Open Space – Non-Recreation | Rich Haven Specific Plan | Planning Areas – (Small Lot SFD) 5A & 5C (12.1 – 18 DU/AC) Planning Area – (Edison Easement) 5E |
| <i>North</i> | Vacant | (OS) Open Space – Parkland & (LMDR) Low Medium Density Residential (5.1 – 11 DU/AC) | Rich Haven Specific Plan | Planning Areas – (Small Lot SFD) 4C (5.1 -12 DU/AC) & Planning Area 3 (Park) |
| <i>South</i> | Residential Subdivision Under Construction & Mass Graded | Mixed Use | Rich Haven Specific Plan | Mixed Use District PA 6A & 6B (Mixed-Use Stand-Alone Residential Overlay) |
| <i>East</i> | SCE Substation | Business Park | Specific Plan (Agricultural Overlay) | N/A |
| <i>West</i> | Residential Subdivision | (LDR) Low Density Residential (2.1 – 5 DU/AC) & (PS) Public School | West Haven Specific Plan | Planning Area 8 – Residential (4,250 SF Lots) |

(2) **Project Description:**

(a) Background — On December 4, 2007, the City Council approved the Rich Haven Specific Plan (File No. PSP05-004) and certified the Environmental Impact Report (EIR) for the Specific Plan. The Specific Plan established the land use designations, development standards, and design guidelines for approximately 512 acres of land, which included the potential development of 4,256 residential units and 889,200 square feet of commercial/office.

In 2010, The Ontario Plan (TOP) was adopted by the City Council. TOP Policy Plan (General Plan) Land Use Plan (Policy Plan Exhibit LU-01) changed the land use designations within certain areas of the Rich Haven Specific Plan. To bring the Rich Haven Specific Plan into conformance with TOP Policy Plan, an amendment to the Rich Haven Specific Plan (File No. PSPA16-001) was processed and approved by the Ontario City Council on March 15, 2016. The Amendment included updates to the Rich Haven Specific Plan Land Use Plan, the housing product types, exhibits, and language, to reflect the proposed land use changes and overall TOP Policy Plan consistency.

On April 23, 2019, the Planning Commission approved four Tentative Tract Maps, one “A” Map (File No. PMTT17-013 /TTM 20134) and three “B” Maps (PMTT17-014/TTM 20135, PMTT17-015/TTM 20136 and PMTT17-016/TTM 20137). Tentative Tract Map File No. PMTT17-013/TT20134 (“A” Map) subdivides 80.61 gross acres of land into 15 numbered lots and 15 lettered lots for residential, public/private streets, landscape neighborhood edges and common open space purposes, to facilitate the construction of three residential product types, including 8-pack cluster homes, row townhomes, and courtyard townhomes. The three “B” Maps were processed concurrently with the “A” Map for the western half of the Project site, which are further described below:

- ***PMTT17-014/TTM 20135.*** The “B” Map subdivided 6.22 acres of land into 10 numbered lots and 13 lettered lots for residential, private streets, and condominium purposes. The map allows for the development of the courtyard townhomes located along Haven Avenue.
- ***PMTT17-015/TTM 20136.*** The “B” Map subdivided 8.52 acres of land into 100 numbered lots and 20 lettered lots for residential, private streets, and landscape neighborhood edges. The map allows for the development of the 8-pack clusters that are located near the northwest corner of the Project site, east of the courtyard townhomes.
- ***PMTT17-016/TTM 20137.*** The “B” Map subdivided 9.10 gross acres of land into 18 numbered lots and 12 lettered lots for residential, alleys, drive aisles, and parking. The map allows for the development of row townhomes that are located near the southwest corner of the Project site, north of the SCE Easement.

On June 4, 2019, the City Council approved a Development Agreement (File No. PDA18-005) to facilitate the infrastructure improvements serving the Project site, which will be completed in two phases. Phase 1 includes the western half of the site and facilitates the development of the three “B” Maps. Phase 2 will develop the eastern half of the site and require subsequent “B” Maps to be processed and approved.

On February 25, 2020, the applicant submitted a Development Plan application to develop the western half of the Project site, west of Twinkle Avenue. The proposed community will have a mid-century modern theme that will be represented in the community street names, building architecture, community signage, and overall site design.

(b) Site Design/Building Layout/Architecture — The proposed Development Plan is to facilitate the construction of 334 residential units, including the 6-plex row townhome, 8-pack cluster, and the 12-Plex courtyard townhome product types that are further discussed below:

(i) **6-Plex Row Townhomes.** The row townhomes are located along the southern portion of the Project site, adjacent to the SCE Edison Easement and include lots 1 thru 12 of Tentative Tract Map 20137 (see Exhibit B—Site Plan (6-plex Row Townhomes), attached). The row townhome product proposes 19 six-unit complexes, for a total 114 multiple-family units that includes three floor plans and one modern Spanish architectural style. The proposed floor plans consist of the following:

- Plan 1: 1,317 square feet, 2 bedrooms, 2 baths, and two-car garage
- Plan 2: 1,486 square feet, 3 bedrooms, 2.5 baths, and two-car garage
- Plan 3: 1,612 square feet, 3 bedrooms, 3 baths, and two-car garage

The proposed multiple-family row townhome products have garage access from a private lane, with the main entrances of the units fronting the street or paseo (see Exhibit B1—6-Plex Row Townhomes Typical Plotting, attached). The paseos will be landscaped with accent trees, provide landscape planters, feature enhanced entries for street adjacent paseos, and include private patios with 3.5-foot high walls for each unit to provide visual interest and promote pedestrian mobility.

All plans incorporate design features such as horizontal and vertical building articulation, varied entry designs, private patios, and second floor laundry facilities. All homes will have a two-car garage, and to minimize the visual impact of garages, the applicant proposes access off a private lane that includes varied massing, second story projections over garages, recessed garage doors, landscaped finger planters, and varied roof lines.

The Project proposes a modern Spanish architectural style and incorporates modern materials and design elements that include (see Exhibit B2—6-plex Row Townhomes Elevations, attached):

- A combination of asymmetrical and simple parapets and shed roofs with composite shingles
- First and second-story pop-out features with metal awnings over second-story recessed windows
- Smooth sand finish stucco exterior with accent blocks of horizontal siding and color blocking to accentuate the building's pop-out features
- Square and arched entry openings, complementary modern-styled doors with glass insert, painted with bright accent colors

(ii) **8-Pack Cluster Homes.** The 8-pack cluster homes are concentrated along the center and northern portion of the Project site and include lots 1 thru 100 of Tentative Tract Map 20136 (see Exhibit C—Site Plan 8-Pack Cluster Homes, attached), for a total of 100 single-family homes. Each cluster lot has minimum exterior dimensions of 140 x185 feet and is divided into eight lots, which range from 2,700 to 4,459 square feet in area. The 8-pack cluster product is characterized by a private lane constructed with decorative pavers that provides both garage and front entry access to each unit. There are four distinct floor plans proposed for each cluster, with three elevations per plan. Each unit was designed to incorporate an 18-foot minimum driveway in addition to the required 2-car garage, providing a total of four parking spaces for each unit (see Exhibit C1—8-Pack Cluster Homes Typical Plotting, attached). The proposed floor plans are further described below:

- Plan 1 (Center Lots): 2,301 square feet, 3 bedrooms, loft, 2.5 baths, and two-car garage.
- Plan 2 (Center Lots): 2,379 square feet, 4 bedrooms, loft, 3 baths, and two-car garage.
- Plan 3 (Front Street Facing Lots): 2,563 square feet, 4 bedrooms, loft, 3 baths, and two-car garage.
- Plan 4 (Rear Lots): 2,601 square feet, 4 bedrooms, bonus room, 3 baths, and two-car garage.

In an 8-pack cluster configuration, not all front building elevations are visible from the public street. Plan 3 units are oriented toward the public street, with front entry and walk facing the street and garage access taken from the private lane. The floor plan is configured with the living areas oriented toward the street and private yards.

Plan 1 and 2 units, the center lots, front onto the private lane, with front door and garage access to the unit taken from the private lane. The floor plan has the living areas oriented toward the private yards, and feature use easements that extend the side yard areas toward the adjacent lot, creating a more useable yard area.

Plan 4, the rear lots, feature a long, rectangular shaped floor plan, with the front entry and garage access taken from the private lane.

The development meets the minimum setback standards of the Specific Plan. The varied entryways in combination with the various architectural styles create an attractive diverse streetscape along both the private lane and the public street. Enhanced architectural treatment was required for properties located on corner lots and for units adjacent to public streets. All four plans have an open concept, with the main living and kitchen areas oriented towards the rear yards, providing opportunities to extend the living areas into outdoor patio rooms.

There are three modern architectural styles proposed for the 8-pack Cluster homes, including a Modern Spanish, California Modern, and Mid-Century Modern, which incorporate the following features/elements (see Exhibit C2—8-Pack Cluster Homes Elevations, attached):

- **Modern Spanish.** A combination of gable and shed roofs with composite shingles; asymmetrical parapets and angled roof lines; first and second-story pop-out features; smooth, sand finish stucco exterior; enhanced square and arched entry openings treated with horizontal siding or color blocking; recessed windows with metal awnings; square and rectangular window configurations; and color blocking.
- **California Modern.** A combination of gable roofs with composite shingles and asymmetrical parapets; first and second-story pop-out features; smooth sand finish stucco exterior; enhanced square entry openings with accent horizontal siding or color blocking; recessed windows with metal awnings; square and rectangular window configurations; and front entry doors and garage doors with accent windows to complement the modern architectural style.
- **Mid-Century Modern.** A combination of angled and gable roofs with composite shingles; asymmetrical parapets; each square entryway is treated with a stone veneer and complementing brightly colored door, which has an off-centered narrow rectangular glass insert; metal awnings over the main entrance and second story windows; first and second story pop-out features; horizontal siding and smooth sand finish stucco exterior; square and rectangular recessed windows; and garage doors with accent windows to complement the Mid-Century Modern architectural style.

