



## **CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD**

### **AGENDA**

**September 6, 2017**

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

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

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

#### **PUBLIC COMMENTS**

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

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

## **AGENDA ITEMS**

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

## **CONSENT CALENDAR ITEMS**

### **A. MINUTES APPROVAL**

Development Advisory Board Minutes of August 21, 2017, approved as written.

## **PUBLIC HEARING ITEMS**

### **B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR**

**FILE NO. PDEV16-035:** A Development Plan to construct an 18,600-square foot industrial building on 1.43 acres of land located at the southeasterly corner of Excise Avenue and Metro Way, within the Business Park land use district of the Acco Airport Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with Acco Airport Center Specific Plan (File No. 4351-SP), for which an Environmental Impact Report (State Clearinghouse No. 90021134) was adopted by the City Council on January 19, 1993. This project introduces no new significant environmental impacts. 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: 0211-272-14); **submitted by RedRock Development, Inc.**

#### **1. CEQA Determination**

No action necessary – use of previous EIR

#### **2. File No. PDEV16-035**

Motion to Approve / Deny

### **C. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND VARIANCE**

**REVIEW FOR FILE NOS. PDEV17-008 & PVAR17-003:** A Development Plan (PDEV17-008) to construct a 10,487 square foot commercial building on 0.88 acres of land and a Variance (PVAR17-003) to deviate from the minimum parking street setback, along Euclid Avenue, from 20 to 9 feet, and to reduce the required parking from 42 to 40 spaces, for property located at the northwest corner of Francis Street and Euclid Avenue, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15305 (Class 5-

Minor Alterations of Land Use Limitations) and 15332 (Class 32, In-Fill Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 1050-281-01, 1050-281-02 and 1050-281-03); **submitted by Clarkson Properties, LP. Planning Commission action is required.**

**1. CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Sections §15305 & §15332

**2. File No. PVAR17-003 (Variance)**

Motion to recommend Approval/Denial

**3. File No. PDEV17-008 (Development Plan)**

Motion to recommend Approval/Denial

**D. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR**

**FILE NO. PDEV17-019:** A Development Plan to construct a 4,086-square foot drive-thru restaurant (Raising Cane's Chicken Fingers) on 1.47 acres of land located at 4360 East Mills Circle, within the Commercial/Office land use district of the California Commerce Center North/Ontario Gateway Plaza/Wagner Properties 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 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: 0238-014-21); **submitted by Raising Cane's Chicken Fingers.**

**1. CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section §15332

**2. File No. PDEV17-019 (Development Plan)**

Motion to Approve / Deny

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 **September 18, 2017**.

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 **September 1, 2017**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

  
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**CITY OF ONTARIO**

**Development Advisory Board**

**Minutes**

**August 21, 2017**

**BOARD MEMBERS PRESENT**

Khoi Do, Chairman, Engineering Department  
Pedro Rico, Building Department  
Charity Hernandez, Economic Development Agency  
Paul Ehrman, Fire Department  
Joe De Sousa, Housing and Municipal Services Agency  
Sheldon Yu, Municipal Utilities Company  
Rudy Zeledon, Planning Department  
Doug Sorel, Police Department

**BOARD MEMBERS ABSENT**

**STAFF MEMBERS PRESENT**

Antonio Alejos, Engineering Department  
Luis Batres, Planning Department  
Gwen Berendsen, Planning Department  
Denny Chen, Planning Department  
Hassan Haghani, Development Director  
Bryan Lirley, Engineering Department  
Lorena Mejia, Planning Department  
Chuck Mercier, Planning Department  
Miguel Sotomayor, Engineering Department  
Alexis Vaughn, Planning Department

**PUBLIC COMMENTS**

No one responded from the audience.

**CONSENT CALENDAR ITEMS**

- A. APPROVAL OF MINUTES:** Motion to approve the minutes of the August 7, 2017, meeting of the Development Advisory Board was made by Mr. Zeledon; seconded by Mr. Sorel; and approved unanimously by those present (8-0).

**PUBLIC HEARING ITEMS**

- B. ENVIRONMENTAL ASSESSMENT DEVELOPMENT PLAN AND TENTATIVE PARCEL MAP REVIEW FOR FILE NOS. PDEV16-002 AND PMTT16-001/PM 19643:** A Tentative Parcel Map (File No. PMTT16-001/PM 19643) to subdivide approximately 65.60 acres of land into two parcels to facilitate a Development Plan (File No. PDEV16-002) to construct two industrial buildings totaling 1,289,292 square feet, located approximately 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan. The environmental impacts of this project were analyzed in the EIR prepared for the Colony Commerce Center West Specific Plan (File No. PSP15-001). All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 218-292-09, 218-292-10, 218-292-12, 218-292-13, 218-292-14); **submitted by Cap Rock-Partners. Planning Commission action is required.**

Patrick Daniels, the Applicant of Cap Rock Partners, was present and stated that he was in general agreement but that there were a few items where clarification was needed on the conditions of approval. Mr. Batres presented the board with the email Mr. Daniels had sent addressing those items. Below are the items addressed by members of the board.

- 1.14 1. – Should the cost for the storm drain line be addressed here or in the Development Agreement? Mr. Do stated that it should be addressed in the DA and that the condition will remain as is. Staff will take a look at it to see which is easier to alter before the Planning Commission Meeting.
- 1.14 2. – The gas line easements already exist and the condition seems redundant. Mr Lirley from Engineering stated that the gas easements do exist at the southern portion of the property for the 30” and 36” gas lines and the condition can be rewritten, so that the easements are to be honored and remain in place.
- Can permits be pulled before recordation of the final map? Mr Lirley stated there are 5 or 6 existing parcels and two of the large buildings do sit over several parcels, so that would need to get corrected on the map and be finalized before any building permits are pulled. Mr. Daniels expressed their full intent to comply with the condition, but just wanted some consideration, so that the project isn’t delayed, to be able to pull some permits ahead of the map recordation. Mr. Do stated that grading permits would be ok to pull, but with building foundations over multiple parcels, beyond that would be difficult. Mr. Rico from Building, stated that conditional increments are allowed. Mr. Do stated they could do increment entitlements that can help them along on their schedule but they would like the map technically correct and ready for City Council, before building permits are issued. If there are clarifications that make this item go away then this becomes a mute point.
- 2.26 1. – Doesn’t want to be responsible for designing the sewer line, wants the City to tell them what size is to be built. Mr. Yu from Municipal Utilities stated these are part of the Sewer Master plan. PDR for the revised alignment, for not just them but for uphill as well is not complete. Mr. Daniels understanding was that it was going to be 24”. Mr. Yu stated the size hasn’t been buttoned up, between 21 – 27”. Mr. Do asked when the final map would be complete and Mr. Yu stated the PDR’s are wrapping up and he needed to check with engineering record but would think in a couple weeks. The city would give them the size but they would be responsible for designing the final construction drawings for the line in front of the property.

- Traffic 2.36 – If they cannot get the right of way in place before development, can the signal be designed that may include interim improvements? Mr. Lirley stated that this was regarding the construction of the signal at Merrill and Carpenter, the condition already addresses their concern as written.
- Fire Department – Water Supply 3.1 – Fire flow of 3,000 GPM. Mr. Ehrman from Fire agreed to change the condition.
- Landscape – Protecting the olive and palm trees. They agreed to protect the olive tree, but the palms don't fit into the plant palette for the project. Mr. Zeledon stated that it would depend on the type of palm trees, if they were Native Californian. He didn't have a problem revising the condition to state protection of only the olive tree. If there were any issues with the type of palms he would address it with Mr. Daniels.
- Landscape – The grading from 3.1 to 2.1 change for the project to less than 2.1 when possible. Mr. Zeledon stated that the retention basins should be less than 2 where possible, for erosion control. He stated he would get with Ms. Bell if they were 2.1 and discuss if extra landscape is needed for erosion control.

Motion recommending approval of **File Nos. PMTT16-001 and PDEV16-002** subject to the discussed revisions to the conditions to the Planning Commission was made by Mr. De Sousa; seconded by Mr. Sorel; and approved unanimously by those present (8-0).

- C. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND VARIANCE REVIEW FOR FILE NOS. PDEV17-008 & PVAR17-003:** A Development Plan (PDEV17-008) to construct a 10,487 square foot commercial building on 0.88 acres of land and a Variance (PVAR17-003) to deviate from the minimum building arterial street setback, along Euclid Avenue, from 20 to 9 feet, and to reduce the required parking from 42 to 40 spaces, for property located at the northwest corner of Francis Street and Euclid Avenue, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5-Minor Alterations of Land Use Limitations) and 15332 (Class 32, In-Fill Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 1050-281-01, 1050-281-02 and 1050-281-03); **submitted by Clarkson Properties, LP. Planning Commission action is required.**

This Item was continued.

- D. ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT17-008 AND PDEV17-026:** A Tentative Tract Map (File No. PMTT17-008; TT 18984) to subdivide 6.11 acres of land into 55 numbered lots and 2 lettered lots in conjunction with a Development Plan (File No. PDEV17-026) for the construction of 55 single family detached homes, private/common open space areas and recreational amenities, located at 2041 East Fourth Street, within the MDR-11 (Low Medium Density Residential) zoning district. The environmental impacts of this project were previously reviewed in conjunction with File Nos. PGPA14-002 and PZC14-003, for which Mitigated Negative Declaration was adopted by the Ontario City Council on November 18, 2014. This project introduces no new significant environmental impacts. 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: 0110-441-10); **submitted by KB Home Coastal, Inc. Planning Commission action is required.**

RJ Hernandez, the project manager from KB Home Coastal, Inc., was present and stated that he wasn't able to review any new conditions of approval. Ms. Mejia stated that the only item that had changed were the fiber optic improvements along the frontage.

Mr. Zeledon recommended that Mr. Hernandez meet with planning and go over the COAs before the Planning Commission Meeting and if there are any issues to talk with Ms. Mejia and address them.

Mr. Hernandez already had one concern regarding the minimum private open space and wouldn't feel comfortable agreeing to them either without looking them over. Mr. Do stated they can move forward with the recommendation and if there are any issues after staff discusses the conditions with Mr. Hernandez they can address them at Planning Commission.

Motion recommending approval of **File Nos. PMTT17-008 and PDEV17-026** subject to conditions as written to the Planning Commission was made by Mr. Yu; seconded by Mr. Rico; and approved unanimously by those present (8-0).

**E. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT17-009 & PDEV17-031:** A Tentative Parcel Map (File No. PMTT17-009/PM 19877) to subdivide 4.18 acres of land into a single parcel to facilitate the development of a Development Plan (File No. PDEV17-031) to construct a 101-unit apartment project, at a density of approximately 24.1 dwelling units per acre, on property generally bordered by Holt Boulevard on the south, Nocta Street on the north, and Virginia Avenue on the west, within the MU-2 (East Holt Mixed Use) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15315 (Minor Land Divisions) and 15332 (Class 32, Infill 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: 1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03, and 1048-472-04) **submitted by National Community Renaissance of California. Planning Commission action is required.**

Alexa Washburn, the Vice-President of Planning for National Community Renaissance of California, was present and stated they generally agree with all the conditions but had three items of clarification regarding the conditions of approval.

- Page 55 of 85 / 2.5 F – Landscaping around the parking row. One of the rows along Nocta has over 10 stalls in the row and they would like to provide a triangular tree well instead of 5 ft. parkway strip, in order to meet the parking requirements. Mr. Mercier from Planning stated that the carport conditions would not apply.
- Page 55 of 85 / 2.14 Architecture – The design of the carports to reflect manufactured carports be allowed. Mr. Zeledon just wants to make sure they complimented the design and stated that that change would be ok.
- Page 78 of 85 / 2.27 B Engineering – Master water meter per building instead of per unit. Mr. Yu stated that generally there should be a master public meter at the street and a meter per unit. Ms. Washburn stated that there is a state code that low income housing is exempt from sub-metering from water service. CA Code Section 17922.14 subsection C2B stated that per building was adequate. Mr. Do stated that they would look over the code and work with utilities and building to make the adjustments.



