

ORDINANCE NO. 3272

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD23-002, A PLANNED UNIT DEVELOPMENT TO ESTABLISH DEVELOPMENT STANDARDS AND DESIGN GUIDELINES FOR THE PROJECT SITE, LOCATED AT 218 EAST D STREET WITHIN THE MU-1 (MIXED USE DOWNTOWN) ZONING DISTRICT AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 1048-556-01, 1048-556-02, 1048-556-03, 1048-556-04, 1048-556-05, AND 1048-556-14.

WHEREAS, Euclid Investment Group, LLC. ("Applicant") has filed an Application for the approval of a Planned Unit Development, File No. PUD23-002, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.22 acres of land located on the south side of D street, west of Plum Avenue, and east of Lemon Avenue at 218 East D Street, within the MU-1 (Downtown Mixed Use) zoning district, and is presently improved with a paved public parking lot; and

WHEREAS, the property south across the public alley is within the Civic zoning district and is developed with the Ovitt Family Community Library. The property to the north is within the OL (Office Light) and MDR-18 (Medium Density Residential) and is developed with a mixture of commercial and residential land uses. The property to the east is within the MU-1 (Mixed Use Downtown) and developed with the University of La Verne. The properties to the west are within the MU-1 (Mixed Use Downtown) zoning district and are developed with C Street public parking structure and the Downtown Ontario Luxury Apartments (Phase I) which is currently under construction; and

WHEREAS, an existing bus stop is located on the northeast corner of Euclid Avenue and D Street for Omnitrans Route 83. Additionally, located near Euclid Avenue on Holt Boulevard is Omnitrans Route 61 which has been identified as the future West Valley Connector Bus Rapid Transit (BRT); and

WHEREAS, the MU-1 (Mixed Use Downtown) zoning district allows for residential development at a density of 25.1 to 75 dwelling units per acre. Consistent with the MU-1 zoning district and TOP Downtown District Place Type, the Downtown Ontario Luxury Apartments (Phase II) PUD allows for residential development of 19 to 59 dwelling units, with a maximum building height of 40 feet (3 stories) and up to 55 feet for architectural projections; and

WHEREAS, the PUD requires a minimum of 1 resident parking space per bedroom and 0.20 guest parking per dwelling unit; and

WHEREAS, the PUD includes architectural design guidelines, specific to the downtown location, and establishes the following design principles:

- (a) Create an architectural character that reflects the various styles within the historic downtown by using similar proportions, building details and building material.
- (b) New buildings should appear to fit in contextually with existing historic buildings by using similar proportions, articulation, building details and building material.
- (c) The overall character should feel like a modern interpretation of a traditional American small town.
- (d) Create compatibility between the existing mixed use and commercial architecture and the new residential architecture within the downtown area; the introduction of unifying elements such as similar materials and colors should be considered; however, "sameness" is discouraged; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("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 City Council the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport ("ONT"), 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 February 27, 2024, the Planning Commission of the City of Ontario conducted a hearing to consider the initial study, Addendum, and the Project, and concluded said hearing on that date, voting to issue Resolution No. PC24-007 recommending the City Council approve the Application; and

WHEREAS, on March 19, 2024, the City Council of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDAINED by the City Council of the City of Ontario, as follows:

**SECTION 1: *Environmental Determination and Findings.*** As the decision-making body for the Project, the City Council 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 City Council, the City Council finds as follows:

- (1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and
- (2) The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines, and meets all the following conditions:
  - (a) *The proposed Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.* The proposed Project is located within the Downtown Mixed Use land use designation of the Policy Plan (general plan) Land Use Map, and the MU-1 (Downtown Mixed Use) zoning district. The proposed Project is consistent with all applicable Policy Plan policies, as well as with the requirements of the MU-1 (Downtown Mixed Use) zoning district and the related proposed Downtown Ontario Luxury Apartments, Phase II Planned Unit Development, which, at the Project location, intends to accommodate housing units at a density of 25 to 75 du/ac.
  - (b) *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.* The Project is proposed within the established boundaries of the City of Ontario, on a project site totaling 1.22-acres of land, which is surrounded by established development on all sides and consists of a mix of multiple-family, civic, retail, and commercial land uses.
  - (c) *The Project site has no value as habitat for endangered, rare, or threatened species.* The site is located in an urbanized area, is devoid of any flora or fauna, is regularly used for passenger vehicle parking by neighboring residents, and as such not suitable habitat for any endangered, rare, or threatened species.
  - (d) *Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality.* The residential development is similar to, and of no greater impact than other

allowed uses and development projects within the MU-1 (Downtown Mixed Use) zoning district. The Project would not result in any significant impacts through implementation of required state, regional, and local development and performance standards, and as demonstrated in the GHG and Traffic analysis, noise and parking studies, Arborist Report, and the Preliminary Water Quality Management Plan ("PWQMP") prepared for the Project.

- (e) *The site is adequately served by all required utilities and public services. All necessary wet and dry utilities are within the public street and are readily available for connection; and*
- (3) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and
- (4) The determination of CEQA exemption reflects the independent judgment of the City Council.