(iii) **12-Plex Courtyard Townhomes.** The courtyard townhomes are located along Haven Avenue and include lots 1 thru 10 of Tentative Tract Map 20135 (see Exhibit D—Site Plan 12-Plex Courtyard Townhomes, attached). The courtyard townhomes product proposes ten 12-unit complexes, for a total of 120 multiple-family units, that includes five floor plans and one California Modern architectural style. The proposed floor plans are further described below:

- Plan 1: 1,210 square feet, 1 bedroom, 1.5 bath, and one-car garage.
- Plan 2: 1,578 square feet, 2 bedrooms, 2.5 baths, and two-car tandem garage.
- Plan 3: 1,647 square feet, 2 bedrooms, 2.5 baths, and two-car garage.
- Plan 4: 1,944 square feet, 3 bedrooms, 2.5 baths, and two-car garage.
- Plan 5: 1,974 square feet, 3 bedrooms, 2.5 baths, and two-car garage.

The proposed courtyard townhome product has garage access from an auto court, with main entrances of units fronting the street or a paseo. The primary access into each unit will be from a paseo landscaped with accent trees and landscaped planters to provide visual interest and promote pedestrian mobility (see Exhibit D1—12-Plex Courtyard Townhomes Typical Plotting, attached).

All plans incorporate various design features such as horizontal and vertical building articulation, varied entry designs, private patios, second floor laundry facilities, and second floor balconies. All homes will have a two-car garage, with the exception of Plan 1, which will have a one-car garage. To minimize the visual impact of garages, the applicant proposes access off an auto court, along with varied massing, second story projections over garages, recessed garage doors, landscaped finger planters, and varying parapet and shed roof lines.

A California Modern architectural style is proposed for the courtyard townhomes which incorporates a varying parapet roofline; first and second story pop-out features; smooth sand finish stucco exterior with accent horizontal siding; square entry openings with horizontal siding or color blocking; recessed windows with metal awnings; and bright colored front entry doors with accent glass inserts to complement the modern architectural style.

(c) **Site Access/Circulation** — The previously approved related Tentative Tract Maps, facilitated the construction of the backbone streets, internal public/private streets, and primary access points into Project site, from Haven Avenue to the west and Twinkle Avenue to the south, that connects to an adjacent residential community that is presently under construction (New Haven – Canvas Park).

(d) **Parking** — A parking plan was completed for the previously approved Tentative Tract Map to demonstrate there is sufficient parking throughout the Project site at build-out. The overall Tract Map’s proposed product types would require a total of 1,588 parking spaces, in which 1,316 of those parking spaces would be provided within a garage. The parking plan demonstrated that a total of 2,368 spaces will be provided, exceeding the minimum requirements by 780 parking spaces. The additional parking spaces are provided throughout the site as on-street parking, driveway parking, and parking within the private drive aisles. The parking plan demonstrated that there will be an average of 3.4 parking spaces per unit, which should be more than adequate to accommodate both resident and visitor parking at build-out. The proposed Development Plan is consistent with the previously approved parking plan and the requirements for each product type are further discussed below:

(i) **6-Plex Row Townhomes.** Parking requirements for the attached product are consistent with the Rich Haven Specific Plan, requiring 1.75 spaces (one within a garage) for one-bedroom units, two spaces (one within a garage) for two-bedroom units, and 2.5 spaces (two within a garage) for three or more-bedroom units. Visitor parking is required at the rate of one space for every six units. The proposed product type is required to provide 283 parking spaces and is providing 338 parking spaces. Each unit will provide a two-car garage for a total of 228 enclosed parking spaces. Four of the proposed Row townhome buildings will provide a two-car driveway for each unit, totaling 48 unenclosed driveway parking spaces. Additionally, the Project is providing 62 uncovered parking spaces within the parcels private drive aisles. The Project is required to provide 19 visitor parking spaces that will be provided within the driveways and private drive aisles. Based on the Rich Haven Specific Plan parking requirements, the Project will be over parked by 55 spaces (see Parking Summary shown below), providing more than adequate parking on-site to accommodate visitors and residents of the proposed development.

| Parking Summary | | | | | | |
|---|---|-----------------------------------|-------------------------------|--------------------------------------|---|---------------------------|
| Product Type (No. of Units) | Req. Parking Per Unit | Req. Guest Parking | Total Req. Parking | Garage Space Provided | On-Street/ Drive-Aisle Driveway Parking Spaces | Total Provided |
| Row Townhome - 2 Bedrooms (38 Units) | 2 – Including one-car garage (76 spaces) | one space per 6 units (6 spaces) | 82 | 2-car garage (76 spaces) | 16 Driveway | 92 |
| Row Townhome - | 2.5 – Including one-car garage (188 spaces) | one space per 6 units (13 spaces) | 201 | 2-car garage (152 spaces) | 32 Driveway 46 Drive | 246 |

| | | | | | | |
|-----------------------------|-------------------|-----------|------------|------------|-----------------------|----------------------------|
| 3 Bedroom (76 Units) | | | | | aisle 16 On-Street | |
| Totals (114 Units) | 264 spaces | 19 | 283 | 228 | 110 | 338 |
| | | | | | | 2.9 spaces per unit |

(ii) **8-Pack Cluster.** The Rich Haven Specific Plan requires a two-car garage for each single-family home, which each unit provides. Additionally, each plan will also provide a driveway that accommodates two additional parking spaces per unit. Based on the Rich Haven Specific Plan parking requirements, the Project will be over parked by 200 parking spaces (see Parking Summary shown below), providing more than adequate parking on-site to accommodate visitors and residents of the proposed development.

| Parking Summary | | | | | | |
|------------------------------------|------------------------------|---------------------------|---------------------------|------------------------------|--------------------------------|--------------------------|
| Product Type (No. of Units) | Req. Parking Per Unit | Req. Guest Parking | Total Req. Parking | Garage Space Provided | Driveway Parking Spaces | Total Provided |
| Cluster (100 Units) | 2 –car garage (200 spaces) | N/A | 200 | 200 | 200 | 400 |
| Totals (100 units) | 200 spaces | N/A | 200 | 200 | 200 | 400 |
| | | | | | | 4 spaces per unit |

(iii) **12-Plex Courtyard Townhome.** Parking requirements for the attached product are consistent with the Rich Haven Specific Plan, requiring 1.75 spaces (one within a garage) for one-bedroom units, 2 spaces (one within a garage) for two-bedroom units, and 2.5 spaces (two within a garage) for three or more-bedroom units. Visitor parking is required at the rate of one parking space for every six units. The proposed courtyard townhomes are required to provide a total of 285 parking spaces and 292 parking spaces are being provided (see Parking Summary shown below). Each complex will provide 22 garage spaces, for a total of 265 covered parking spaces. The Project is providing 27 uncovered parking spaces within the parcels private drive aisles. Furthermore, the Project is providing a surplus of 7 spaces within its project parcels, independent of the additional parking spaces provided throughout the overall tract.

| Parking Summary | | | | | | |
|--|---|-----------------------------------|---------------------------|------------------------------|--|----------------------------|
| Product Type (No. of Units) | Req. Parking Per Unit | Req. Guest Parking | Total Req. Parking | Garage Space Provided | On-Street/ Drive Aisle/ Driveway Parking Spaces | Total Provided |
| Courtyard Townhome - One Bedroom (20 Units) | 1.75 – Including one-car garage (35 spaces) | one space per 6 units (3 spaces) | 38 | one-car garage (20 spaces) | 57 Drive-aisle 15 On-street | 92 |
| Courtyard Townhome - 2 Bedrooms (40 Units) | 2 – Including one-car garage (80 spaces) | one space per 6 units (7 spaces) | 87 | 2-car garage (80 spaces) | N/A | 80 |
| Courtyard Townhome - 3 Bedrooms (60 Units) | 2.5 – Including one-car garage (150 spaces) | one space per 6 units (10 spaces) | 160 | 2-car garage (120 spaces) | N/A | 120 |
| Totals (120 units) | 265 spaces | 28 | 285 | 220 | 130 | 292 |
| | | | | | | 2.4 spaces per unit |

(e) Landscaping/Open Space — The previously approved Tentative Tract Map will facilitate the construction of a neighborhood park, sidewalks, parkways, and open space areas within the tract. TOP Policy PR1-1 requires new developments to provide a minimum of two acres of Private Park per 1,000 residents. The overall tract is required to provide 4.7 acres of parkland to meet the minimum TOP private park requirement. The approved Tentative Tract Map included a central neighborhood park comprised of two parcels totaling 2.05 acres, a 1.26-acre secondary neighborhood park located within the eastern half of the site, a 0.64-acre pocket park located on the western half of the site, and a 1.00-acre dog park located along the eastern property line, for a total of 4.95 acres, exceeding the minimum park requirements. The pedestrian circulation system provides connectivity to the parks, residential neighborhoods, the SCE Edison trail that runs east-west along the southern boundary of the Project site, an 8-foot wide multi-purpose trail that runs north-south adjacent to Mill Creek Avenue, and connectivity to the surrounding communities. Future park designs and amenities located on the eastern half of the tract will be addressed as part of the Development Plan entitlement process that will require consistency with the Rich Haven Specific Plan. This Development Plan includes the development of the parks and amenities for the western half of the tract, which are further described below (see Exhibit E—Landscape Plan, attached):

- **Central Park.** The applicant is proposing to construct the western half of the central park, totaling 1.36 acres in size. The central park is divided into two general areas and will include a passive turf area and dog park. The open turf area incorporates activity earthen mounds, accent boulders, shade trees, and picnic areas. The dog park is further divided into two areas to separate the small dog area from the large dog area, and incorporates benches located underneath shade trees (see Exhibit E1—Central Park, attached).
- **Pocket Park.** The pocket park is 0.64-acre in size and will feature a lap pool, a children's pool, a large group spa, a multi-synthetic turf area with cornhole games and pool lounge seating, multiple seating/lounge areas, a restroom building with shower area and storage, having a Mid-Century Modern architectural design, a BBQ area with a recessed television, ping pong and foosball tables, and several trellis structures (see Exhibit E2—Pocket Park, attached).
- **SCE Edison Trail.** The western half of the SCE Edison trail will be improved with a 30-foot wide multi-purpose trail incorporating an 8-foot wide decomposed granite meandering path (see Exhibit E3—SCE Easement Trail, attached).