Motion recommending approval of **File Nos. PMTT17-009 and PDEV17-031** subject to conditions to the Planning Commission was made by Mr. De Sousa; seconded by Mr. Rico; and approved unanimously by those present (8-0).

There being no further business, the meeting was adjourned.

Respectfully submitted,



Gwen Berendsen  
Recording Secretary



# Development Advisory Board Decision

September 6, 2017

**DECISION NO.:** [insert #]

**FILE NO.:** PDEV16-035

**DESCRIPTION:** A Development Plan to construct an 18,600-square foot industrial building on 1.43 acres of land located at the southeasterly corner of Excise Avenue and Metro Way, within the Business Park land use district of the Acco Airport Center Specific Plan (APN: 0211-272-14); **submitted by Cucamonga Vintners.**

## **Part I—BACKGROUND & ANALYSIS**

CUCAMONGA VINTNERS, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV16-035, 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 1.43 acres of land located at the southeasterly corner of Excise Avenue and Metro Way, within, the Business Park land use district of the Acco Airport Center Specific Plan, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	OC (Office Commercial)	Acco Airport Center Specific Plan	Business Park
<i>North</i>	Majestic Home Loan (Mortgage Broker)	OC (Office Commercial)	Acco Airport Center Specific Plan	Business Park
<i>South</i>	Railroad	Rail	ONT (Ontario International Airport)	n/a
<i>East</i>	Services	OC (Office Commercial)	Acco Airport Center Specific Plan	Business Park
<i>West</i>	East Ontario Metrolink Train Station	OC (Office Commercial)	OL (Low Intensity Office)	n/a

(2) **Project Description:** A Development Plan to construct an 18,600-square foot industrial building on 1.43 acres of land located at the southeasterly corner of Excise Avenue and Metro Way, within the Business Park land use district of the Acco Airport Center Specific Plan. The building is oriented to the southwest portion of the site. The building is situated with a 10-foot building setback from the west property line. Parking will be primarily situated to the north of the building for visitor parking, with additional parking provided within the secured yard area to the rear of the proposed building.

The proposed industrial warehouse building is concrete tilt-up construction. Architecturally, the building incorporates smooth-painted concrete, recessed reveals, storefront windows with anodized aluminum mullions and clear blue glazing, and decorative aluminum canopies at the office entry.

A secured yard area is located at the rear of the site, and is designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging. The yard area will be screened from view of public streets by new screen walls with view-obscuring gates. The screen wall is proposed at 8 feet in height, and is to be constructed of tilt-up concrete, matching the architecture of the building.

(3) **Burrowing Owls (BUOW) and Delhi Sands Flower-Loving Fly (DSFF) Surveys:** Ecological Sciences conducted a burrowing owl survey to document the presence or absence of burrowing owls previously observed within the boundaries of the project site. The final burrowing owl survey was conducted on July 9, 2017 indicating there were no burrowing owls observed on the project site.

On June 14, 2017, Ecological Sciences also conducted reconnaissance-level field survey of all remaining undeveloped parcels within Acco Airport Center, including the subject site, to evaluate the potential for DSFF habitat. Based on results of the June 2017 habitat suitability evaluation, existing conditions present at the project site are not consistent with those known or expected to support DSFF. The full report of DSFF surveys can be found in *Exhibit E: Ecological Sciences Surveys*, attached.

### **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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with Acco Airport Center Specific Plan (File No. 4351-SP) for which an Environmental Impact Report (SCH#90021134) was certified by the City Council on January 19, 1993, and this Application introduces no new significant environmental impacts; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("DAB") the responsibility and authority to review and act 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;

WHEREAS, on September 6, 2017, 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 “decision-making” body for the Project, the DAB has reviewed and considered the information contained in the previous previously adopted Acco Airport Center Specific Plan (File No. 4351-SP) for which an Environmental Impact Report (SCH#90021134) and supporting documentation. Based upon the facts and information contained in the previous Environmental Impact Report (SCH#90021134) and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with the Acco Airport Center Specific Plan (File No. 4351-SP) for which an Environmental Impact Report (SCH#90021134) was certified by the City Council on January 19, 1993.

(2) The previous Acco Airport Center Specific Plan Environmental Impact Report (SCH#90021134) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Acco Airport Center Specific Plan Environmental Impact Report (SCH#90021134) was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Acco Airport Center Specific Plan Environmental Impact Report (SCH#90021134) reflects the independent judgment of the City Council; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Acco Airport Center Specific Plan Environmental Impact Report (SCH#90021134), 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 decision-making 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 4: Ontario International 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. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), 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 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 specific findings 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 Office Commercial land use district of the Policy Plan Land Use Map, and the Business Park land use district of the Acco Airport Center 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 the Business Park land use district of the Acco Airport Center Specific Plan zoning district, including standards relative to the particular land use proposed (industrial building), 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 Acco Airport Center 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 Acco Airport Center 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 Acco Airport Center 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 (industrial). 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 Acco Airport Center 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 APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment 1 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.

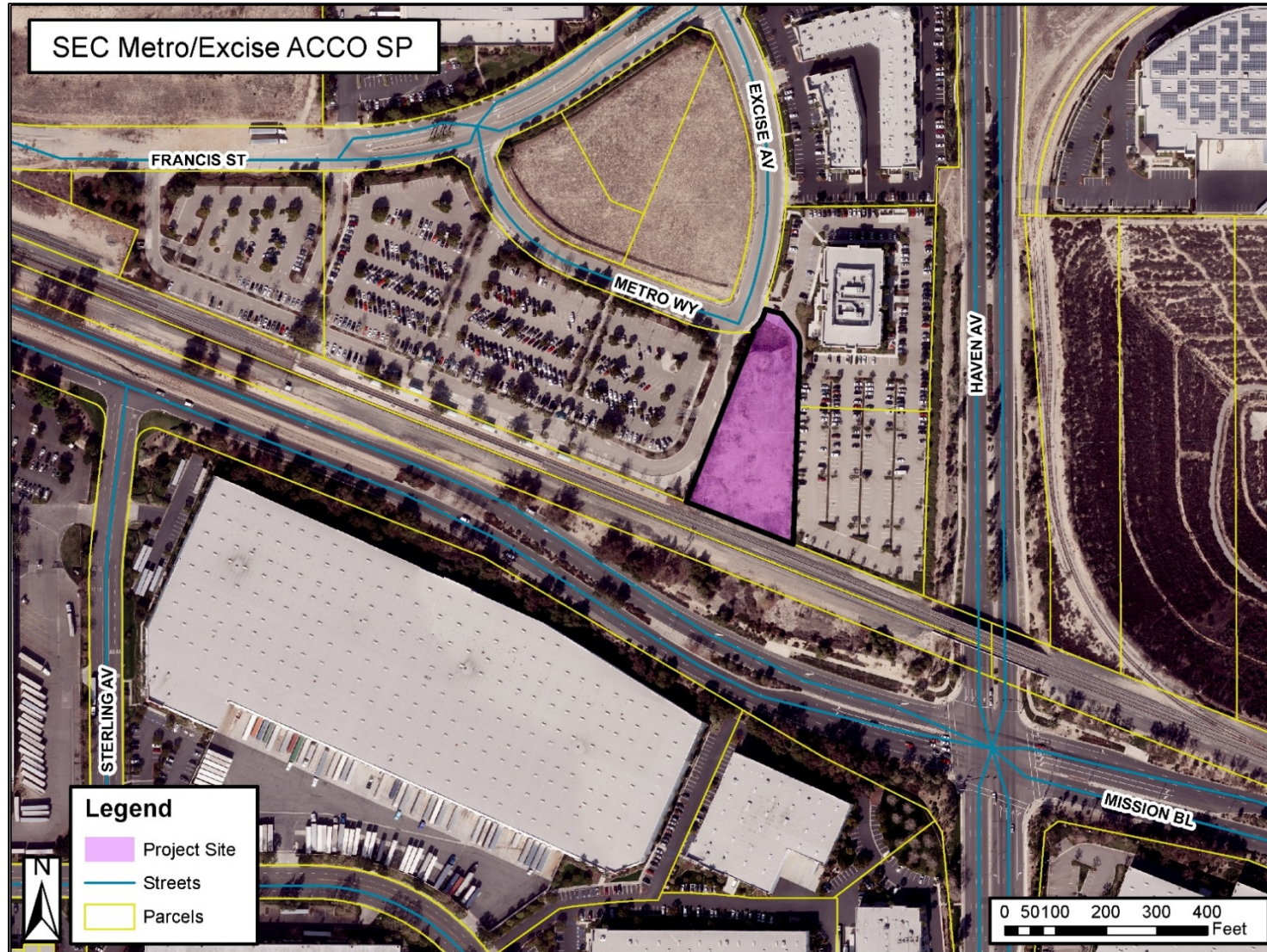
**SECTION 8: *Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City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

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APPROVED AND ADOPTED this 6<sup>th</sup> day of September 2017.