**SECTION 2: *Airport Land Use Compatibility Plan ("ALUCP") Compliance.***  
The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

- (1) On April 19, 2011, the City Council of the City of Ontario approved and adopted the 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 decision-making body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ONT ALUCP; and

**SECTION 3: *Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 2, above, the City Council hereby concludes as follows:

- (1) ***The proposed PUD, or amendment thereto, 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 Project is consistent with Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. Described within the PUD are The Ontario Plan objectives in which the Project complies with the Policy Plan goals and policies.
- (2) ***The proposed PUD, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The PUD has been established to ensure that: [i] the purposes of the Planned Unit Development 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.
- (3) ***In the case of an application affecting specific property(ies), the proposed PUD, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The Downtown Ontario Luxury Apartments (Phase II) PUD area is situated in the heart of Ontario's downtown and is adjacent to residential, commercial, educational, and civic land uses and development. The surrounding development supports the objective of the PUD for residential development. The Project does not affect the harmonious relationship with adjacent properties and land use.
- (4) ***In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** In preparing the proposed Downtown Ontario Luxury Apartments (Phase II) PUD, a thorough review and analysis of the proposed Project and the subject site's physical suitability for the Project was completed, including analysis of the project size, shape, intensity of development, building height, building setbacks, site access, site landscaping and drainage, fences and walls, vehicle circulation, pedestrian connections, availability of mass transit, necessary street dedication and easements, public right-of-way improvements, availability of utilities and other infrastructure needs, off-street parking and circulation, building orientation and streetscapes, architectural character, building materials and color, and site signage. Based upon this review and analysis, the subject site has been deemed physically suitable, including but not limited to parcel size, shape, access, and availability of utilities, for the proposed Planned Unit Development and the proposed development.

- (5) ***The proposed PUD is superior to that which could be obtained through the application of the Development Code or a specific plan.*** The Downtown Ontario Luxury Apartments (Phase II) PUD will establish minimum building setbacks, parking and open space requirements, allow on-street parking, and establish a planting palette. These standards will facilitate the residential development of 69 apartment units, parking facilities and private and common open space areas. The proposed Downtown Ontario Luxury Apartments (Phase II) PUD will allow for subsequent development that is superior to that which could be obtained through the application of the Development Code by itself.

**SECTION 4: City Council Action.** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the City Council hereby APPROVES the herein described Planned Unit Development, attached hereto as "Attachment A," and incorporated herein by this reference.

**SECTION 5: 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 6: 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.

**SECTION 7: Severability.** If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**SECTION 8: Effective Date.** This Ordinance shall become effective 30 days following its adoption.

**SECTION 9: Publication and Posting.** The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within 15 days following the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 2<sup>nd</sup> day of April 2024.



PAUL S. LEON, MAYOR

ATTEST:



SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:



BEST BEST & KRIEGER LLP  
CITY ATTORNEY

STATE OF CALIFORNIA            )  
COUNTY OF SAN BERNARDINO    )  
CITY OF ONTARIO                )

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 3272 was duly introduced at a regular meeting of the City Council of the City of Ontario held March 19, 2024 and adopted at the regular meeting held April 2, 2024 by the following roll call vote, to wit:

AYES:	MAYOR/COUNCIL MEMBERS:	LEON, DORST-PORADA, WAPNER, BOWMAN AND VALENCIA
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE

  
SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 3272 duly passed and adopted by the Ontario City Council at their regular meeting held April 2, 2024 and that Summaries of the Ordinance were published on March 26, 2024 and April 9, 2024, in the Inland Valley Daily Bulletin newspaper.

  
SHEILA MAUTZ, CITY CLERK

(SEAL)



**ATTACHMENT A:**

**File No. PUD23-002;  
Downtown Ontario Luxury Apartments (Phase II) Planned Unit Development**

*(Document follows this page)*

# Downtown Ontario Luxury Apartments (Phase II) Planned Unit Development

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File No. PUD23-002  
Ordinance No. 3272  
April 2, 2024



Prepared For:

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# 1. Introduction

The Downtown Ontario Luxury Apartments, Phase II Planned Unit Development (“PUD”) is intended to function as a set of planning and design principles, development regulations, and performance standards to guide and govern the development of a 1.19-acre site that consists of six (6) parcels (APNs: 1048-556-01, -02, -03, -04,-05, -14). The Project site is located south of East D Street, west of Plum Avenue, and east of North Lemon Avenue in the City of Ontario (see *Exhibit 1-1: Project Location*). This property is situated within the City of Ontario’s Downtown Civic Center District. The PUD is designed to provide highly functional development standards and design guidelines that work in tandem with The Ontario Plan (TOP) and the Ontario Development Code to facilitate the development of a high-density, multiple-family residential project that is compatible with adjacent land uses and the surrounding community character.

The Project site is located within the Ontario Plan Downtown Mixed-Use District, which requires the establishment of a Planned Unit Development (PUD) prior to development. The PUD fulfills the requirements of a Downtown Mixed-Use District Planned Unit Development (PUD), as set forth in Ontario Development Code Section 4.01.030 (Planned Unit Developments (PUD) and Amendments). Upon approval, the PUD will replace the existing zone district designations and zoning standards that apply to the affected properties. Unless otherwise defined herein, definitions and interpretations contained in the Development Code shall apply to this PUD.