The row and courtyard townhomes will feature landscaped parkways and interior landscaped paseos, which include accent trees and 3.5-foot high decorative patio walls with entry gate designs that will complement the architectural style of each corresponding unit. The private lanes and auto courts are designed with finger planters to soften the massing of the garages. The landscape installation will be the responsibility of the builder and maintenance will be the responsibility of the homeowner's association.

The cluster product will be provided with front yard/private lane courtyard landscaping (lawn, shrubs and trees) and an automatic irrigation system to be installed by the developer. The homeowner will be responsible for all rear yard landscape improvements.

(f) CC&R's — The previously approved related Tentative Tract Map required that CC&R's be prepared and recorded with the final map. The CC&R's will outline the maintenance responsibilities for the open space areas, recreation amenities, drive aisles, utilities, and upkeep of the entire site, to ensure on-going maintenance of the common areas and facilities.

Part II—RECITALS

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

WHEREAS, the addendum to The Rich Haven Specific Plan Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007 ("Certified EIR") in conjunction with File No. PSP05-004, in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the Certified EIR, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

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

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

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

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

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

WHEREAS, on July 20, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Certified EIR, Addendums and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this Project were previously reviewed in conjunction with File No. PSP05-004, an Addendum for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was adopted by the City Council on December 4, 2007.

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The Project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, The Project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed Project is consistent with the number of dwelling units (334) and density (11.8 DU/AC) specified in the Available Land Inventory.

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

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the (MDR) Medium Density Residential and (OS-NR) Open Space – Non Recreation land use district of the Policy Plan Land Use Map, and Planning Areas 5A, 5C, and 5E (Small Lot SFD & SCE Easement) of the Rich Haven Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and Planning Areas 5A, 5C, and 5E (Small Lot SFD & SCE Easement) of the Rich Haven Specific Plan, including standards relative to the particular land use proposed (residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Rich Haven Specific Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will

not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Rich Haven Specific Plan; and

(4) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Rich Haven Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (residential). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Rich Haven Specific Plan.

SECTION 6: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVE the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 20th day of July 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

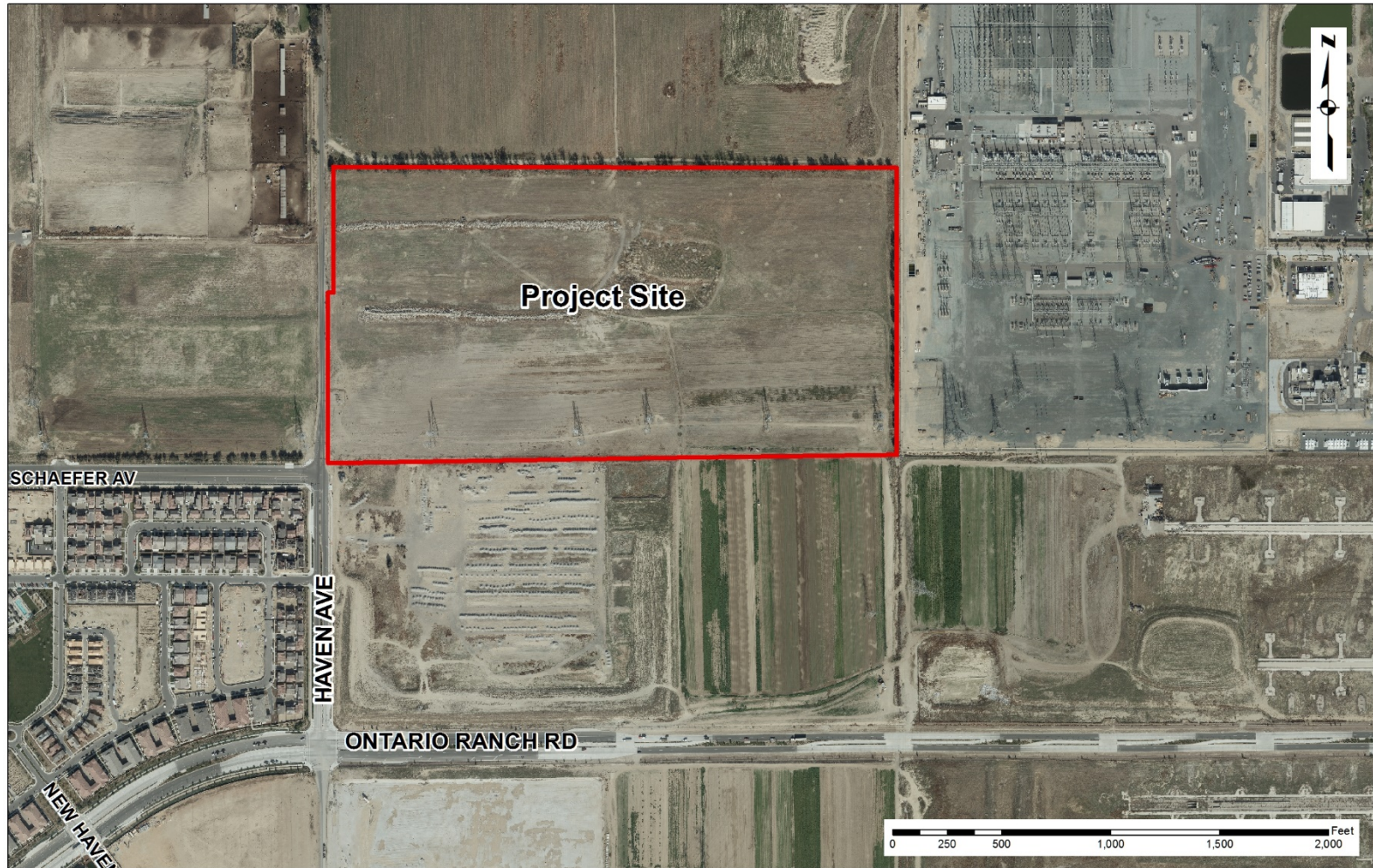


Exhibit B—SITE PLAN (6-PLEX ROW TOWNHOMES)