\_\_\_\_\_  
Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP







**Exhibit C—EXTERIOR ELEVATIONS**



**SOUTH ELEVATION** | 3/32"=1'-0" | **4**



**WEST ELEVATION** | 3/32"=1'-0" | **3**

**Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)**

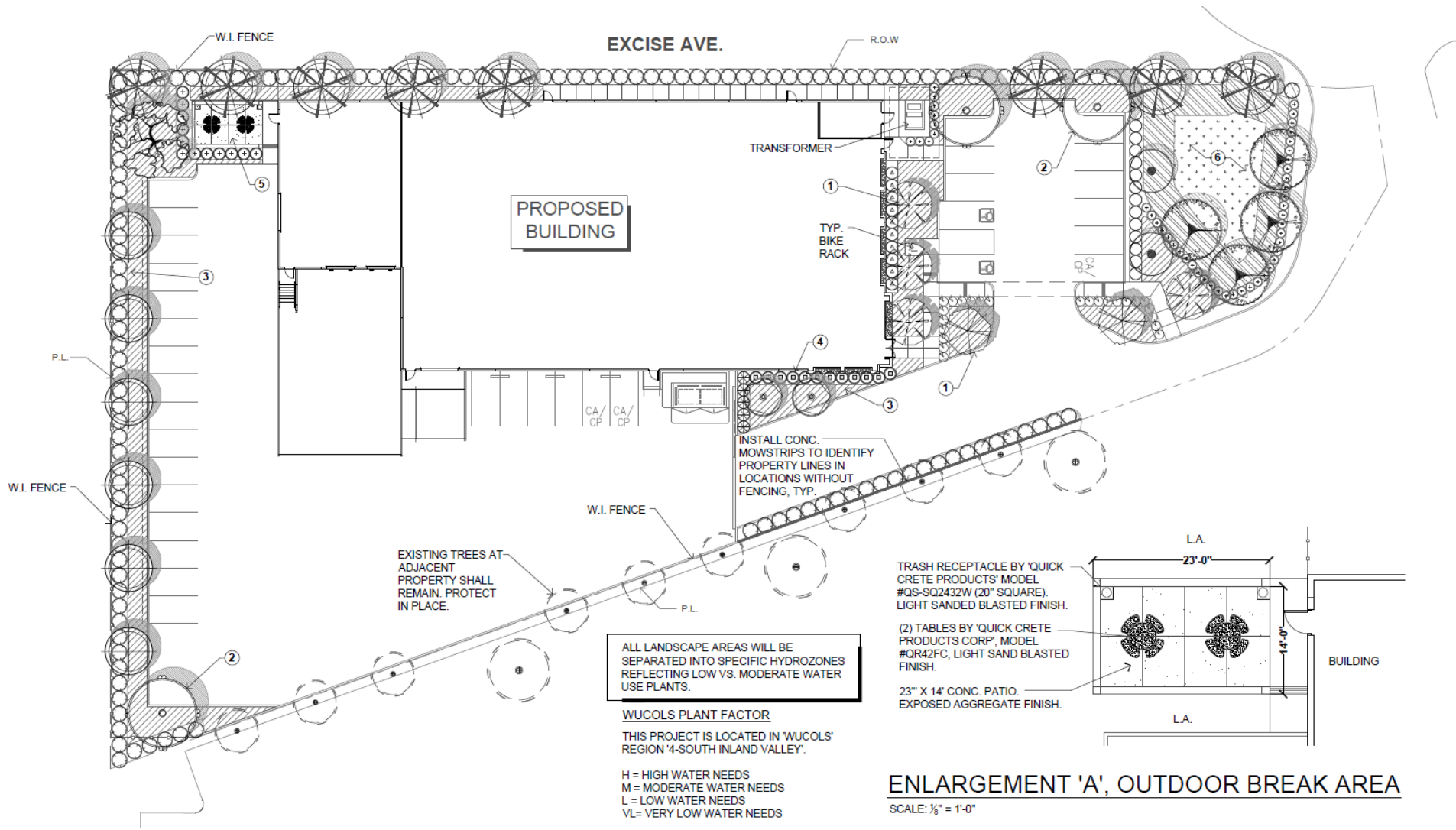


**NORTH ELEVATION** | 3/32"=1'-0" | **2**



**EAST ELEVATION** | 3/32"=1'-0" | **1**

**Exhibit D—LANDSCAPE PLAN**



**Exhibit E— ECOLOGICAL SCIENCES SURVEYS**

*(Surveys follow this page)*



July 11, 2017

Cucamonga Vintners, LLC  
Acco Airport Center III, LLC  
c/o RedRock Development, Inc.  
4340 Von Karman Avenue, Ste. 140  
Newport Beach, CA. 92660

**SUBJECT: Results of Focused Western Burrowing Owl Surveys, ±12.27-acre Site, City of Ontario, San Bernardino County, California**

Ladies and Gentlemen:

This letter report presents results of a focused survey conducted to evaluate the presence/absence of the special-status western burrowing owl (*Athene cunicularia hypugea*-BUOW) on a ±12.27-acre site.

### **Introduction**

The site is regionally located in the City of Ontario (City), San Bernardino County, California (**Plate 1**). Specifically, the project site is located west of Haven Avenue, north of Mission Avenue, and south of Jurupa Avenue. The site occurs on the “Guasti” USGS 7.5-minute topographic map, Township 1 South, Range 7 West, Section 35 (**Plate 2**). **Plate 3** provides an aerial view of the site.

Projects proposed in the area that contain potentially suitable habitat to support sensitive biological resources must demonstrate to reviewing agencies [e.g., U.S. Fish and Wildlife Service (FWS), California Department of Fish and Wildlife/Game (CDFW/CDFG), County of San Bernardino (County), City of Ontario (City)] that potential project-related impacts to sensitive biological resources are adequately addressed and mitigated pursuant to the California Environmental Quality Act (CEQA) and other environmental regulations as part of project approval. For the purposes of this report, both the 1995 CDFG Staff Report on Burrowing Owl Mitigation and the 2012 CDFG Staff Report on Burrowing Owl Mitigation are referenced to provide background information.

### **Selected Species Overview / Regulatory Background**

The **western burrowing owl** is considered a California Species of Special Concern, Federal Species of Concern, Partners in Flight Priority Bird Species, and Fish and Wildlife Service Species of Management Concern because of declines of suitable habitat, as well as localized and statewide population declines (CDFG 1995, 2012). Burrowing owls range across most of western North America. In coastal southern California, they occur in annual and perennial grasslands, agricultural areas, and coastal dunes. Habitat characteristics also include deserts and arid scrublands that contain low-growing vegetation (Zarn 1974). It is believed that burrowing owls may potentially occur wherever there are ground squirrel (e.g., *Spermophilus beecheyi*) colonies as this owl uses ground squirrel burrows throughout the year. Burrows are the essential component of burrowing owl habitat (CDFG 1995), however, burrowing owls are also known to use artificial burrows under certain circumstances such as abandoned concrete structures and debris piles. The BUOW generally prefers moderately to heavily grazed grasslands for nesting and roosting and avoids recently cultivated/disc'd fields. BUOW may utilize multiple burrows/sites throughout the year (e.g., small seasonal migrations), although in central and southern California, owls are predominantly non-migratory (CBOC 2000).