City staff and private developers shall rely upon this PUD to determine whether precise plans for development ("Development Plans") will adequately meet the City's land use and design objectives. These objectives have been curated over the past 20+ years to maintain the historic character of Downtown Ontario while simultaneously promoting sustainable and innovative architectural designs that add to the beauty and functionality of this vital part of the City.



KTGY Architecture + Planning

Exhibit 1-1: Project Location





## 2. Objectives

### 2.1 The Ontario Plan Objectives

The Ontario Plan (TOP) Policy Plan (General Plan) designates the Downtown Ontario Luxury Apartments, Phase II Planned Unit Development (PUD) area as Mixed Use – Downtown (MU-Downtown). *Exhibit 2-1: TOP Land Use Plan* identifies the land use designation for the PUD area and surrounding properties. The MU-Downtown land use category accommodates an intensive vertical and horizontal mixture of retail and office uses at a maximum intensity of 2.0 floor-to-area ratio (FAR), and residential uses within a density range of 25.0 to 75.0 dwelling units per acre. Development projects within the MU-Downtown area are intended to maintain a pedestrian friendly atmosphere, while also enhancing the historic character of the area.

In addition to the MU-Downtown designation, the PUD area is also situated within the Civic Center District, which contributes to the unique character of the area. Comprised of notable buildings like City Hall, the Public Library, and the Community Center, the Civic Center District is a defining feature of the community. The Civic Center has significant outdoor spaces that can be linked with Downtown to create an enjoyable pedestrian experience, showcasing a mix of attractive open spaces and streetscapes combined with interesting shopping and dining options. Together, these elements culminate in a unique and pedestrian-friendly downtown atmosphere. A well-integrated Civic Center can serve as a valuable resource in the revitalization of Downtown.

The PUD aligns with the principles, goals, and policies outlined within The Ontario Plan’s Vision, Governance, Policy Plan, and City Council Goals components. In particular, the proposed Project advances several goals and policies outlined in TOP, which include:

#### City Council Goals

- Invest in the Growth and Evolution of the City’s Economy
- Maintain the Current High Level of Public Safety
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

#### Vision

##### Dynamic Stability

- An appreciation for the “personality and charm” of this community, preserving important characteristics and values even as growth and change occur, all the while retaining a distinctive local feel where people love to be.

##### Distinctive Development

- **Commercial and Residential Development.** A demonstrated ability to attract housing in pursuit of our acknowledged responsibility to balance housing with the job growth that drives our quality of life.
- **Development Quality.** Superior quality and design of the built environment and open spaces through careful attention to detail at every scale, including public and private spaces and structures.

Exhibit 2-1: TOP Land Use Plan



Land Use Designation	Residential Density & Non-Residential Intensity	Intention
Low-Medium Density	5.1 to 11.0 dwelling units per acre	Single/multi-family attached and detached residences, including small lot subdivisions, townhouses, and courtyard homes.
Medium Density	11.1 to 25.0 dwelling units per acre	Single/multi-family attached and detached residences including townhouses, stacked flats, courtyard homes, and small lot single-family subdivisions.
Mixed Use - Downtown	25.0 to 75.0 dwelling units per acre 2.0 FAR for retail and office uses	Envisioned as an intensive vertical and horizontal mixture of retail, office, and residential uses in a pedestrian friendly atmosphere. The historic character is enhanced. The most intensive uses are envisioned along Euclid and Holt Avenues.
Office/Commercial	0.75 FAR	An intense mixture of professional office, supported by regional serving retail, service, tourist-serving, entertainment, dining, and supporting service uses that capitalize on strategic locations in Ontario. This designation also allows for professional offices such as financial, legal, insurance, medical, and other similar uses in a neighborhood setting and/or as adaptive reuse.
Open Space - Parkland	Not applicable	Recreational facilities, such as tot-lots, parks, golf courses, and sports complexes and joint-use facilities with schools, utilities, and drainage facilities.
Public Facility	Not applicable	Public facilities including civic centers, governmental institutions, police and fire stations, transportation facilities, museums, and public libraries.

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## Governance

### Decision Making

- **Goal G1 Decision Making:** Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
  - **Policy G1-1: Consistency with Policies.** We require that staff recommendations to the City Council be consistent with adopted City Council Priorities (Goals and Objectives) and The Policy Plan.
  - **Policy G1-2: Consistency with Policies.** We require that staff recommendations to the City Council be consistent with adopted City Council Priorities (Goals and Objectives) and The Policy Plan.

## Policy Plan (General Plan)

### Land Use Element

- **Goal LU-1 Balance:** A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
  - **Policy LU-1.1: Strategic Growth.** We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, foster the development of transit, and support the expansion of the active and multimodal transportation networks throughout the City.

### Housing Element

- **Goal H-2 Housing Supply & Diversity:** Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.
  - **Policy H-2.5: Housing Design.** We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices, and other best practices.
  - **Policy H-2.6: Infill Development.** We support the revitalization of neighborhoods through the construction of higher-density residential developments on underutilized residential and commercial sites.
- **Goal H-3 Governmental Regulations:** A City regulatory environment that balances the need for creativity and excellence in residential design, flexibility and predictability in the project approval process, and the provision of an adequate supply and prices of housing.
  - **Policy H-3.2: Flexible Standards.** We allow flexibility in the application of residential and mixed-use development standards in order to gain benefits such as exceptional design quality, economic advantages, sustainability, or other benefits that would otherwise be unrealized.
  - **Policy H-3.3: Development Review.** We maintain a residential development review process that provides certainty and transparency for project stakeholders and the public, yet allows for the appropriate review to facilitate quality housing development.