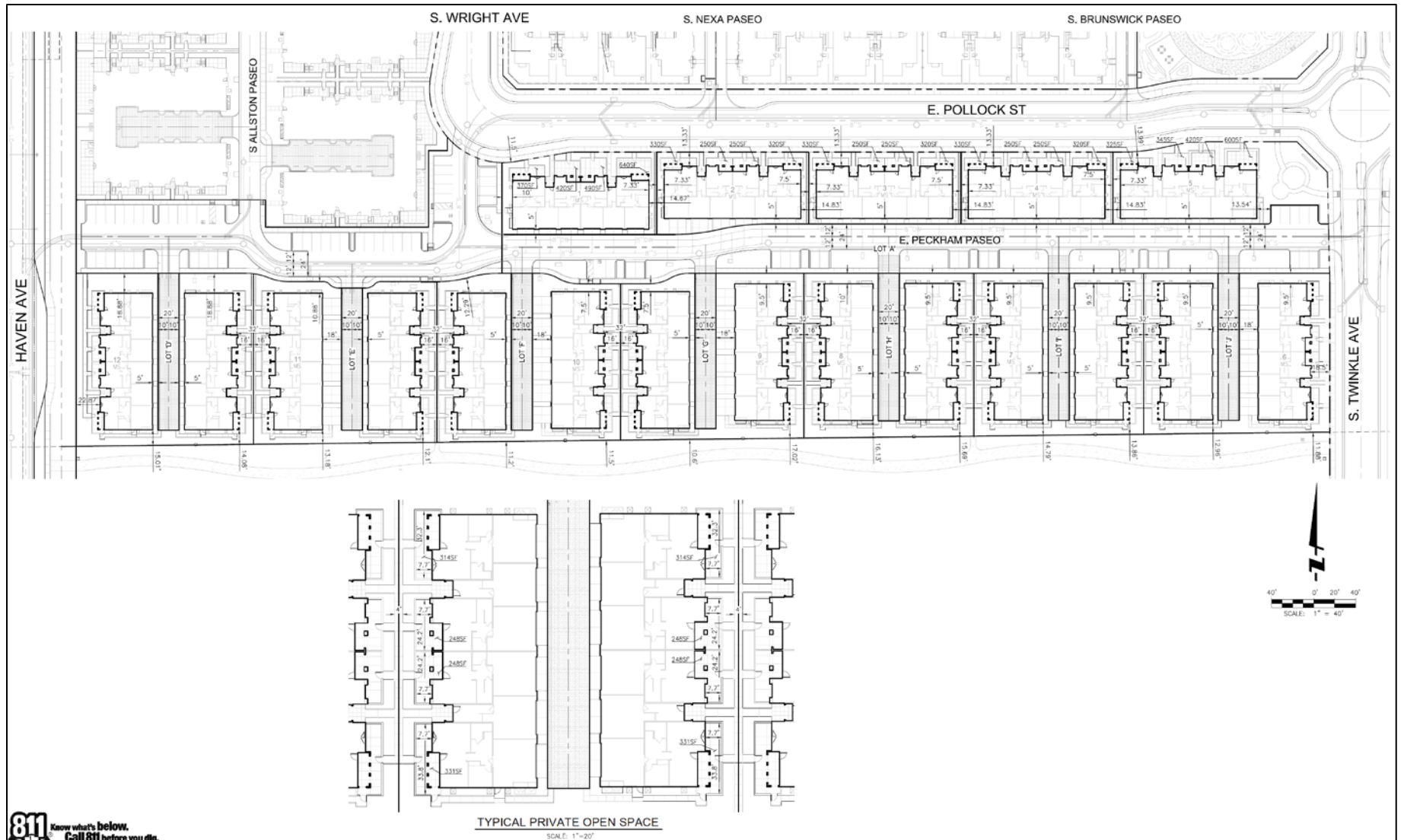


Exhibit B1—6-PLEX ROW TOWNHOMES TYPICAL PLOTTING

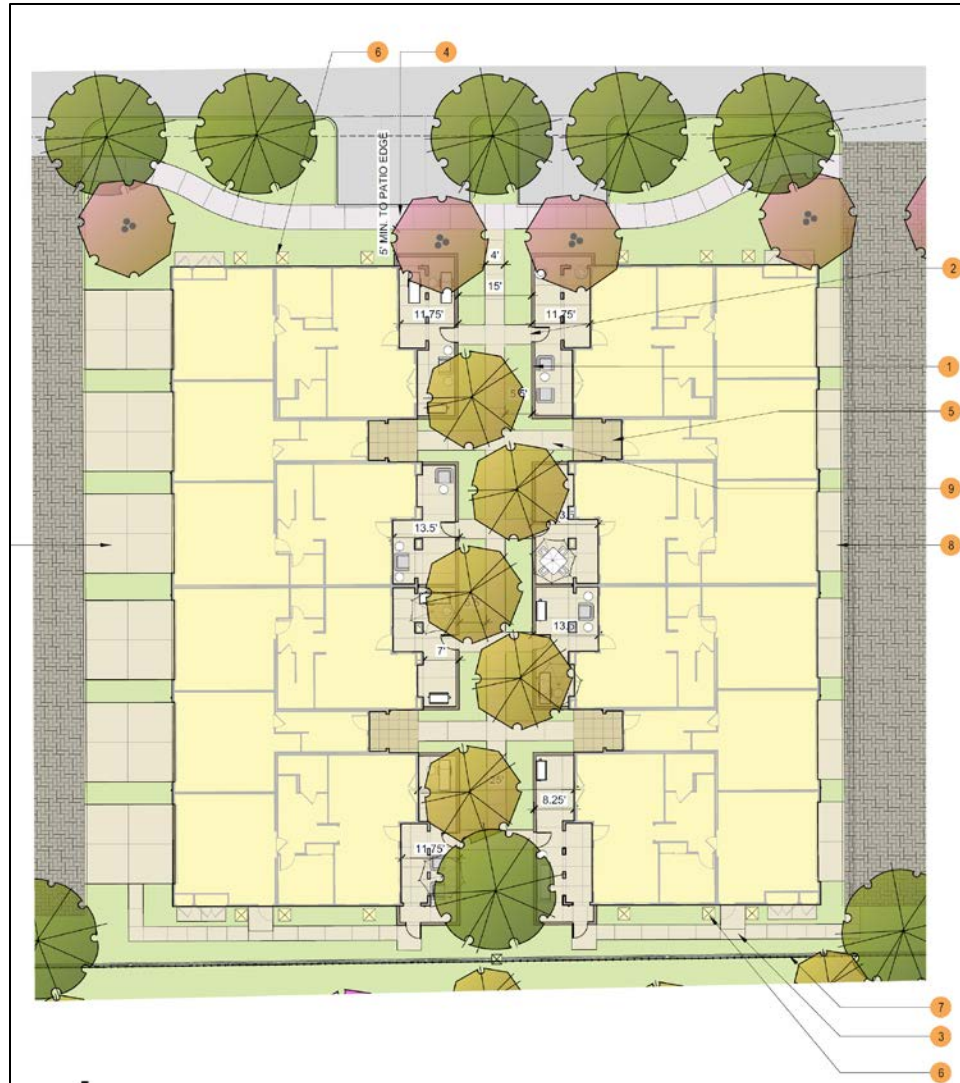


Exhibit B2—6-PLEX ROW TOWNHOME ELEVATIONS



Front Elevation – Paseo/Street Facing

Exhibit B2—6-PLEX ROW TOWNHOME ELEVATIONS CONTINUED



Rear Elevation – Private Drive Facing

Exhibit B2—6-PLEX ROW TOWNHOME ELEVATIONS CONTINUED



Right and Left Elevations – SCE Easement and Private Street Facing

EXHIBIT C1 — SITE PLAN 8-PACK CLUSTER HOMES TYPICAL PLOTTING

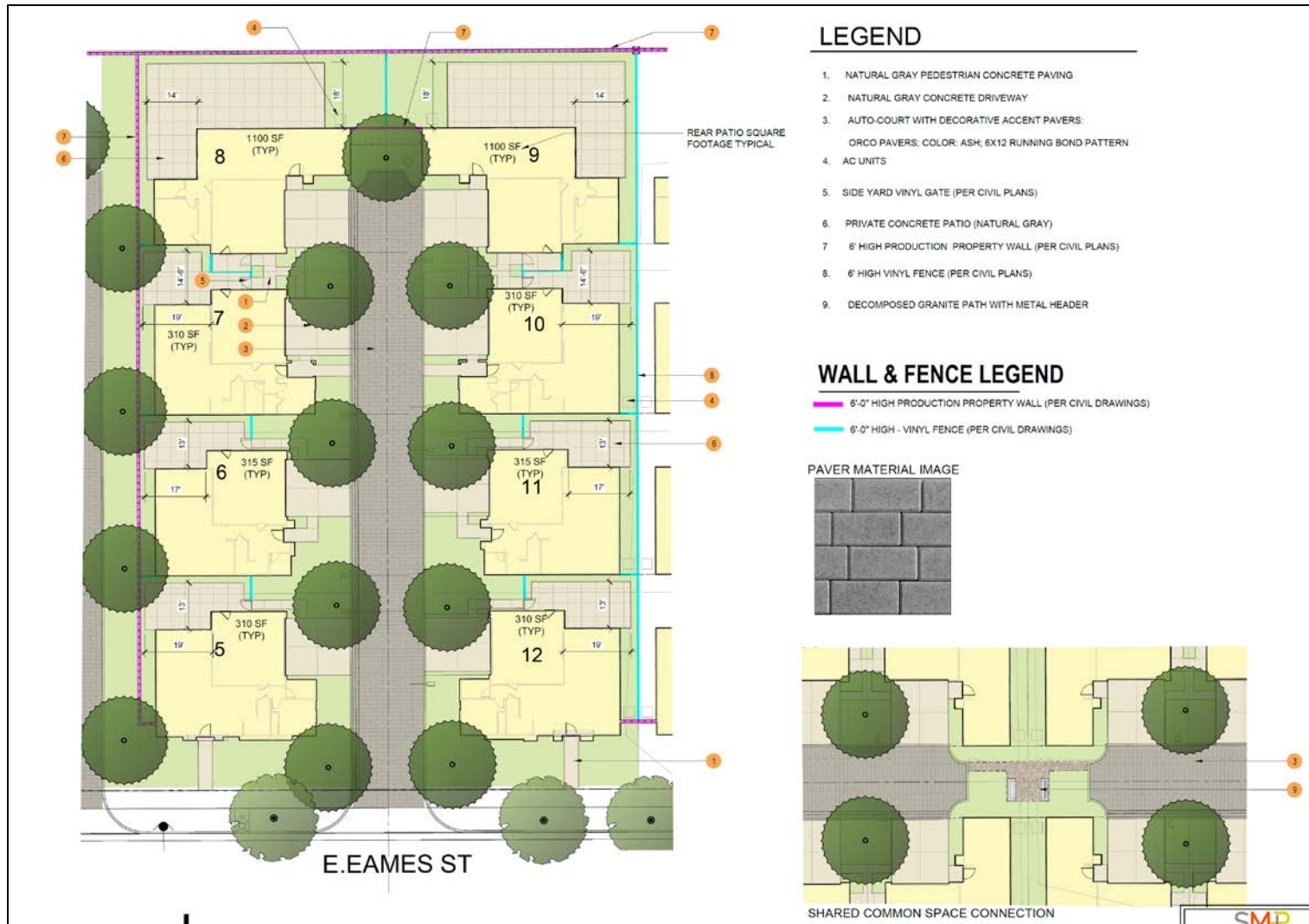


EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES



Plan 1 (Center Lot) – Modern Spanish Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