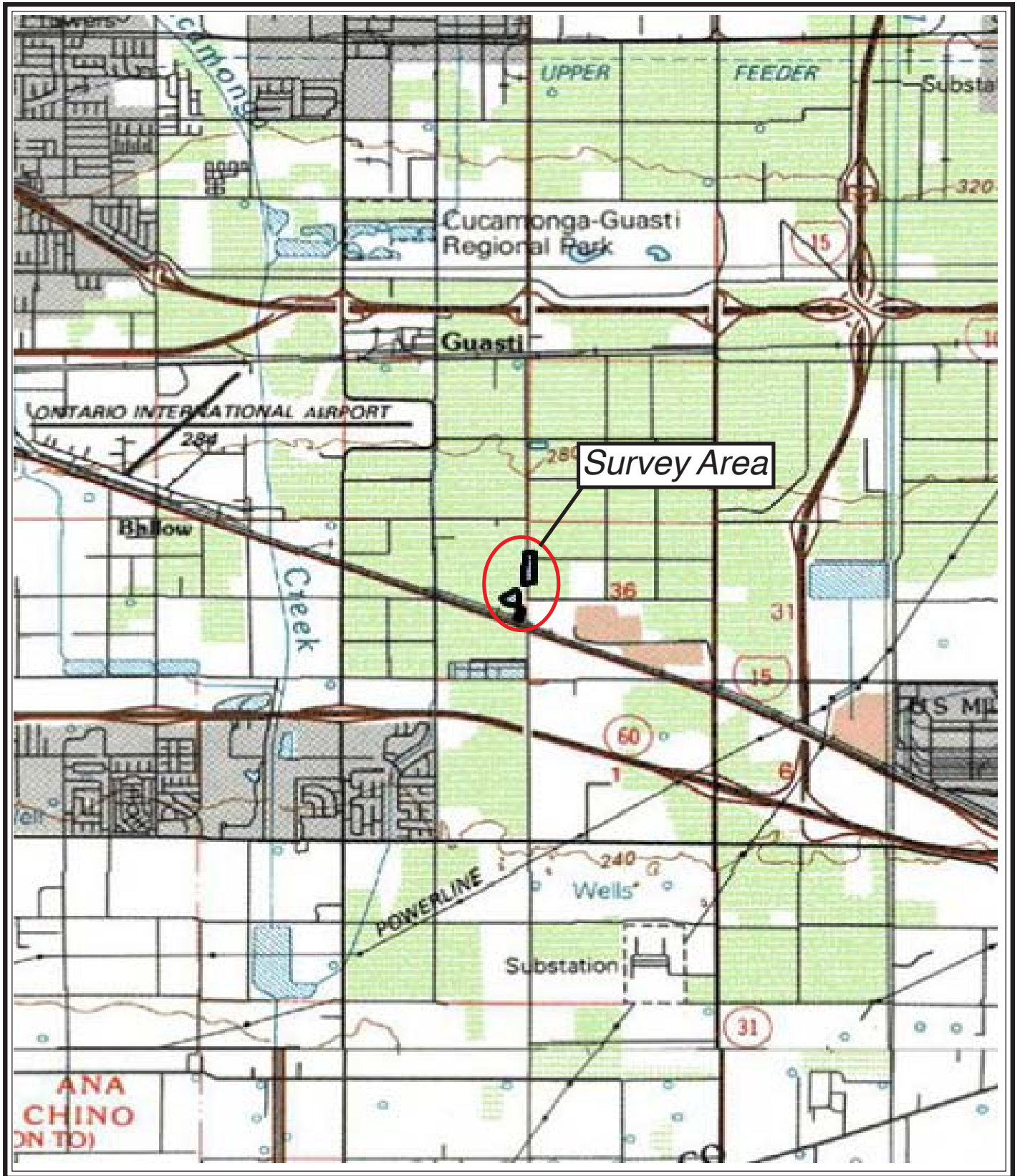


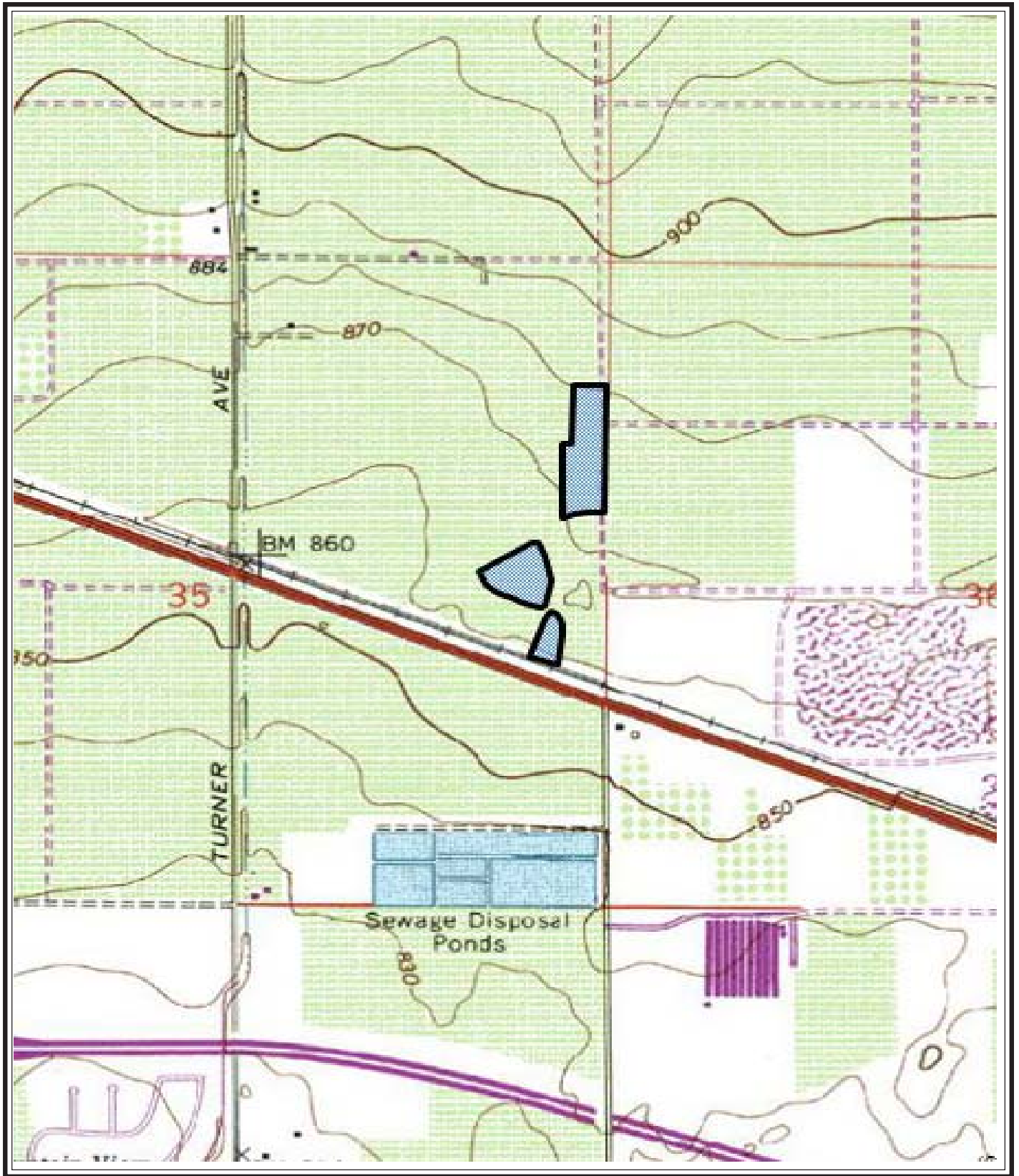
plate 1



July 2017

## Regional Site Location

12.27-acre Site



 = Study Areas

plate 2

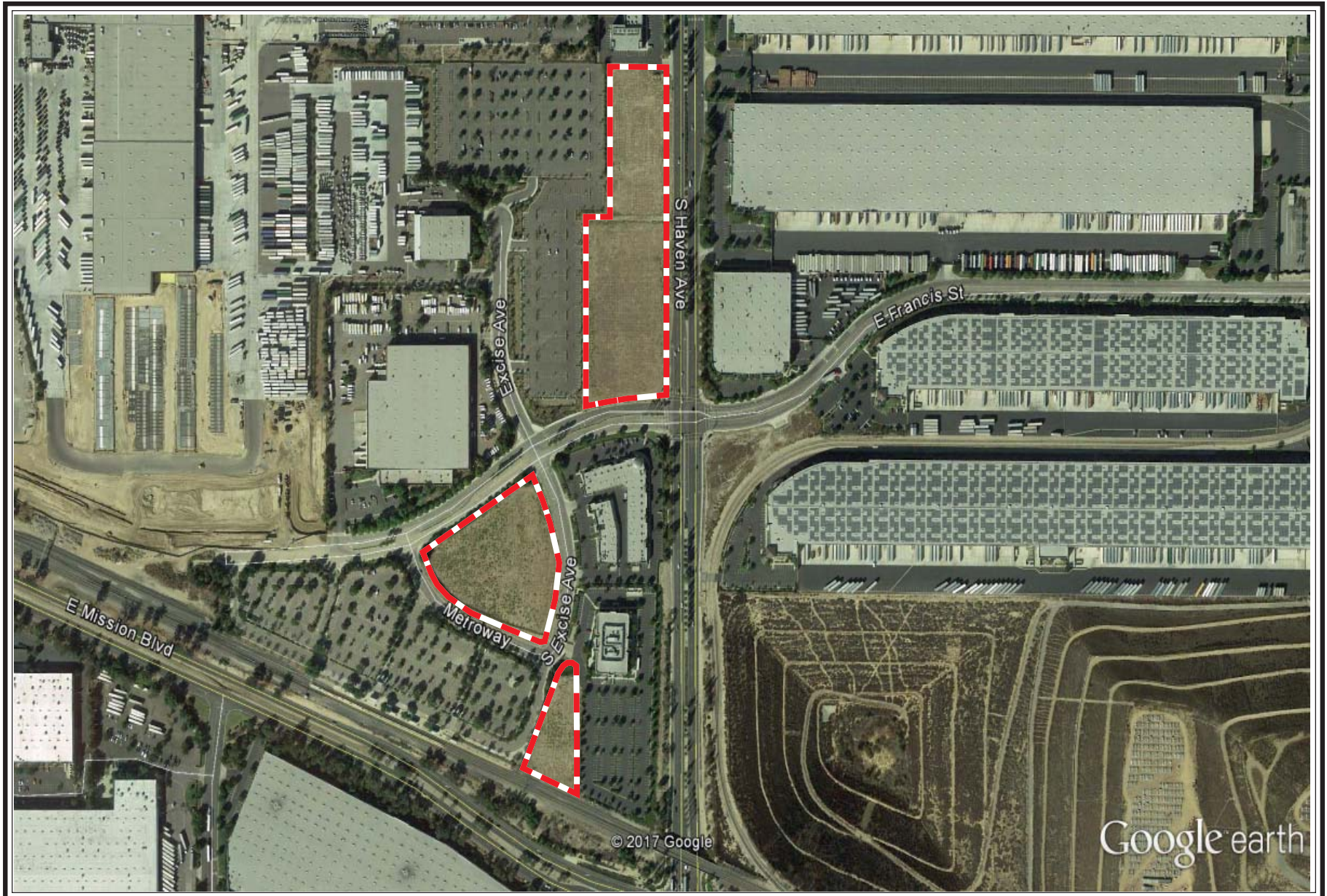


July 2017

**USGS Topographic Vicinity Map**

12.27-acre Site





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--- = Study Areas

*plate 3*

## ***Aerial Photograph***

12.27-acre Site

Item B - 16 of 65

While this special-status species is not protected by state or federal endangered species acts, take, possession or destruction of individual burrowing owls, their nests and eggs is prohibited under CDFG code sections 3503, 3503.5 and 3513, as well as the federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711). Under CEQA, goals would consist of measures that would avoid, minimize and mitigate impacts to a less than significant level. For individual projects, mitigation must be roughly proportional to the level of impacts, including cumulative impacts, in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355). If it were later determined that active nests would be lost as a result of site-preparation, it would be in conflict with these regulations, and could also be considered a significant impact under CEQA without mitigation. In order to avoid violation of the MBTA and CDFG Code requirements, CDFG guidelines (1995, 2012) suggest that project-related disturbances at active nesting territories be reduced or eliminated during the BUOW nesting/breeding cycle (typically February 1 to August 31). Accordingly, construction should take place, as much as possible, outside of the breeding season for BUOW (i.e., construction between September 1 to January 31) to avoid or reduce potential impacts to this species. However, BUOW nesting activity is variable, and as such the time frame should be adjusted accordingly based on specific site information.

Owl survival can be adversely affected by disturbance (e.g., foraging habitat loss) even when impacts to individual birds and nest/burrows are avoided (CDFG 1995). Recommended restricted activity dates and setback distances by level of disturbance for burrowing owls (Scobie and Faminow 2000 in 03/7/12 CDFG BUOW Staff Report) are provided below in Table 1.

**Table 1- CDFG Recommended Restricted Activity Dates and Setback Distances by Level of Disturbance for BUOW**

<b>Location</b>	<b>Time of Year</b>	<b>Level of Disturbance</b>		
		<b>Low</b>	<b>Medium</b>	<b>High</b>
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

\* meters (m). Table and text excerpted directly from 2012 CDFG BUOW Staff Report

Note: Based on existing vegetation, human development, and land uses in an area, resource managers may decide to allow human development or resource extraction closer to these area/sites than recommended above. However, if it is decided to allow activities closer than the setback distances recommended, a broad-scale, long-term, scientifically-rigorous monitoring program ensures that burrowing owls are not detrimentally affected by alternative approaches.

Mitigation measures detailed in the CDFG 1995 staff report include: (1) preservation of habitat, (2) artificial burrow construction, and (3) provide funding for long-term management and monitoring of protected mitigation lands. Mitigation measures successfully implemented for this species also include giving the FWS/CDFW right of first refusal for actively relocating any BUOW present. Currently occupied receiving sites may be available where this species has a greater chance of successful long-term relocation. Other minimization measures include eliminating actions that reduce burrowing owl forage and burrowing surrogates (e.g. ground squirrel), or introduce/facilitate burrowing owl predators. Actions that could influence these factors include reducing livestock grazing rates and/or changing the timing or duration of grazing or vegetation management that could result in less suitable habitat (CDFG 2012).

Implementation of avoidance and minimization measures would be triggered by positive owl presence on the site where project activities would occur. The development of avoidance and minimization approaches would be developed by monitoring. BUOW may re-colonize a site after only a few days. Time lapses (i.e. construction delays) between project activities would trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance (CDFG 2012). Should eggs or fledglings be discovered in any owl burrow or native nest, these resources cannot be disturbed (pursuant to CDFG guidelines) until the young have hatched and fledged (matured to a stage that they can leave the nest on their own). Take of active nests should always be avoided. If

owls must be moved away from the disturbance area, passive relocation techniques (where applicable outside of the breeding season before breeding behavior is exhibited and after the burrow is confirmed empty by site surveillance) should be used rather than trapping (CDFG 2012). If burrow exclusion and/or burrow closure is implemented, BUOWs should not be excluded from burrows unless or until: (1) a Burrowing Owl Exclusion Plan is developed and approved by the applicable local CDFG office; and (2) permanent loss of occupied burrow(s) and habitat is mitigated in accordance with the Mitigating Impacts (CDFG 2012).

## **Methodology**

### **Review of Existing Information**

Existing documentation pertinent to the distribution and habitat requirements of the burrowing owl was reviewed and analyzed. This included a review of: (1) the California Natural Diversity Data Base (CNDDDB 2017), (2) both the 1995 CDFG Staff Report on Burrowing Owl Mitigation and the 2012 CDFG Staff Report on Burrowing Owl Mitigation, and (3) other literature pertaining to habitat requirements of the BUOW as referenced herein.

### **2017 Focused BUOW Survey**

#### **Breeding Season Surveys (CDFG 2012)**

*Number of visits and timing.* Conduct 4 survey visits: 1) at least one site visit between 15 February and 15 April, and 2) a minimum of three survey visits, at least three weeks apart, between 15 April and 15 July, with at least one visit after 15 June. *Survey method.* Rosenberg et al. (2007 in 03/7/12 CDFG BUOW Staff Report) confirmed walking line transects were most effective in smaller habitat patches. Conduct surveys in all portions of the project site that were identified in the Habitat Assessment and fit the description of habitat. Conduct surveys by walking straight-line transects spaced 7 m to 20 m apart, adjusting for vegetation height and density (Rosenberg et al. 2007 in 03/7/12 CDFG BUOW Staff Report). At the start of each transect and, at least, every 100 m, scan the entire visible project area for burrowing owls using binoculars. During walking surveys, record all potential burrows used by burrowing owls as determined by the presence of one or more burrowing owls, pellets, prey remains, whitewash, or decoration. Some burrowing owls may be detected by their calls, so observers should also listen for burrowing owls while conducting the survey. Care should be taken to minimize disturbance near occupied burrows during all seasons and not to “flush” burrowing owls especially if predators are present to reduce any potential for needless energy expenditure or burrowing owl mortality. Burrowing owls may flush if approached by pedestrians within 50 m (Conway et al. 2003 in 03/7/12 CDFG BUOW Staff Report). If raptors or other predators are present that may suppress burrowing owl activity, return at another time or later date for a follow-up survey.

Ecological Sciences' Principal Biologist, Scott Cameron, initiated the first of four total focused BUOW surveys on March 14, 2017. Mr. Cameron has extensive experience conducting habitat assessments and focused burrowing owl surveys over the past 20 years, and has recorded numerous BUOW over the course of 100+ surveys throughout southern California. Mr. Cameron has also conducted passive relocation activities, used burrow cameras, and conducted burrow closing procedures for multiple projects throughout southern California. Subsequent surveys were conducted by Mr. Cameron at three week intervals on May 17, June 10, and July 9. The BUOW surveys were conducted in accordance with the March 7, 2012 CDFG Staff Report on Burrowing Owl Mitigation.