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### Community Economics Element

- **Goal CE-2 Placemaking:** A City of distinctive neighborhoods, districts, corridors, and centers where people choose to be.
  - **Policy CE-2.1: Development Projects.** We require new development and redevelopment to create unique, high-quality places that add value to the community.
  - **Policy CE-2.2: Development Review.** We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional, and sustainable places that will compete well with their competition within the region.
  - **Policy CE-2.4: Protection of Investment.** We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.
  - **Policy CE-2.5: Private Maintenance.** We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

### Community Design Element

- **Goal CD-1 Image & Identity:** A dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.
  - **Policy CD-1.1: City Identity.** We take actions that are consistent with the City being a leading urban center in Southern California while recognizing, enhancing, and preserving the character of our existing viable neighborhoods.
  - **Policy CD-1.2: Place Types.** We establish Place Types in urban, mixed use, and transit-oriented areas to foster the City's identity as a premier community and require new development within each Place Type to incorporate prescribed urban patterns, forms, and placemaking priorities.
  - **Policy CD-1.3: Existing Neighborhoods.** We require the existing character of viable residential and non-residential neighborhoods be preserved, protected, and enhanced.
- **Goal CD-2 Design Quality:** A high level of design quality resulting in neighborhoods, commercial areas, public spaces, parks, and streetscapes that are attractive, safe, functional, human- scale, and distinct.
  - **Policy CD-2.1: Quality Building Design and Architecture.** We encourage all development projects to convey visual interest and character through:
    - i. Building volume, massing, and height to provide context-appropriate scale and proportion;
    - ii. A true architectural style which is carried out in plan, section, and elevation through all aspects of the building and site design and appropriate for its setting; and
    - iii. Exterior building materials that are articulated, high quality, durable, and appropriate for the architectural style.
  - **Policy CD-2.2: Neighborhood Design.** We create distinct residential neighborhoods that promote a sense of community and identity by emphasizing access, connectivity, livability, and social interaction through such elements as:
    - i. A pattern of smaller, walkable blocks that promote activity, safety, and access to nearby amenities and services;
    - ii. Varied parcel sizes and lot configurations to accommodate a diversity of housing types;

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- iii. Traffic calming measures to slow traffic and promote walkability while maintaining acceptable traffic flows and emergency evacuation access;
  - iv. Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
  - v. Landscaped parkways, with sidewalks separated from the curb and designed to maximize safety, comfort, and aesthetics for all users.
- **Policy CD-2.7: Sustainability.** We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping, and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials, and construction techniques.
  - **Policy CD-2.8: Safe Design.** We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintaining visibility and accessibility, and using lighting.
  - **Policy CD-2.9: Landscape Design.** We encourage durable, sustainable, and drought-tolerant landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
  - **Policy CD-2.10: Parking Areas.** We require all development, including single-family residential, to minimize the visual impact of surface, structured, and garage parking areas visible from the public realm in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include:
    - i. Structured parking: facade articulation, screening, appropriate lighting, and landscaping.
    - ii. Garage parking: providing access to single-family residential garages through alley access, recessing garages from the frontage to emphasize front doors or active living spaces.
- **Goal CD-3 Urban, Mixed Use, and Transit-Oriented Place Types:** Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.
    - **Policy CD-3.1: Unique Identity.** We promote development that heightens the unique character and identity of each Place Type by requiring compatible land uses and land planning, site design, and building design that promotes an active public realm.
    - **Policy CD-3.2: Comfortable, Human-Scale Public Realm.** We require that public spaces, including streets, parks, and plazas on both public and private property be designed to maximize safety, comfort and aesthetics and connect to the citywide pedestrian, vehicular, and bicycle networks.
    - **Policy CD-3.4: Context-Aware and Appropriate Design.** We require appropriate building and site design that complements existing development, respects the intent and identity of the Place Type, and provides appropriate transitions and connections between adjacent uses to ensure compatibility of scale, maintain an appropriate level of privacy for each use, and minimize potential conflicts.

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- **Policy CD-3.5: Active Frontages.** We create lively pedestrian streetscapes by requiring primary building, business, and residential entrances, outdoor dining, and storefronts be located on ground floors adjacent to sidewalks or public spaces and designed to maximize safety, comfort, aesthetics, and the intended functionality (as defined by the Place Type).
  - **Policy CD-3.6: Managed Infrastructure.** We collaborate with developers and property owners to facilitate development that realizes the envisioned character and functionality of the Place Type through the use of green and shared infrastructure within each Place Type.
  - **Goal CD-5 Protection of Investment:** A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects the property values and encourages additional public and private investments.
    - **Policy CD-5.1: Maintenance of Buildings and Property.** We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.