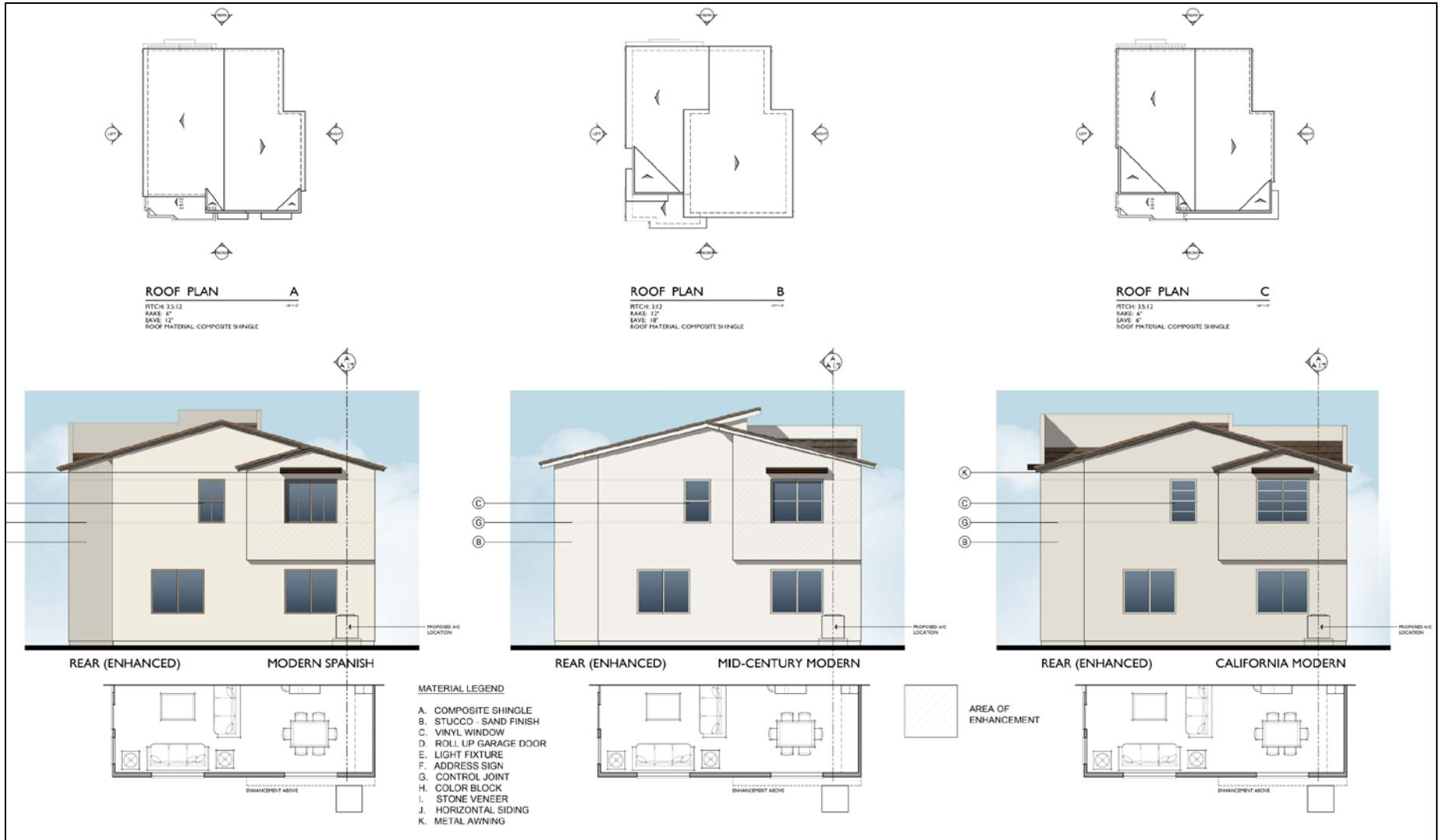
Plan 1 (Center Lot) – Mid-Century Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 1 (Center Lot) – California Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 1 (Center Lot) – Enhanced Rear 2nd Story Elevations

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 2 (Center Lot) – Modern Spanish Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



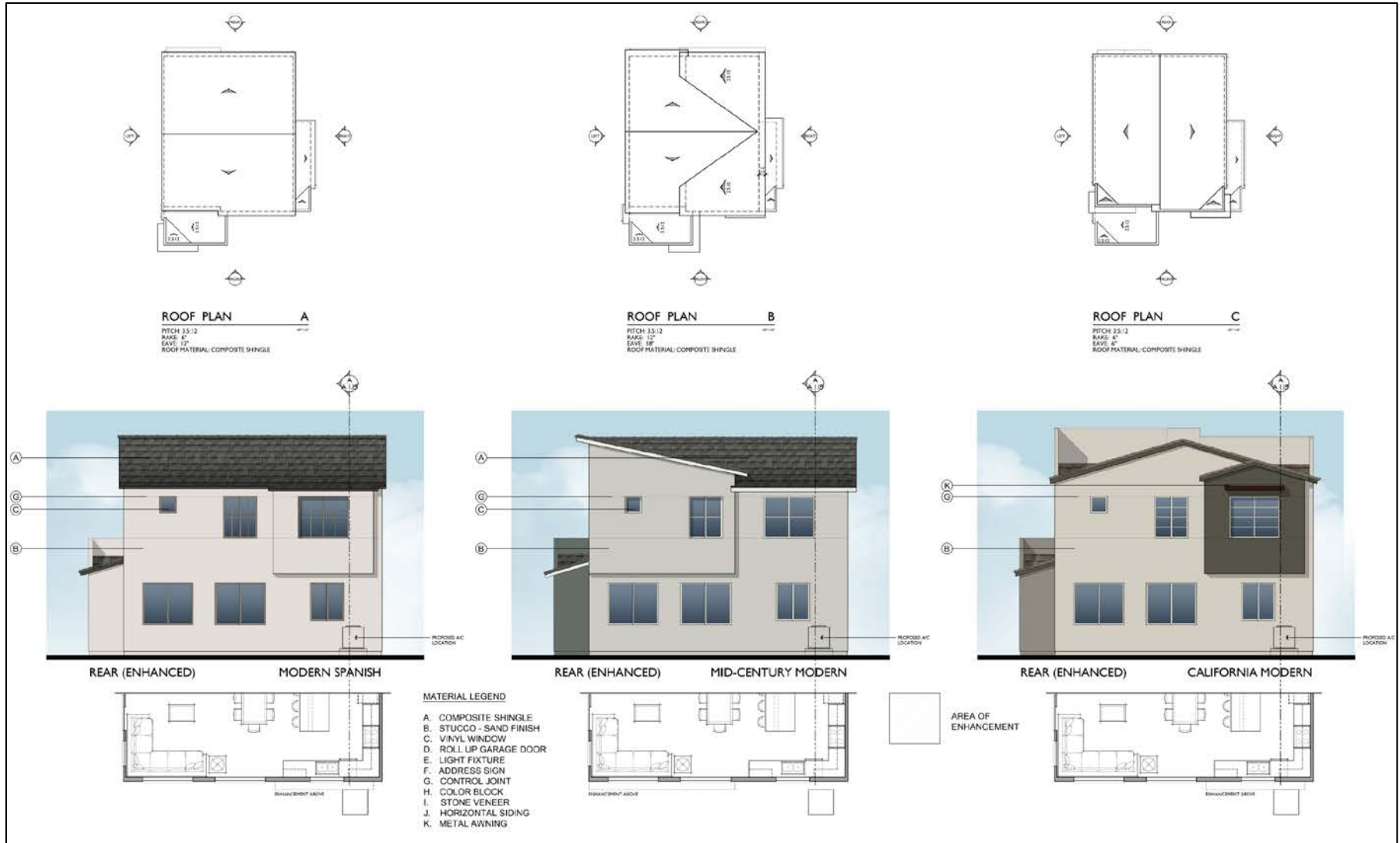
Plan 2 (Center Lot) – Mid-Century Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 2 (Center Lot) – California Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 2 (Center Lot) – Rear Enhanced 2nd Story Elevations

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 3 (Street Facing Lot) – Modern Spanish Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 3 (Street Facing Lot) – Mid-Century Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 3 (Street Facing Lot) – California Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 3 (Street Facing Lot) – Enhanced Elevations

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 4 (Rear Lot) – Modern Spanish Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 4 (Rear Lot) – Mid-Century Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



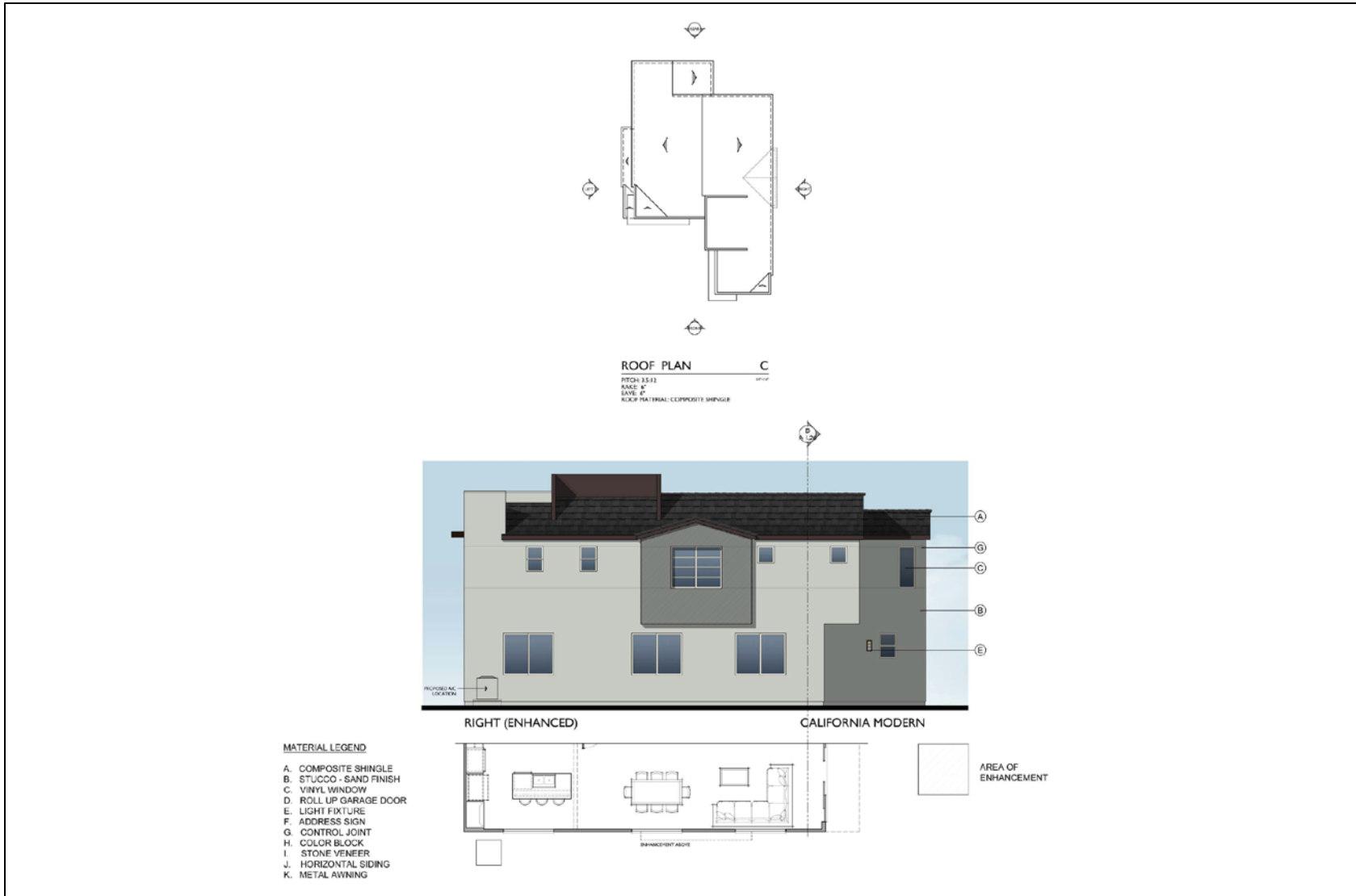
Plan 4 (Rear Lot) – California Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 4 (Rear Lot) – Enhanced 2nd Story Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 4 (Rear Lot) – Enhanced 2nd Story Elevation