Focused BUOW surveys were conducted to determine if the BUOW was foraging or nesting on or adjacent to the site. Suitable burrows (burrows that are open and wide enough for owl use), regardless if owl sign was recorded, were noted. Burrows (where present) were inspected with the aid of a mirror to better view burrow interiors. Per protocol, surveys were conducted during weather that was conducive to observing owls outside their burrows and detecting BUOW sign. Focused surveys were conducted two hours before sunset until evening civil twilight (highest detection probabilities). Appropriately-scaled

aerial photographs and/or topographic maps were used to generally map suitable burrows and any owl sightings. Weather conditions through the survey period included clear skies, scattered clouds, partly cloudy, 1-8 mph variable breezes, and air temperatures ranging between 60-88°F. Accordingly, weather conditions were conducive for above-ground BUOW activity. Daily weather conditions and survey times are presented below in Table 2.

**Table 2 - Daily Weather Conditions and Survey Times**

Date (2017)	Weather Conditions			Start/End Time
	Temperature	Wind	Cloud Cover/Visibility	
March 14	75-82°F	1-8	Mostly cloudy	6:00-7:30pm
May 17	60-62°F	1-5	Scattered clouds	6:30-8:15pm
June 10	66-70°F	1-6	Scattered clouds	7:00-8:30pm
July 9	84-88°F	1-4	Partly cloudy	7:00-8:30pm

### Existing Site Conditions

The study area is characterized as a highly degraded and disturbed site dominated by non-native ruderal plant species (grasses and forbs). The site was historically used for viticulture (grape) cultivation and currently all the vines have been removed and recently disced such that little standing vegetation is present. The most southern parcel has above-ground irrigation infrastructure. Surrounding land uses include only commercial development. **Plates 4a-4b** photographically illustrate existing conditions.

### Vegetation

Ruderal plants recorded on site included various non-native grasses and weedy species such as foxtail chess (*Bromus madritensis* spp. *rubens*), ripgut grass (*Bromus diandrus*), Mediterranean grass (*Schismus barbatus*), filaree (*Erodium* spp.), Russian thistle (*Salsola tragus*), pigweed (*Chenopodium album*), short-podded mustard (*Hirschfeldia incana*), golden crownbeard (*Verbesina encelioides*), common sow thistle (*Sonchus oleraceus*), and bur clover (*Medicago polymorpha*). Native plant species recorded included truncated telegraph weed and annual bur-sage. Vegetation coverage was estimated about 80 percent prior to discing.

### Survey Results

No direct BUOW observations were recorded during the 2017 focused BUOW breeding season surveys. None of the potential burrows inspected during the surveys were determined to be currently occupied by BUOW based on absence of BUOW observations and sign (feathers, pellets, fecal material, prey remains, etc.) at or near burrow entrances/aprons. BUOW were also not observed utilizing the site for foraging purposes on or adjacent (developed) to the site.

Common reptile species observed included side-blotched lizard (*Uta stansburiana*). Special-status reptile species observed included San Diego horned lizard (*Phrynosoma coronatum blainvillii*), a federal species of concern (not a formal protection level) and a California species of special concern. Avian species observed on site included common raven (*Corvus corax*), European starling (*Sturnus vulgaris*), Say's phoebe (*Sayornis saya*), rock pigeon (*Columba livia*), mourning dove (*Zenaida macroura*), northern mockingbird (*Mimus polyglottos*), western meadowlark (*Sturnella neglecta*), house finch (*Carpodacus mexicanus*), and house sparrow (*Passer domesticus*). Mammal species directly observed, or of which sign was detected, included California ground squirrel (*Spermophilus beecheyi*) and pocket gopher (*Thomomys bottae*).

Despite that fact that the site has been exposed to long-standing disturbances, BUOW often occur in less than optimal and/or disturbed conditions. If it were later determined that active nests of BUOW would be lost as a result of site-preparation, it could result in CEQA significant adverse impacts and would be in conflict with CDFG code sections. Although no BUOW were recorded on site, it is



View to south of northern parcel



View to north of northern parcel



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*plate* **4a**

**Site Photographs**

12.27-acre Site

Item B - 20 of 65



View to west of central parcel



View to south of southern parcel



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July 2017

**plate 4b**

**Site Photographs**

12.27-acre Site

Item B - 21 of 65

recommended by CDFW to complete an initial take avoidance survey (preconstruction) no less than 14 days prior to initiating ground disturbance activities. Implementation of avoidance and minimization measures would be triggered by positive owl presence on the site where project activities would occur. The development of avoidance and minimization approaches would be evaluated by monitoring burrowing owls (if present on site). BUOW may re-colonize a site after only a few days. Time lapses between project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance (CDFG 2012).

---

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this biological survey, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

Sincerely,

Ecological Sciences, Inc.



Scott D. Cameron  
Principal Biologist

## References

California Burrowing Owl Consortium. 1993. Burrowing Owl Survey Protocol and Mitigation Guidelines. April 1993. 12 pp.

California Burrowing Owl Consortium and The Santa Cruz Predatory Bird Research Group. [online]. Burrowing Owl Consortium Survey Protocol. Available: [www2.ucsc.edu/~scpbrg](http://www2.ucsc.edu/~scpbrg). (2000) May.

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July 17, 2017

Cucamonga Vintners, LLC  
Acco Airport Center III, LLC  
c/o RedRock Development, Inc.  
4340 Von Karman Avenue, Ste. 140  
Newport Beach, CA. 92660

**SUBJECT: Results of a Habitat Suitability Evaluation, ±12.27-acre Site, City of Ontario, San Bernardino County, California**

Ladies and Gentlemen:

This letter report presents findings of a reconnaissance-level survey conducted to generally evaluate the suitability of a ±12.27-acre site to support the federally-listed endangered Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*-herein DSFF).

### **Introduction**

The site is regionally located in the City of Ontario (City), San Bernardino County, California (**Plate 1**). Specifically, the project site is located west of Haven Avenue, north of Mission Avenue, and south of Jurupa Avenue. The site occurs on the "Guasti" USGS 7.5-minute topographic map, Township 1 South, Range 7 West, Section 35 (**Plate 2**). **Plate 3** provides an aerial photograph of the site. Projects proposed in the area that contain potentially suitable habitat to support sensitive biological resources such as the DSFF must demonstrate to reviewing agencies that potential project-related impacts to sensitive biological resources are avoided or minimized. In order to meet the environmental documentation and review requirements, potentially occurring sensitive biological resources must be addressed to demonstrate the applicant's conformance to California Environmental Quality Act (CEQA) and the federal Endangered Species Act (Act) of 1973, as amended. As such, this report is intended to provide biological information to the applicant and reviewing agencies in support of the environmental review process.

As a federally listed endangered species, the DSFF is protected under the Act. As such, federal law prohibits "take" of listed species. The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in any such conduct. In some cases, habitat modification can constitute prohibitive "take". A section 10(a) permit is required for projects where a determination of "take" is likely to occur during a proposed non-federal activity. If the project were to require a federal permit (e.g., USACE 404 permit), the federal agency issuing the permit would consult with the Service to determine how the action may affect the DSFF under Section 7 of the Act.

The Service routinely reviews environmental documentation for proposed development projects in the area, and as such, would recommend that any impacts to sensitive biological resources be adequately addressed and mitigated pursuant to the Act and CEQA. Due to the inherent limitations of unseasonal or habitat-based data, definitive conclusions regarding the actual presence or absence of DSFF cannot be made in this evaluation. Accordingly, this report is intended to provide the applicant with general information relative to the potential occurrence of DSFF based solely on the nature of habitat present.

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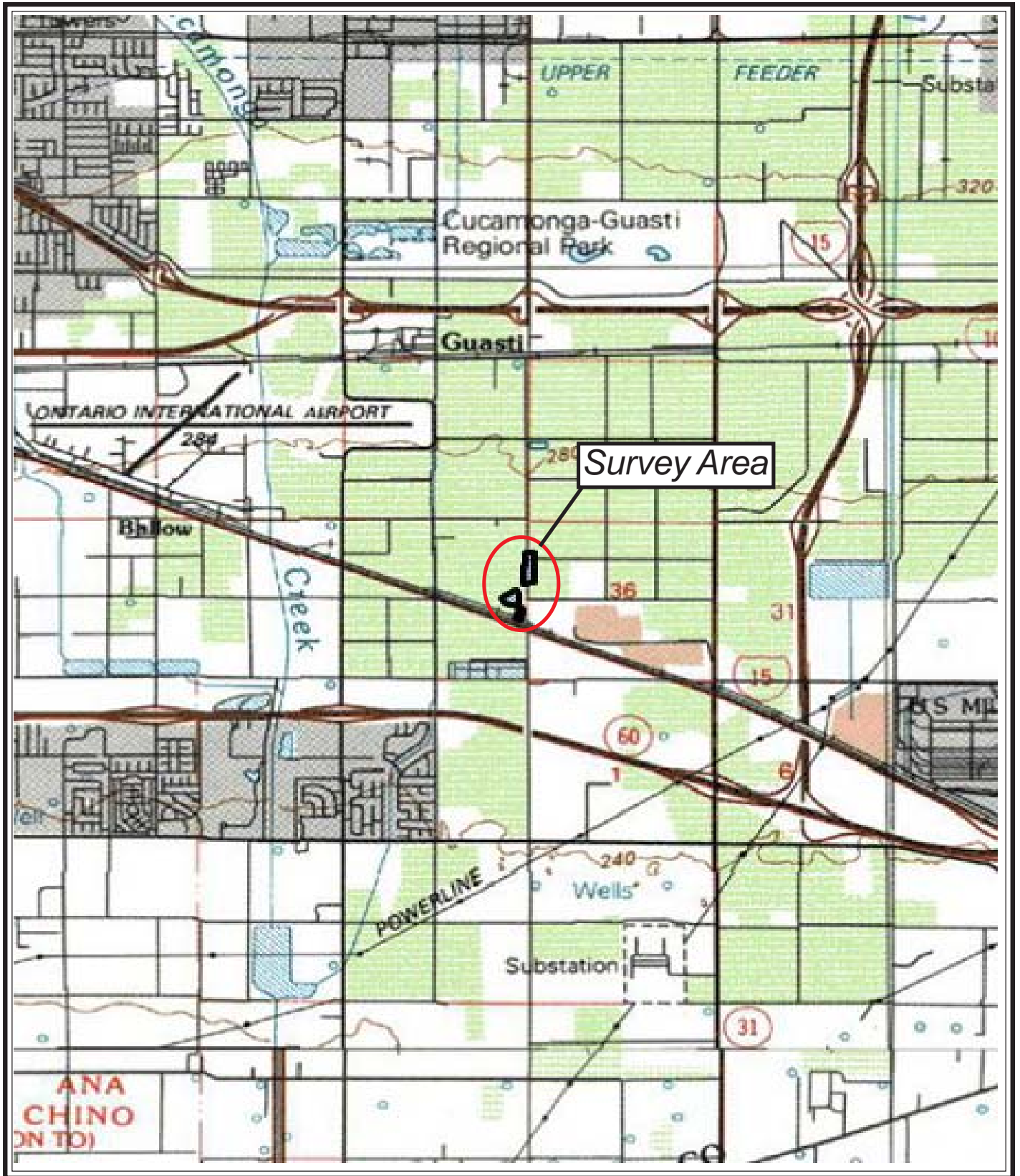