## 2.2 Downtown Ontario Luxury Apartments, Phase II Planned Unit Development Objectives

The primary objective of the PUD is to establish standards and guidelines for land uses, building massing, architectural elements, landscape, open space, and parking that align with the goals of the City while also facilitating the development of a top-notch, high-density residential project. Specifically, the objectives of the PUD are as follows:

- To establish comprehensive land use and design principles that contribute towards the creation of innovative, functional, and sustainable housing.
- Promote the revitalization of the Downtown area and foster economic growth by establishing a high-density residential development within the historic Downtown setting.
- To establish harmonious connections between new development and the neighboring residential land uses.
- To integrate high-density housing development into the surrounding community in a way that respects the character and cultural diversity of the area.
- To establish quality standards that ensure long-term maintenance and aesthetics.

## 3. Land Use

### 3.1 Residential Use

The Downtown Ontario Luxury Apartments, Phase II Planned Unit Development (PUD) area will be developed with a high-density multiple-family residential development. The development will feature a podium-style building with three (3) stories of apartment-style units. This design will provide a modern, attractive, and functional living space for residents, while remaining in line with the overall layout and architectural style of the community. The first floor will contain a parking garage, along with the lobby and leasing office, and three (3) residential units. The second floor will contain residential units alongside a courtyard for residents and guests to enjoy. The third floor will contain residential units with a view of the courtyard below. In total, the development will include sixty-nine (69) units on 1.22 acres, resulting in a density of 56.6 dwelling units per acre (DU/AC). *Exhibit 3-1: Site Plan* provides an illustrative overview of the proposed development.

### 3.2 Permitted Uses

The permitted land uses within the Downtown Ontario Luxury Apartments, Phase II Planned Unit Development (PUD) are as follows:

- Multiple-family residential dwellings;
- Leasing/Administrative Office (for on-site property and facilities management only);
- Motor vehicle parking ancillary to a multiple-family residential development project;
- Recreation facilities ancillary to multiple-family residential development projects, for use by project residents and their guests, including, but not limited to, pools, spas, tennis courts, clubhouse or recreation building, courtyards, playgrounds or tot lots, and other similar amenities appropriate to serve a multiple-family residential development project;
- Home occupations within residential units, in accordance with the Ontario Development Code;
- Temporary uses (as permitted within the residential districts of the City of Ontario Development Code subject to an Administrative Permit).

Other land use compatible with multiple-family residential development projects, as determined appropriate by the Zoning Administrator.



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Exhibit 3-1: Site Plan



LEVEL 3



LEVEL 2

Open Space Calculations:

Plan	Balance of Pad	Podium Level	Quantity	Total
P1-1	90	113	8	1624
P1-2	96	0	20	1620
P2-0	91	78	8	1352
P2-1	90	169	8	1582
P2-2	90	0	25	2350
Total Private Open Space Provided				8738

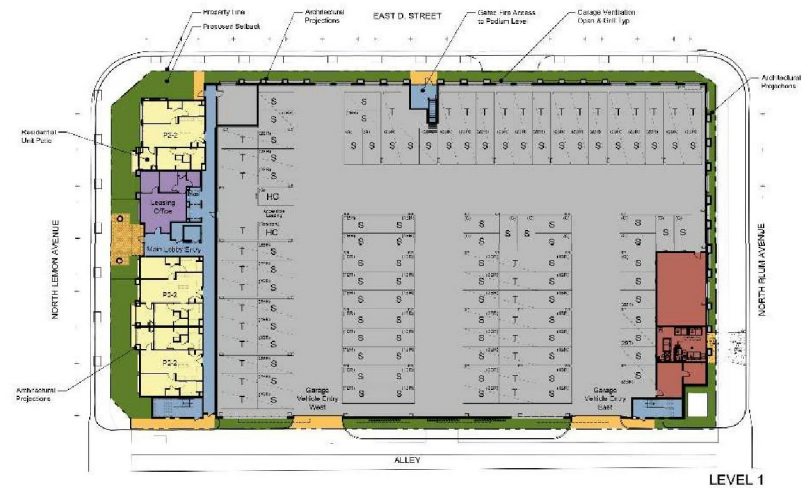
  

Common Open Space	
Area 1	4973
Total Common Open Space Provided	
4973	

\* Common Open Space Per Unit: 72

\* REFER TO COVER SHEET A0.0 FOR COMMON AND PRIVATE OPEN SPACE SUMMARY

- Residential Units
- Circulation
- Leasing
- Parking
- Courtyard
- Paving
- Utilities and Storage
- Landscape Coverage



LEVEL 1



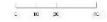
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DOWNTOWN ONTARIO LUXURY APARTMENTS, PHASE II  
ONTARIO, CA 91762-0727

CONCEPTUAL DESIGN  
DATE: 06/18/23, 2023



OPEN SPACE EXHIBIT

A0.1



## 4. Development Regulations

### 4.1 Project Density

Residential land uses within the Downtown Ontario Luxury Apartments, Phase II Planned Unit Development (PUD) shall be consistent with the Mixed-Use – Downtown (MU-Downtown) land use designation allowing for residential uses at a density of 25 to 75 dwelling units per acre (DU/AC) or non-residential development at a floor-to-area ratio (FAR) of up to 2.0 for retail and office uses.

### 4.2 Building Height

Total building height (to flat roofline) shall not exceed 40 feet above the highest existing sidewalk elevation. Architectural projections, such as parapets, roofed towers and gable roofs, or elevator towers may extend up to 55 feet above the highest existing sidewalk elevation. Any rooftop mechanical, venting, or communication equipment shall be located within the roof structure or otherwise screened to ensure that the equipment remains concealed from public sightlines or neighboring buildings.