EXHIBIT D — SITE PLAN 12-PLEX COURTYARD TOWNHOMES

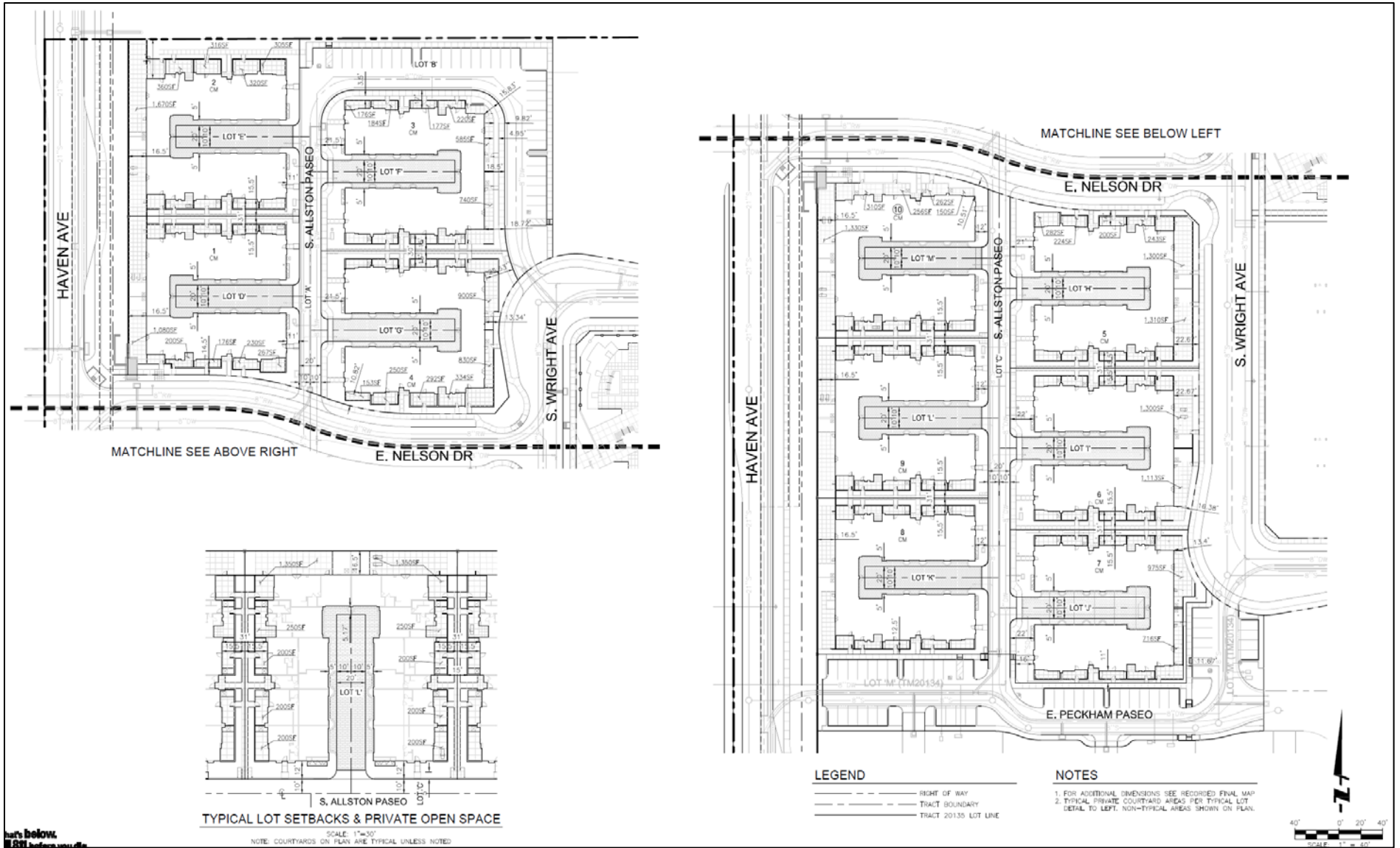


EXHIBIT D1 —12-PLEX COURTYARD TOWNHOMES TYPICAL PLOTTING

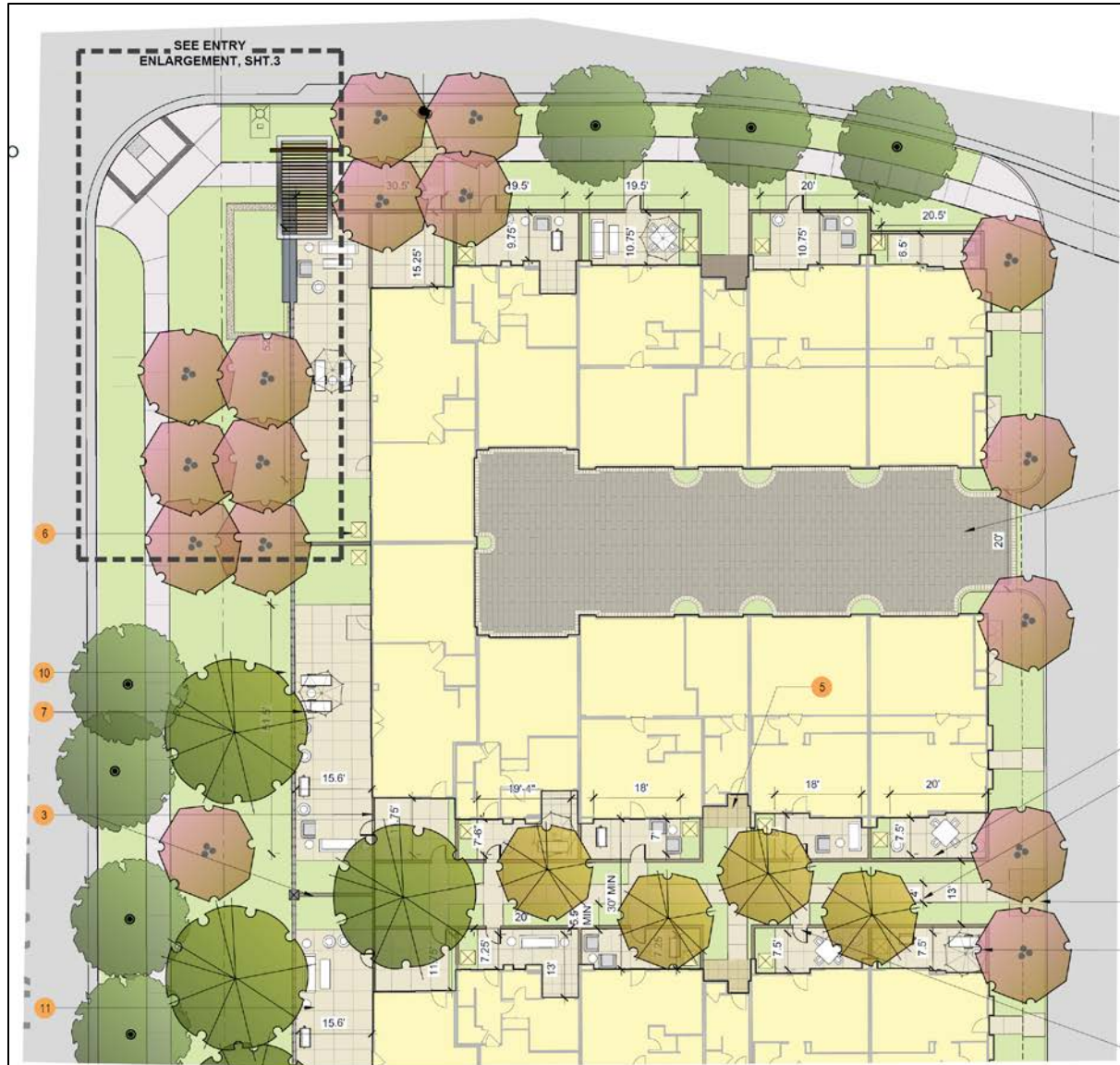


EXHIBIT D2 — 12-PLEX COURTYARD TOWNHOME ELEVATIONS



Front Elevation – Private Drive Aisle Access

EXHIBIT D2 —12-PLEX COURTYARD TOWNHOME ELEVATIONS



Rear Elevation – Public Street Facing

EXHIBIT D2 — 12-PLEX COURTYARD TOWNHOME ELEVATIONS



Left Elevation – Paseo Facing

EXHIBIT D2 — 12-PLEX COURTYARD TOWNHOME ELEVATIONS



RIGHT

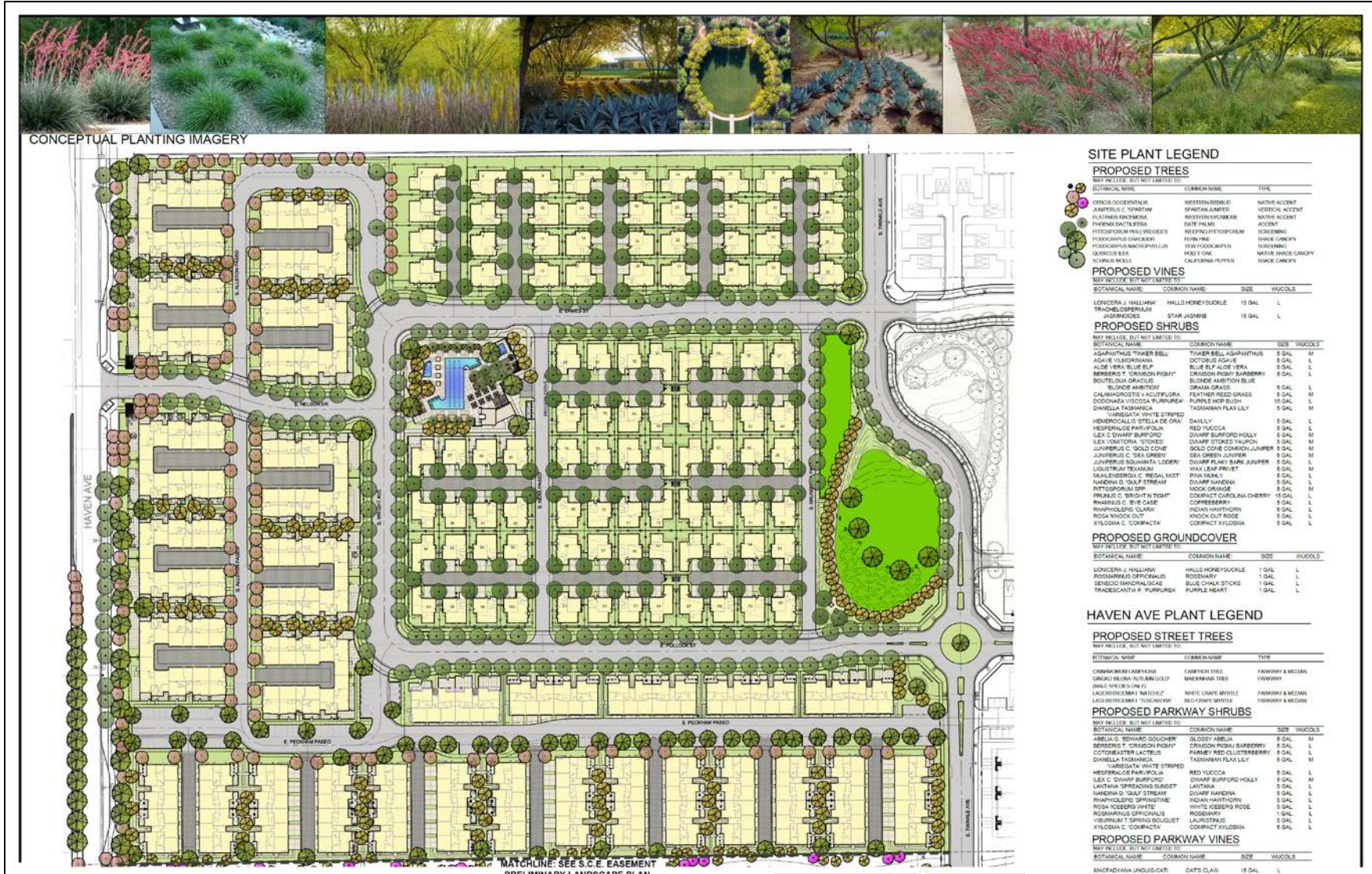
Left Elevation – Paseo Facing

EXHIBIT D2 —12-PLEX COURTYARD TOWNHOME ELEVATIONS



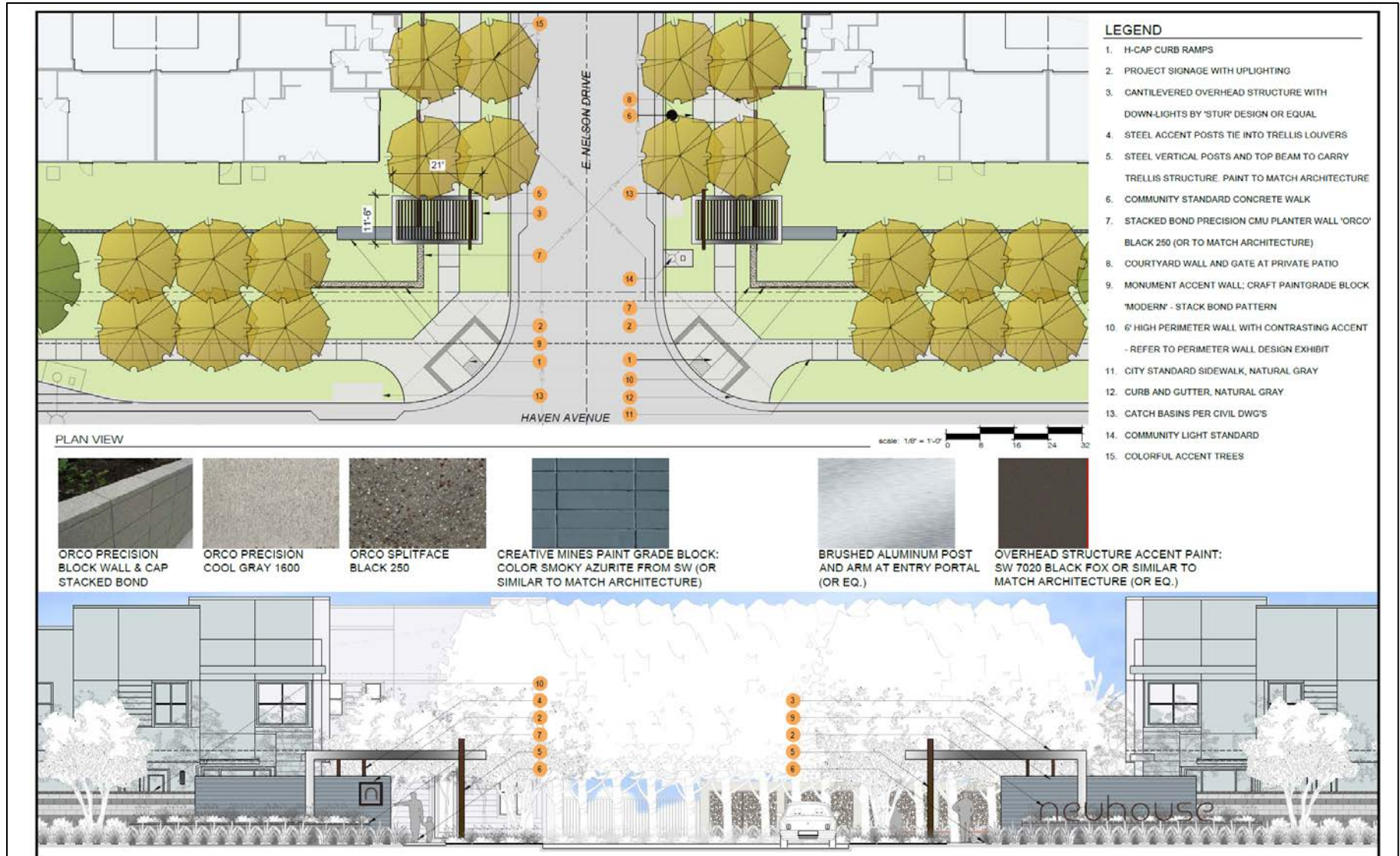
Interior Drive Aisle Elevations

Exhibit E—LANDSCAPE PLAN



Conceptual Site Planting Plan

Exhibit E—LANDSCAPE PLAN CONTINUED



Preliminary Entry Plan and Elevation