plate 1

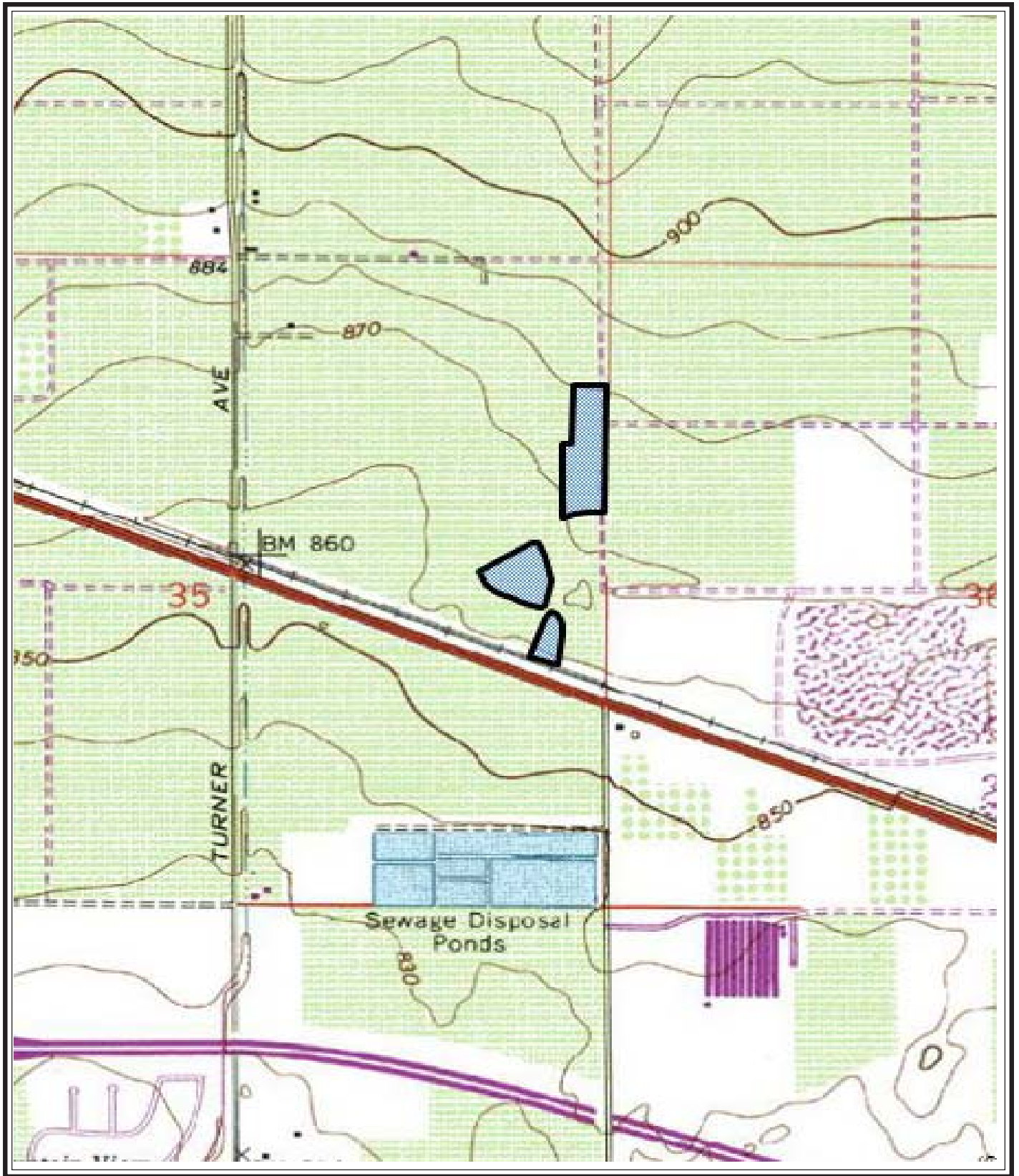
## Regional Site Location

12.27-acre Site



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 = Study Areas

*plate 2*



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## ***USGS Topographic Vicinity Map***

12.27-acre Site



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--- = Study Areas

plate 3

## Aerial Photograph

12.27-acre Site

Item B - 27 of 65

## **Selected Species Overview**

The Service listed the DSFF as an endangered species on September 23, 1993. This species is only known to occur in association with Delhi sand deposits (USFWS 1997), primarily on twelve disjunct sites within a radius of about eight miles in the cities of Colton, Rialto, and Fontana in southwestern San Bernardino and northwestern Riverside counties. However, recent survey data (1997-03) indicates that DSFF occur in low numbers in Ontario, and also in sub-optimal habitat conditions. The DSFF is restricted to the Colton Dunes, which covers approximately 40 square miles. More than 95 percent of the formerly known habitat has been converted to human uses or severely affected by human activities, rendering it apparently unsuitable for occupation by the species (Smith 1993, USFWS 1997 in Kingsley 1996).

## **General Habitat Characteristics**

Areas containing sandy substrates with a sparse cover of perennial shrubs and other vegetation constitute the primary habitat requirements for *Rhaphiomidas* flies (USFWS 1997). Potential habitat for the DSFF is typically defined as areas comprised of sandy soil (Delhi series) in open areas commonly dominated by three indicator plant species: California buckwheat (*Eriogonum fasciculatum*), California croton (*Croton californica*), and telegraph weed (*Heterotheca grandiflora*). Annual bur-sage (*Ambrosia acanthicarpa*), Rancher's fireweed (*Amsinckia menziesii*), autumn vinegar weed (*Lessingia glandulifera*), sapphire eriastrum (*Eriastrum sapphirinum*), primrose (*Oenothera* sp.), and Thurber's buckwheat (*Eriogonum thurberi*) are also commonly present at occupied DSFF sites. In addition, insect indicator species such as *Apiocera* and *Nemomydas* are also typically associated with occupied DSFF habitat. It is also important to note that the presence or absence of indicator species does not determine presence/absence of DSFF. Rather, these indicator species exhibit a strong correlation to habitats occupied by DSFF. A gradient of habitat suitability exists for DSFF, composed of varying degrees of both natural and artificial conditions.

## **Federal DSFF Recovery Units / Core Reserves**

Subregional areas encompassing smaller areas known to be inhabited by the DSFF or encompassing areas that contain restorable habitat for the DSFF have been grouped into three Recovery Units (RUs) by the Service based on geographic proximity, similarity of habitat, and potential genetic exchange (USFWS 1997). The subject site is located within an area designated as the Ontario RU. The Ontario RU historically contained the largest block of the Colton Dunes; however, most lands in this RU have been converted to agriculture, or developed for commercial and residential projects (USFWS 1997). The Ontario RU contains several areas that currently support DSFF, and additional areas have been proposed for restoration in the DSFF Recovery Plan. The occupied and/or potentially restorable habitat in the RUs includes only those areas that, at a minimum, contain Delhi Series soils. Further, RUs do not include residential and commercial development, or areas that have been otherwise permanently altered by human actions (USFWS 1997). DSFF will continue to exist in the Ontario RU only with land conservation, a cessation of current habitat-degrading land management practices and recreational uses, and/or a restoration or natural reversion of ecologically damaged lands back to an ecological community typical of Delhi sands formations.

Potentially suitable habitats remaining in the Ontario RU are highly fragmented, and as such, the establishment of a permanent long-term reserve in this RU is currently unresolved. While many degraded sites are currently unsuitable to support DSFF, DSFF have been recorded on certain properties that have been heavily disturbed in the past (e.g., previously graded and/or scraped sites where a cessation of disturbance-related land uses have occurred such that a degree of natural conditions now occur). Accordingly, DSFF may persist on, or disperse to, certain properties that have not been exposed to recurring and/or recent land disturbances. These previously disturbed properties may be important for future preservation of the species in the region. In addition, individual DSFF have been recorded in areas generally considered unsuitable to support this taxon, and with no apparent connectivity to occupied DSFF habitats.

Additional data will be needed on reproduction and mortality rates, dispersal, and habitat variables before



further refinement of RU boundaries, development of alternative RU preserve designs, and analyses of population can be made (USFWS 1997). Until such data is obtained, the highest priority will be to protect existing populations of the DSFF (USFWS 1997). To achieve downlisting, areas containing occupied and/or restorable habitat and dispersal corridors need to be evaluated relative to the extent of distribution patterns necessary to support secure populations. Sites to be protected should be selected based on habitat needs of adults and larvae, and willingness of landowners to participate in recovery efforts (USFWS 1997). Several “Core Reserve Areas” have been initially identified by the Service, but to our knowledge, the actual extent of the proposed reserve areas has not been finalized.

### ***Focused DSFF Survey Guidelines***

The Service prepared Presence/Absence Survey Guidelines for the DSFF in December 1996 (USFWS 1996), with revisions in April 2004. In general, the guidelines maintain that in order to more fully determine the presence or absence of DSFF such that the results are acceptable to the Service, a survey following these guidelines must be conducted. The guidelines require that surveys be conducted in all areas containing Delhi sands twice weekly (two days per week) during the single annual flight period from July 1 to September 20. However, at the discretion of the Service, survey guidelines may be modified depending upon individual site circumstances (e.g., highly degraded sites that don't support constituent elements of potential DSFF habitat or early seasonal emergence periods). During the environmental review process, recommendations to perform focused DSFF surveys are evaluated by reviewing agencies on a site-by-site basis.

## ***Methodology***

### ***Literature Search***

Documentation pertinent to the biological resources in the vicinity of the site was reviewed and analyzed. Information reviewed included: (1) the Federal Register listing package for the federally listed endangered DSFF; (2) literature pertaining to habitat requirements of DSFF; (3) the California Natural Diversity Data Base (CNDDDB 2017) information regarding sensitive species potentially occurring on the site for the “Guasti” and surrounding USGS 7.5-minute quadrangle maps, and (4) review of available reports from the general vicinity of the project site.

### ***2017 Habitat-Suitability Evaluation***

Ecological Sciences conducted a reconnaissance-level field survey on the subject site to evaluate potential habitat for DSFF on June 14, 2017. The survey was conducted by Scott Cameron; Principal Biologist of Ecological Sciences, Inc. Mr. Cameron holds a current federal permit to conduct focused survey for this species (TE-808642-8). Ecological Sciences biologists have observed numerous DSFF in the field since 1995, and have extensive experience conducting both focused surveys and habitat evaluations for this sensitive taxon. Ecological Sciences is well versed with the biotic characteristics of a range of habitats occupied by DSFF, as well as other sensitive wildlife species potentially occurring in the area. The site was examined on foot by walking a series of meandering transects across the subject property. As mentioned, the primary objective of the one-day field visit was to generally evaluate the site's potential to support DSFF. Dominant plant species and other habitat characteristics present at the site were identified to assess the overall habitat value. Weather conditions included clear skies, 1-5 breezes, and an ambient temperature of 78-84 °F.

## ***Existing Biological Environment***

The study area is characterized as a highly degraded and disturbed site dominated by non-native ruderal plant species (grasses and forbs). The site was historically used for viticulture (grape) cultivation and currently all the vines have been removed and recently disced such that little standing vegetation is present. The most southern parcel has above-ground irrigation infrastructure. Surrounding land uses include only commercial development. **Plates 4a-4b** photographically illustrate existing conditions.





View to south of northern parcel



View to north of northern parcel



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July 2017

*plate* **4a**

**Site Photographs**

12.27-acre Site

Item B - 30 of 65



View to west of central parcel



View to south of southern parcel



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plate **4b**

**Site Photographs**

12.27-acre Site

Item B - 31 of 65



## **Vegetation**

Ruderal plants recorded on site included various non-native grasses and weedy species such as foxtail chess (*Bromus madritensis* spp. *rubens*), ripgut grass (*Bromus diandrus*), Mediterranean grass (*Schismus barbatus*), filaree (*Erodium* spp.), Russian thistle (*Salsola tragus*), pigweed (*Chenopodium album*), short-podded mustard (*Hirschfeldia incana*), golden crownbeard (*Verbesina encelioides*), common sow thistle (*Sonchus oleraceus*), and bur clover (*Medicago polymorpha*). Native plant species recorded included truncated telegraph weed and annual bur-sage. Vegetation coverage was estimated about 80 percent prior to discing.