### 4.3 Building Setbacks

Building setbacks for the PUD are provided in Table 4-3 below.

Table 4-3: Minimum Building Setbacks

Setback	Distance	Allowed Architectural Projection Encroachment
Minimum Street Setbacks	--	--
<ul style="list-style-type: none"> <li>▪ North Lemon Ave</li> <li>▪ East D St</li> <li>▪ Plum Ave</li> </ul>	<p>10 ft.</p> <p>6 ft.</p> <p>4 ft.</p>	<p>2 ft.</p> <p>2 ft.</p> <p>2 ft.</p>
Minimum Rear Setback	5 ft.	N/A

### 4.4 Vehicular Access

Vehicle access is provided via two (2) driveways along the southern boundary of the Downtown Ontario Luxury Apartments, Phase II Planned Unit Development (PUD) area. The driveways provide direct access to the ground-level parking garage and are located off an alley (one-way) that connects North Lemon Avenue and Plum Avenue.

### 4.5 On-Street and Off-Street Parking

Parking requirements are based on the number of bedrooms contained within each dwelling unit. Parking spaces shall be provided pursuant to *Table 4-5: Minimum Parking Requirements*.

Table 4-5: Minimum Parking Requirements

Use	Parking Space
Multiple-Family Dwellings – Resident Parking <ul style="list-style-type: none"> <li data-bbox="337 457 586 485">▪ One-Bedroom Unit</li> <li data-bbox="337 554 586 581">▪ Two-Bedroom Unit</li> </ul>	1.00 spaces per dwelling (at least one space shall be in a garage or carport)  2.00 spaces per dwelling (at least one space shall be in a garage or carport)
Multiple-Family Dwellings – Guest Parking <ul style="list-style-type: none"> <li data-bbox="337 674 662 701">▪ Portion of dwellings &lt; 100</li> </ul>	0.20 spaces per dwelling

The Downtown Ontario Luxury Apartments, Phase II Planned Unit Development (PUD) parking requirements are as follows:

- All required resident parking spaces shall be provided on-site;
- Tandem parking spaces may be counted toward a maximum of 60 percent of the resident parking space requirement established by *Table 4-5: Minimum Parking Requirements*. Tandem spaces are limited to 2-bedroom units and will be assigned as such to eliminate competition or confusion of parking space;
- On-street parking may be utilized to satisfy guest-parking requirements, subject to the following:
  - i. On-street parking may be used to satisfy guest parking requirements only, and shall not be used for required resident parking;
  - ii. On-street parking shall only be counted along the public streets surrounding the project site, on the side of the street adjoining the project
  - iii. All on-street parking locations shall be subject to approval by the City Engineer; and
  - iv. On-street parallel parking spaces shall be calculated by the length of unobstructed curb adjacent to the project site.

## 4.6 Common Open Space

Common open space shall be provided at a minimum of 130 square feet per residential unit (average). This provision allows for a wide range of both passive and active, indoor and outdoor spaces, open landscaped and hardscaped areas with fountains, seating, fire pits, or play structures, pool, and an indoor fitness center.

## 4.7 Private Open Space

Private open space shall be provided for each residential unit at a minimum of 90 square feet per unit. This provision allows for balconies, decks, and patios, provided that the minimum dimension is no less

than 6 feet in any direction. Each private open space must also have direct access to its corresponding residential unit.