Exhibit E1—LANDSCAPE PLAN – CENTRAL PARK



Exhibit E2—LANDSCAPE PLAN – POCKET PARK

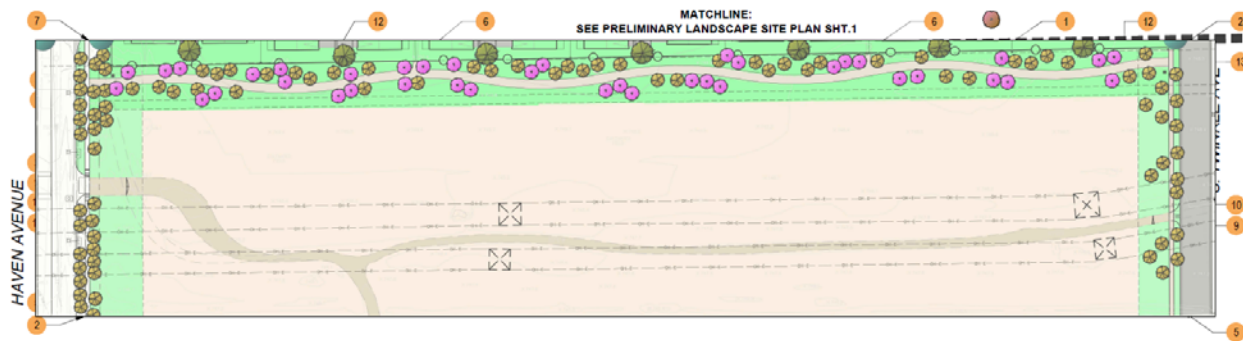


Exhibit E3—LANDSCAPE PLAN – SCE EASEMENT TRAIL



LEGEND

1. TUBULAR STEEL FENCE ALONG S.C.E. EASEMENT
2. CITY STANDARD SIDEWALK
3. RIGHT OF WAY ALONG HAVEN
4. COMMUNITY EDGE / C.M.U. WALL ALONG HAVEN
5. STREET EDGE / CURB AND GUTTER
6. PEDESTRIAN CONNECTION TO S.C.E. EASEMENT PATH THROUGH TUBULAR STEEL GATES
7. STREETScape ALONG HAVEN PER NEW MODEL COLONY MASTER PLAN
8. LANDSCAPE DESIGN WITHIN S.C.E. EASEMENT PER S.C.E. AND NEW MODEL COLONY DESIGN GUIDELINES AND REQUIREMENTS
9. PROPOSED DRIVE APRON FOR S.C.E. VEHICLE ACCESS
10. PROPOSED PIPE RAIL GATE PER S.C.E. REQUIREMENTS
11. PROPOSED D.G. ACCESS DRIVE TO CONNECT WITH EXISTING
12. DECOMPOSED GRANITE MULTI-USE PATH
13. TRAIL MARKER PER NEW MODEL COLONY DESIGN GUIDELINES