## **General Soils Analysis / Soil Conservation Map Review**

A review of soil maps prepared for the area by the Natural Resource Conservation Service (NRCS 2017) indicate that the subject site is located entirely within an area mapped as containing Delhi fine sand (Db). However, various long-standing anthropogenic site disturbances have significantly altered the site's surface soil characteristics from those more typical undisturbed Delhi series soils. A general surface soils analysis was conducted due to the close association of DSFF to mostly open, sandy friable soils. Soils were generally friable throughout the study area with some gravel assimilated particularly on the southern parcel.

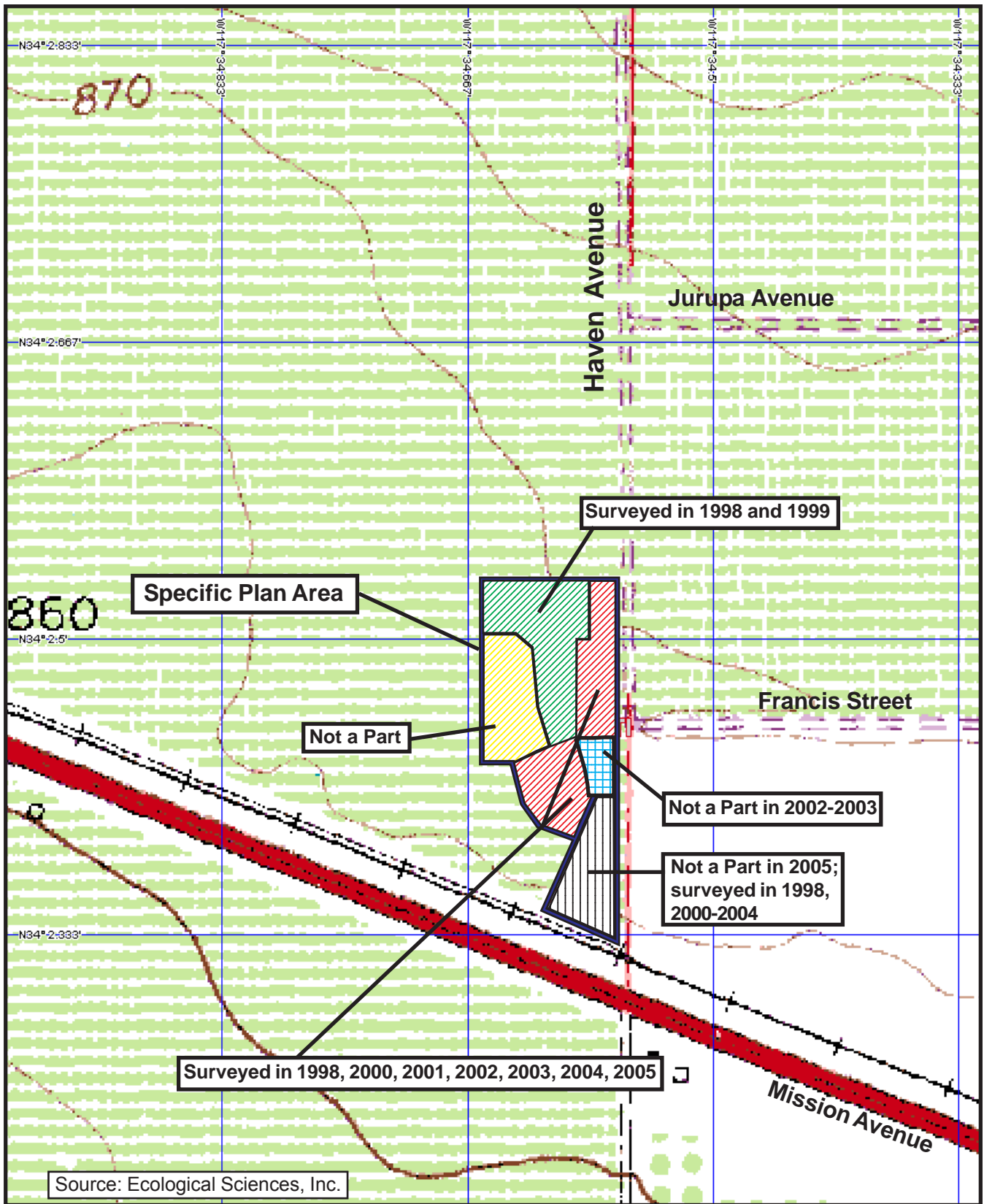
## **Discussion**

DSFF have relatively narrow habitat requirements that are determined by appropriate plant species and open sand as defining characteristics (Kingsley 1996). The presence of Delhi soils appears to be the most determinative factor of whether an area can provide suitable DSFF habitat. Delhi sands constitute the primary component of a complex ecosystem. A variety of microhabitat characteristics generally constitute potential DSFF habitat (e.g., Delhi soils, vegetation composition, soil chemistry, topography, percent vegetative cover, frequency of non-native plant species, exposure to disturbances, etc.). However, it is widely acknowledged that a gradient of habitat suitability exists for DSFF, composed of varying degrees of natural and artificial conditions. Comprehensive DSFF population data is generally lacking and key factors regulating DSFF populations have not been fully identified. As such, whether this taxon would persist over a long-term basis in less than ideal conditions is currently unknown.

While the aforementioned microhabitat conditions are considered optimal/essential to support DSFF, DSFF sometimes occur in areas not typically considered suitable for this taxon. Although individual DSFF have been recorded from sites supporting mostly ruderal, non-native vegetation, most known DSFF-occupied sites contain areas, or are adjacent to areas, of relatively undisturbed exposed patches of friable, sandy soils in association with selected native plant species. History of DSFF colony sites indicates that previously disturbed (by grading, agriculture, etc.) Delhi sands formations may revert over a few years (through erosion, aeolian processes, fossorial animal activity, and natural vegetative succession) back to conditions capable of supporting DSFF populations. However, these natural processes are dependent upon a cessation of disturbance-related land uses, which prevent the natural reestablishment of a more characteristic Delhi sand community (associated with potential DSFF habitat).

There is no apparent connectivity to the subject site from the nearest historically known (to us) DSFF population ( $\pm 1.5$  miles southeast of the site-population now thought extirpated) due to the presence of existing commercial development that entirely surrounds the site. While this species likely has the capability of dispersing over relatively large distances of seemingly unsuitable habitats under certain circumstances, it would be reasonable to assume (based on our current knowledge of the species) that the likelihood of DSFF dispersing to the subject site from the nearest known off-site occupied site would be low despite the fact that variables such as the length, width, and structural characteristics of dispersal corridors are not fully understood. Accordingly, the subject site would not be considered a viable property for preservation or restoration due to its geographic location and surrounding land uses which have fragmented potential DSFF habitat in the area.





July 2017

plate 5

# Site Vicinity Survey Schematic

### **Previous Focused DSFF Surveys Conducted within the Specific Plan Area**

The following summarizes focused DSFF surveys that have been conducted on and adjacent to the 2017 subject study area. **Plate 5** (previous page) illustrates historically where focused DSFF surveys have been conducted on and near the site since 1998.

**1998 Focused DSFF Surveys ( $\pm 40$ -acre area)**- Per agreement between the Service and the landowner (Cucamonga Vintners, LLC) in 1998, the  $\pm 40$  acres of the Acco Airport Center site that had not yet been developed, were surveyed for only one (1) year in 1998, with the results of that survey dictating certain courses of action for the parties. As such, focused DSFF surveys were conducted over  $\pm 40$  acres of the  $\pm 55$ -acre specific plan in 1998. No DSFF or DSFF sign was recorded during the 1998 focused survey effort. Based on the 1998 survey results, nothing further was required of Cucamonga Vintners, LLC. Results of the surveys suggested that the site did not support high quality potential or optimal DSFF habitat, and that the site was not located directly adjacent to areas of known occupied DSFF habitat or high quality potential DSFF habitat.

**1999 Focused DSFF Surveys ( $\pm 13$  acre area)**- Cucamonga Vintners conducted focused DSFF surveys on  $\pm 13$  acres of the remaining undeveloped  $\pm 40$  acres. Results of the surveys conducted in 1999 further suggested that the site did not support high quality potential or optimal DSFF habitat and no DSFF or DSFF sign was recorded during an otherwise productive year for DSFF aboveground activity.

**2000 and 2001 Focused DSFF Surveys ( $\pm 20$ -acre area)**- Cucamonga Vintners conducted focused DSFF surveys on  $\pm 20$  acres of the remaining undeveloped acres in 2000 and 2001. Results of the surveys conducted in 2000 and 2001 further suggested that the site did not support high quality potential or optimal DSFF habitat and no DSFF or DSFF sign was recorded during otherwise productive years for DSFF aboveground activity.

**2002-2005 Focused DSFF Surveys ( $\pm 16$ -acre area)**- Cucamonga Vintners conducted focused DSFF surveys on  $\pm 16$  acres of the remaining undeveloped acres in 2002, 2003, and 2004. Results of the surveys conducted in 2002-2004 further suggested that the site did not support high quality potential or optimal DSFF habitat and no DSFF or DSFF sign was recorded during otherwise productive years for DSFF aboveground activity.

### **Conclusion**

Based on results of the June 2017 habitat suitability evaluation, existing conditions present at the site are not consistent with those known or expected to support DSFF. No exposed natural or semi-natural open areas with unconsolidated wind-worked granitic soils or dunes are present. Exposure to historic and recurring substrate disturbances (e.g., viticulture, discing) have substantial negative effects on potential DSFF habitat and may also prevent potentially suitable DSFF microhabitat soil conditions from developing. Substrate conditions are not consistent with those most often correlated with potential DSFF habitat. Although a few native plant species are present that are often associated with potential DSFF habitat, the context in which these species occur (e.g., scattered within highly disturbed site conditions) does not constitute a native plant community most commonly associated with potential DSFF habitat.

Under current conditions, the site would generally be considered prohibitive to DSFF occupation. The underlying soil environment appears to be the most definitive factor of whether an area could potentially support DSFF. Quality of Delhi soils present within the study area was rated for its potential to support DSFF. The area mapped as Delhi soils was visually inspected and rated based on a scale of 1 to 5, with 5 being the best quality and most suitable habitat in the biologist's judgment:

1. Soils dominated by heavy deposits of alluvial material including coarse sands and gravels with little or no Delhi sands and evidence of soil compaction. *Unsuitable.*



2. Delhi sands are present but the soil characteristics include a predominance of alluvial materials (Tujunga Soils). *Very Low Quality*.
3. Although not clean, sufficient Delhi sands are present to prevent soil compaction. Some sandy soils exposed on the surface due to fossorial animal activity. *Low Quality*.
4. Abundant clean Delhi sands with little or no alluvial material or Tujunga soils present. Moderate abundance of exposed sands on the soil surface. Low vegetative cover. Evidence of moderate degree of fossorial animal activity by vertebrates and invertebrates. *Moderate Quality*
5. Sand dune habitat with clean Delhi sands. High abundance of exposed sands on the soil surface. Low vegetative cover. Evidence (soil surface often gives under foot) of high degree of fossorial animal activity by vertebrates and invertebrates. *High Quality*

Based on the above ratings and existing site conditions, the study area would be considered *Low to Very Low Quality* for DSFF. In view of the site's highly disturbed condition, exposure to recurring surface disturbances, and analyses of correlative habitat information from a wide range (e.g., relatively disturbed to more natural habitats) of occupied DSFF habitats in the region, the ±12.27-acre site does not likely contain habitat suitable to support or sustain a viable DSFF population. Therefore, no impacts to DSFF are expected and no mitigation is required for less than significant impacts under CEQA.