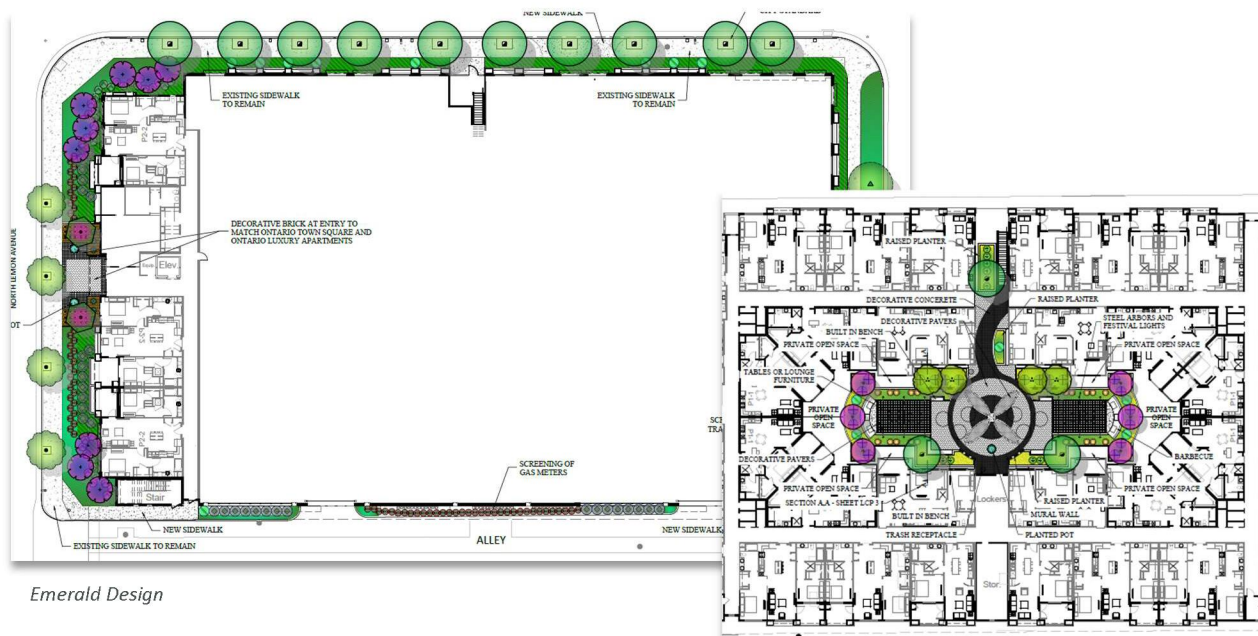
## 4.8 Landscaping

Landscaping shall be incorporated into new development and designed to integrate with the surrounding community by providing an aesthetically pleasing and sustainable environment. A conceptual landscape plan shall be submitted with the Development Plan for the PUD. The plan shall specify all landscape and hardscape elements for the development plan area including common open space areas, perimeter yards along the street rights-of-way, and all street trees. Landscape screening methods for ground-level utility boxes and mechanical equipment shall also be included in the plan. The minimum landscape coverage required for the PUD area is 15 percent of the total area.

All landscaping elements must be carefully chosen to provide a seamless transition between new construction and existing structures. Landscape elements should be utilized to reinforce pedestrian connections through attractive paving and planting design. Additionally, landscape pattern and planting design should accentuate common open space areas within the PUD area. The use of native plant species is encouraged to minimize water consumption and promote biodiversity. Water conservation shall be considered, and low water using plant materials and water efficient irrigation shall be utilized. The landscape plan shall be drought tolerant and meet the current Water Use Classifications of Landscape Species requirements.

## 4.9 Tree Removal

Four (4) mature Australian Willow trees and four (4) mature Arizona Sycamore trees within the PUD area shall remain and be incorporated into the overall design of the development plan. The Australian Willow trees are currently located in the right-of-way on North Lemon Avenue and the Arizona Sycamore trees are located in the right-of-way on Plum Avenue. The additional forty-one (41) trees that are located within the existing surface parking lot will be removed and an arborist report shall be prepared for the PUD area.



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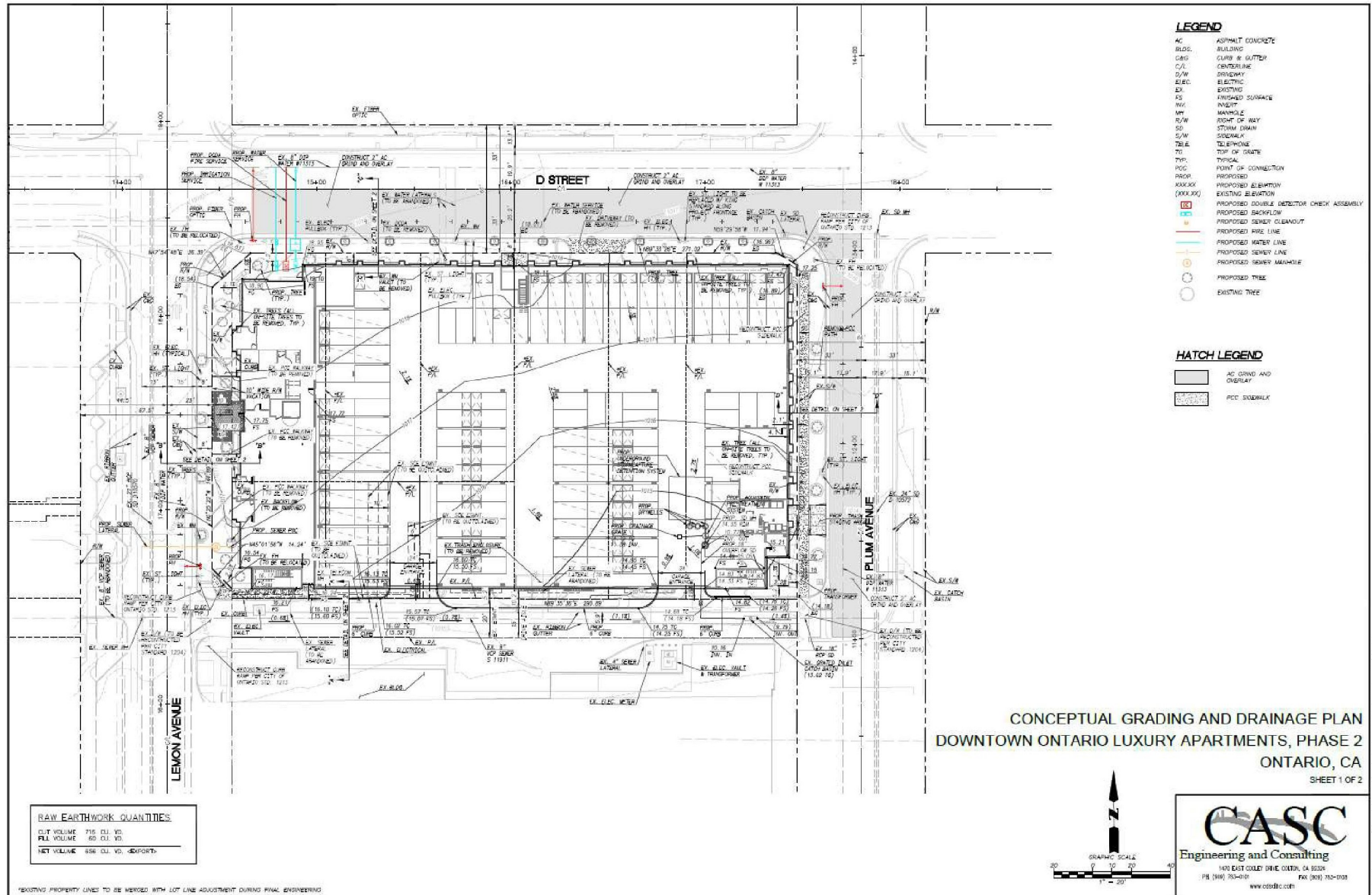
## 4.10 Infrastructure