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: July 20, 2020

File No: PDEV20-004

Related Files: File No's. PMTT17-013 /TTM 20134, PMTT17-014/TTM 20135, PMTT17-015/TTM 20136 and PMTT17-016/TTM 20137

Project Description: A Development Plan to construct 100 single-family residential units (8-pack cluster), 114 multiple-family residential units (6-plex row townhomes), and 120 multiple-family residential units (12-plex courtyard townhomes) on 79.7 acres of land located at the northeast corner of Schaefer and Haven Avenues, within Planning Areas 5A, 5C, and 5E (Residential – Small Lot SFD/Edison Easement) of the Rich Haven Specific Plan; (APN: 218-161-01) **submitted by LS-Ontario II, LLC.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

(a) Courtyard walls and project perimeter walls shall be designed with a decorative masonry wall and decorative cap to be approved by the Planning Department.

(b) Paseo entryways shall be designed to provide enhanced entry statements for areas adjacent to the public right-of-way.

(c) Pedestrian access points to the SCE Trail shall be gated with a keyed entry.

(d) Incorporate pilasters into pool perimeter wall and fence design.

2.5 Parking, Circulation and Access.

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

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

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

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

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

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Site Lighting.

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

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

2.7 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

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

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

2.10 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.11 Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owners association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-

way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

- (iii) Shared parking facilities and access drives; and
- (iv) Utility and drainage easements.

(e) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(f) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(g) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.12 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

(i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

(ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

(iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.13 Environmental Review.

(a) The The environmental impacts of this Project were previously reviewed in conjunction with File No. PSP05-004, an Addendum for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was adopted by the City Council on December 4, 2007. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.14 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of

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

2.15 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.16 Additional Requirements.

(a) 8 Pack Cluster – Windows visible from the private drive aisle and right-of-way shall have a 1 to 2-inch recess. 12-Plex Courtyard Townhomes and 6-Plex Row Townhomes shall have a 1 to 2-inch recess on all windows for each elevation.

(b) The applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for this project. The location of the mailboxes shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.

(c) The project shall be consistent with Development Agreement (File No. PDA18-005) shall apply to this project.

(d) Prior to the issuance of grading permits, (Rough or Precise Grading). Mitigation Measures (MM), from The Rich Haven Specific Plan EIR, pertaining to Grading Activities must be met prior to issuance of grading permits.

(e) All applicable conditions of approval of The Rich Haven Specific Plan shall apply.

(f) All applicable conditions of approval of File No's. PMTT17-013 /TTM 20134, PMTT17-014/TTM 20135, PMTT17-015/TTM 20136 and PMTT17-016/TTM 20137 shall apply to this project.

(g) The Ontario Climate Action Plan (CAP) requires new development to be 25% more efficient. The applicant has elected to utilize the Screening Tables provided in the CAP instead of preparing separate emissions calculations. By electing to utilize the Screening Tables the applicant shall be required to garner a minimum of 100 points to be consistent with the reduction quantities outlined in the CAP. The applicant shall identify on the construction drawings the items identified in the residential Screening Tables.

(h) All corner lots shall be treated with enhanced elevations. Construction drawings shall include architectural enhancements.

(i) Rear facing elevations that are adjacent to the public right-of-way shall be treated with enhanced elevations on the buildings 2nd story. Construction drawings shall include architectural enhancements.



CITY OF ONTARIO

MEMORANDUM

TO: Development Advisory Board

FROM: Lorena Mejia, Senior Planner *LM*

DATE: July 20, 2020

SUBJECT: PDEV20-004
ITEM D

At the time the agenda went to print, a full report was not available. The report will be distributed to the Development Advisory Board as soon as it is completed.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV20-004

Address: Northeast corner of Schaefer Avenue & Haven Avenue

APN: 0218-161-01

Existing Land Use: Vacant

Proposed Land Use: A Development Plan to construct 100 single-family residential units and 234 multiple-family residential units

Site Acreage: 79.7 Proposed Structure Height: N/A

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 7/14/2020

CD No.: 2020-002

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

| Safety | Noise Impact | Airspace Protection | Overflight Notification |
|-------------------------------|---------------------------------------|---|--|
| <input type="radio"/> Zone 1 | <input type="radio"/> 75+ dB CNEL | <input type="radio"/> High Terrain Zone | <input type="radio"/> Avigation Easement Dedication |
| <input type="radio"/> Zone 1A | <input type="radio"/> 70 - 75 dB CNEL | <input checked="" type="checkbox"/> FAA Notification Surfaces | <input type="radio"/> Recorded Overflight Notification |
| <input type="radio"/> Zone 2 | <input type="radio"/> 65 - 70 dB CNEL | <input type="radio"/> Airspace Obstruction Surfaces | <input checked="" type="checkbox"/> Real Estate Transaction Disclosure |
| <input type="radio"/> Zone 3 | <input type="radio"/> 60 - 65 dB CNEL | <input type="radio"/> Airspace Avigation Easement Area | |
| <input type="radio"/> Zone 4 | | Allowable Height: <u>200 ft +</u> | |
| <input type="radio"/> Zone 5 | | | |

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

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.

See attached Real Estate Transaction Disclosure condition:

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2020-002
PALU No.: _____

PROJECT CONDITIONS

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 Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Department of Real Estate and include the following language within the NOI:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: March 4, 2020
SUBJECT: PDEV20-004

-
- 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:lr



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: March 19, 2020

SUBJECT: PDEV20-004 – A Development Plan to construct 334 dwelling units, including 120 multiple-family dwellings, 100 single-family dwellings, and 114 attached townhouses on 80.61 acres of land located north of Ontario Ranch Road and east of Haven Avenue, within the Standalone Residential Overlay land use district of the Rich Haven Specific Plan (APNs: 0218-161-01 and 0218-211-23).

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies
- D. Number of Stories: 2
- E. Total Square Footage: 1,861 to 2,256 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): R3

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by Fire Department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and location(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of Fire Department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003. .
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner

FROM: Officer Emily Hernandez, Police Department

DATE: March 30, 2020

SUBJECT: PDEV20-004- A DEVELOPMENT PLAN TO CONSTRUCT 334 RESIDENTIAL DWELLING UNITS, 100 SINGLE-FAMILY HOMES AND 114 ATTACHED TOWNHOMES LOCATED NORTH OF ONTARIO RANCH ROAD AND EAST OF HAVEN AVENUE.

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

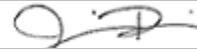
- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. This includes but is not limited to areas such as parks, community centers, recreation centers/play areas and paseos. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.

The Applicant is invited to contact Officer Emily Hernandez at (909)408-1755 with any questions or concerns regarding these conditions.

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

PRELIMINARY PLAN CORRECTIONS

Sign Off



06/12/2020

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV20-004

Case Planner:

Lorena Mejia

Project Name and Location:

334 Residential Units within the Rich Haven SP
 North of Ontario Ranch Road and East of Haven Ave.

Applicant/Representative:

LS-Ontario II LLC – Shannon Lang
 7525 Irvine Center Drive, Suite 200
 Irvine, CA 92618



A Preliminary Landscape Plan (dated 5/21/2020) meets the Standard Conditions for New Development. The project is approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. There is an existing windrow of Eucalyptus along the northern portion of the tract. Provide an arborist report, and tree inventory for existing trees include genus, species, trunk diameter, canopy width, and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings, or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
2. Callout decorative paving for all motor courts and alleys.
3. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
4. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the utility minimum spacing, and show utility lines at the edges of the parkway, toward the driveway apron, to allow space for street trees.
5. Note for compaction to be no greater than 85% in landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
6. Provide a recycled/potable water meter POC exhibit.
7. Add Note to Grading Plans: Landscape areas where compaction has occurred due to grading activities and where trees or stormwater infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for stormwater infiltration, the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before

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

Landscape Plans

8. Provide an arborist report and tree inventory, as noted in #1.
9. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
10. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
11. Designer or developer to provide agronomical soil testing and include report on landscape construction plans. For phased projects, a new report is required for each phase or a minimum of every 6 homes in residential developments.
12. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
13. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
14. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

| | |
|--|-----------------|
| Plan Check—5 or more acres..... | \$2,326.00 |
| Inspection—Construction (up to 3 inspections per phase)..... | <u>\$278.00</u> |
| Total..... | \$2,604.00 |
| Inspection—Field – any additional..... | \$83.00 |

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