Infrastructure within the Downtown Ontario Luxury Apartments, Phase II Planned Unit Development (PUD) consists of the following improvements:

- Roadway (dedications/easements)
- Drainage
- Public Utilities (water and sewer)

Roadway, drainage, and public utilities are planned as illustrated in *Exhibit 3.2: Conceptual Grading and Drainage Plan*. All proposed public improvements shall be designed and constructed pursuant to the City of Ontario guidelines and specifications and per San Bernardino County and the State of California Water Resources Control Board guidelines for stormwater treatment.

Exhibit 3-2: Conceptual Grading and Drainage Plan



## 5. Design Guidelines

### 5.1 Building Orientation and Frontages

The building shall be oriented towards North Lemon Avenue and vehicular access shall be oriented towards the southern boundary of the PUD area. Pedestrian entries may be located along East D Street and Plum Avenue provided that strong pedestrian connection is maintained through landscaped sidewalks and appropriately scaled lighting.

### 5.2 Architectural Character

The Downtown Ontario Luxury Apartments, Phase II Planned Unit Development (PUD) strikes an impressive balance between the sleek design features of contemporary architecture and the charm and character of the historic Downtown area. The PUD integrates traditional materials with modern design elements to create an innovative development that embraces a timeless appeal. The careful selection and utilization of traditional, durable materials reflects the rich architectural heritage of the area and speaks to the history and character of the community. By combining traditional materials with modern design features, including minimalism, clean lines, and sleek finishes, the development exudes a refined aesthetic.

### 5.3 Architectural Details

New development should incorporate façade articulation techniques that reduce the perceived scale of large buildings and add visual interest from all observable scales. Buildings shall:

- Incorporate architectural enhancements such as recessed windows, balconies, decorative cornices, and awnings along all street frontages.
- Incorporate rooflines that are visually dynamic in a way that complements the building and surrounding area's composition. This can be achieved through the utilization of sculpted roof forms or an attractive cornice with detailed design elements.

### 5.4 Materials and Colors

A color and material board shall be submitted with the Development Plan for the PUD to ensure the following:

- Materials and color scheme shall be compatible with, and complementary to the overall style of the development project.



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- 
- A combination of dark and light colors shall be utilized to accentuate architectural features and breakup large building planes.
  - Materials should include a mixture of stucco, horizontal siding, and brick veneer, in a variety of earth tone colors.

## 5.5 On-Site Lighting

- All lighting of facades, decorative fixtures, awnings, and signs shall be designed in accordance with the criteria set forth in Section 2D of the Downtown Ontario Design Guidelines.
- Exterior light fixtures shall be designed to complement the architectural style of the building.
- On-site lighting shall be directed away or shielded from adjacent streets and properties. All exterior lighting must be mounted in such a way that it does not project excessive light upwards, either by situating it beneath building eaves or integrating a shield such as a hood.

## 5.6 Signage

Signs within the PUD area shall comply with Division 8.01 (Sign Regulations) of the Ontario Development Code.

## 6. Administration

### 6.1 Applicability

All development within the Downtown Ontario Luxury Apartments, Phase II Planned Unit Development (PUD) shall be designed and constructed pursuant to the standards and guidelines herein. Where the PUD is silent on a standard, then the City of Ontario Development Code and the City's Standard Conditions of Approval (COA) for New Development Projects Resolution No. R2017-027 shall govern. In the event of a conflict between the provisions of the PUD and the provisions of the Ontario Development Code and the City's Standard COA, the PUD Standards shall supersede.

### 6.2 Planning Applications to Facilitate PUD Implementation

Development Plan approval, pursuant to the requirements of Ontario Development Code Section 4.02.025 (Development Plans), shall be required for the physical alteration of a lot, the construction of a building, or the addition or significant alteration of an existing building. A Development Plan application shall be submitted to the Planning Department on a City application form pursuant to the requirements of Ontario Development Code Division 2.02 (Application Filing and Processing), commencing with Subsection B (Discretionary Permits and Actions) of Section 2.02.015 (Application Processing Procedures).

### 6.3 Administrative Exceptions

Deviation from the development standards set forth in this document may be granted up to a maximum of ten (10%) percent by the Zoning Administrator pursuant to the Ontario Development Code.