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I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this biological survey, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

Sincerely,

Ecological Sciences, Inc.



Scott D. Cameron  
Principal Biologist



## References

California Natural Diversity Data Base (CNDDB). 2017. Computer Reports for the "Guasti" and surrounding USGS 7.5-minute quadrangle maps.

Kingsley, Kenneth J. 1996. Behavior of the Delhi Sands Flower-Loving Fly (Diptera: Mydidae), a Little Known Endangered Species. *Ann. Entomol. Soc. Am.* 89(6): 883-891.

Natural Resource Conservation Service (NRCS). 2017. Custom Soil Resource Report for San Bernardino County, Southwestern Part, California. U.S. United States Department of Agriculture. NRCS website accessed June 2017.

U.S. Fish and Wildlife Service. 1993. Endangered and Threatened Wildlife and Plants: Determination of Endangered Status for the Delhi Sands Flower-loving Fly. U.S. Department of Interior. *Federal Register*, 58 (183): 49881-49887.

U.S. Fish and Wildlife Service. 1996. Interim General Survey Guidelines for the Delhi Sands Flower-loving Fly. December 30.

U.S. Fish and Wildlife Service. 1997. Delhi sands Flower-loving Fly (*Rhaphiomidas terminatus abdominalis*) Recovery Plan. U.S. Fish and Wildlife Service, Portland, OR. 51 pp.

U.S. Fish and Wildlife Service. 2004. General Survey Guidelines for the Delhi Sands Flower-loving Fly. April 30.



## Attachment 1—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***

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**Meeting Date:** September 6, 2017  
**File No:** PDEV16-035  
**Related Files:** Acco Airport Center Specific Plan (File No. 4351-SP)

**Project Description:** A Development Plan (File No. PDEV16-035) to construct an industrial building totaling 18,600 square feet on 1.43 acres of land located at the southeasterly corner of Excise Avenue and Metro Way, within the Business Park land use district of the Acco Airport Center Specific Plan (APN: 0211-272-14); **submitted by Cucamonga Vintners.**

**Prepared By:** Jeanie Irene Aguilo, Assistant Planner  
Phone: 909.395.2418 (direct)  
Email: jaguilo@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.** 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**     Outdoor Loading and Storage Areas.

**(a)**     Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

**(b)**     Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.



(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) et seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

<b>Screen Wall Height</b>	<b>Minimum Gate Height</b>
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

## **2.7** 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.

## **2.8** 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.

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

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

**2.11** 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).

**2.12** Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with Acco Airport Center Specific Plan (File No. 4351-SP) for which an Environmental Impact Report (SCH#90021134) was previously certified by the City Council on January 19, 1993. 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.

**2.13** 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.

**2.14** 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.



## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development and Environmental], Traffic/Transportation Division,  
Ontario Municipal Utilities Company and Management Services Department conditions incorporated herein)

<input checked="" type="checkbox"/> <b>DEVELOPMENT PLAN</b> <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
<b>PROJECT FILE NO. PDEV16-035</b>  RELATED FILE NO(S). _____	
<input checked="" type="checkbox"/> <b>ORIGINAL</b> <input type="checkbox"/> REVISED: __/__/__	

**CITY PROJECT ENGINEER & PHONE NO:** Manoj Hariya, P.E., Sr. Associate Civil Engineer, (909) 395-2155 *M.B. Hariya 08/28/17*

**CITY PROJECT PLANNER & PHONE NO:** Jeanie Irene Aguilo, Assistant Planner, (909) 395-2418

**DAB MEETING DATE:** 09/06/2017

**PROJECT NAME / DESCRIPTION:** Development plan to construct 1 concrete tilt-up warehouses totaling 18,600 SF on 1.43 acres.

**LOCATION:** South corner of Excise Avenue and Metro Way

**APPLICANT:** Michael Morris, ACCO Airport Center III, LLC 949-433-8568

**REVIEWED BY:** *for* M.B. Hariya 08/28/17  
 Omar Gonzalez, P.E. Date  
 Sr. Associate Civil Engineer

**APPROVED BY:** [Signature] 08/28/17  
 Khoi Do, P.E. Date  
 Assistant City Engineer



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

**1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL:** **Check When Complete**

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:   
\_\_\_\_\_ feet on \_\_\_\_\_  
Property line corner 'cut-back' required at the intersection of \_\_\_\_\_  
and \_\_\_\_\_.
- 1.02 Dedicate to the City of Ontario, the following easement(s): \_\_\_\_\_   
\_\_\_\_\_
- 1.03 Restrict vehicular access to the site as follows: \_\_\_\_\_
- 1.04 Vacate the following street(s) and/or easement(s): \_\_\_\_\_
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) 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&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.   
(1) \_\_\_\_\_  
(2) \_\_\_\_\_
- 1.08 File a Consent and Waiver to Annexation agreement, together with an annexation processing fee, to annex the subject property to a Street Lighting Maintenance Assessment District (SLMD). The agreement and fee shall be submitted a minimum of three (3) months prior to, and the annexation shall be completed, prior to final subdivision map approval or issuance of building permits, whichever occurs first. An annual special assessment shall be levied in the SLMD and will be collected along with annual property taxes. The special assessment will provide funding for costs associated with the annual operation and maintenance of the street lighting facilities and appurtenances that serve the property. Contact Management Services at (909) 395-2124 regarding this requirement.
- 1.09 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 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 Management Services at (909) 395-2353 to initiate the CFD application process.

- 1.10 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).
- 1.11 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 PM 14860-4 which was recorded on 03/17/2004 with County of San Bernardino.**
- 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 in addition to maintenance requirements established in the Water Quality Management Plan ( WQMP), as applicable to the project.**
- 2.07 **Submit a soils/geology report.**
- 2.08 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: \_\_\_\_\_

2.09 Dedicate to the City of Ontario the right-of-way described below:

\_\_\_\_\_ feet on \_\_\_\_\_

Property line corner 'cut-back' required at the intersection of \_\_\_\_\_  
 and \_\_\_\_\_.

2.10 Dedicate to the City of Ontario the following easement(s): \_\_\_\_\_

\_\_\_\_\_

2.11 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).

2.12 **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.**

2.13 **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.**

2.14 **Pay all Development Impact Fees (DIF) to the Building Department.**

2.15 **Other conditions:**

1. **The developer shall reserve a reciprocal access and parking easement across the project's site (driveways, parking isles and parking area) for the benefit of all the affected parcels.**
2. **The developer shall reserve the cross lot drainage easement across the project's site for the benefit of the adjacent parcels.**



**B. PUBLIC IMPROVEMENTS**

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

- 2.16 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	Excise Ave	Francis St.		
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement (see 2.34)	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
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"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace
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 (see 2.34)	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input checked="" 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	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<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
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" 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
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input checked="" 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) (see 2.34)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input checked="" 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 type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation
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. 2G)	<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
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
Fiber Optic Conduits (see Sec. 2.K)	<input checked="" type="checkbox"/> New	<input type="checkbox"/> New	<input type="checkbox"/> New	_____ _____ _____
Other Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____

Specific notes for improvements listed in item no. 2.15, above: \_\_\_\_\_

- 2.17 Construct a 0.15' asphalt concrete (AC) grind and overlay on the following street(s): \_\_\_\_\_
- 2.18 Reconstruct the full pavement structural section based on existing pavement condition and approved street section design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. 'Pothole' verification of existing pavement section required prior to acceptance/approval of street improvement plan.





- 2.19 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.
- 2.20 Other conditions: \_\_\_\_\_

**C. SEWER**

- 2.21 **A 12 inch sewer main is available for connection by this project along south boundary of project (Ref: Sewer plan bar code: S10127).**
- 2.22 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.23 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.
- 2.24 Other conditions: \_\_\_\_\_

**D. WATER**

- 2.25 **A 10 inch water main is available for connection by this project in Excise Avenue (Ref: Water plan bar code: W12809)**
- 2.26 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.27 **Other conditions: The Applicant/Developer shall be responsible to upgrade the existing fire Hydrant with break off check valve per the current City approved Standard Drawing 4101 along the project frontage and adjacent to the project driveway.**

**E. RECYCLED WATER**

- 2.28 **A 8 inch recycled water main will be available for connection by this project on Excise Avenue.**
- 2.29 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.30 **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. Applicant shall be responsible for construction of a connection to the recycled water main for approved uses, when the main becomes available. The cost for connection to the main shall be borne solely by Applicant.**
- 2.31 **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) 395-2687 regarding this requirement.**
- 2.32 **Other conditions: The applicant/developer shall design and construct an 8" recycled water line**



on Francis St. from Haven to Excise, then south on Excise to Metroway, and connect to the existing recycled water line at Haven & Francis (Ref: Recycled Water plan bar code:P10126).

#### F. TRAFFIC / TRANSPORTATION

- 2.33 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
- 2.34 Other conditions:
1. The Applicant/Developer shall be responsible to replace the existing street light fixtures with the current City approved LED equivalent fixtures along the project frontage and adjacent to the project driveway. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 Street Light Plans.
  2. The project frontages of Metroway, and Excise Avenue shall be signed "No Parking Anytime".
  3. The Applicant/Developer shall be responsible to design and construct all improvements necessary to provide for dual eastbound and westbound left-turn pockets at the Haven Avenue/Francis Street intersection, including street improvements, signing and striping improvements, and traffic signal detection, to the satisfaction of the City Engineer. The City, through fees previously collected, will reimburse 50 percent of the construction costs, up to \$45,000 (the preliminary opinion of cost for the aforementioned improvements is approximately \$90,000.) The difference shall be the collective responsibility of PDEVs 16-033, 034, and 035.

#### G. DRAINAGE / HYDROLOGY

- 2.35 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.
- 2.36 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 storm event post-development peak flows from the site shall not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.37 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.
- 2.38 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.
- 2.39 Pay Storm Drain Development Impact Fee, approximately \$32,000, Fee shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
- 2.40 Other conditions: A 36 inch storm drain main is available for connection by this project along south boundary of project (Ref: Storm Drain plan bar code: D10379).



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

- 2.41 401 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.
- 2.42 **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.sbcountry.gov/dpw/land/npdes.asp>.**
- 2.43 Other conditions: \_\_\_\_\_

**J. SPECIAL DISTRICTS**

- 2.44 File a Consent and Waiver to Annexation agreement, together with an annexation processing fee, to annex the subject property to a Street Lighting Maintenance Assessment District (SLMD). The agreement and fee shall be submitted three (3) months prior to, and the annexation shall be completed prior to, final subdivision map approval or issuance of building permits, whichever occurs first. An annual special assessment shall be levied in the SLMD and will be collected along with annual property taxes. The special assessment will provide funding for costs associated with the annual operation and maintenance of the street lighting facilities and appurtenances that serve the property. Contact the Management Services Department at (909) 395-2124, regarding this requirement.
- 2.45 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

- 2.46 **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. See Fiber Optic Exhibit herein.**
- 2.47 **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**

- 2.48 **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>**
- 2.49 Other conditions: \_\_\_\_\_ 2.49 \_\_\_\_\_



**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 benchmark 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.).



**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

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**Project Number: PDEV16-035**

**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 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.**
16.  **Two (2) copies of Water Quality Management Plan (WQMP)**
17.  **One (1) copy of Hydrology/Drainage study**
18.  **One (1) copy of Soils/Geology report**
19.  Payment for Final Map/Parcel Map processing fee
20.  Three (3) copies of Final Map/Parcel Map
21.  One (1) copy of approved Tentative Map
22.  One (1) copy of Preliminary Title Report (current within 30 days)
23.  One (1) copy of Traverse Closure Calculations



24.  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.
25.  **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
26.  Other: \_\_\_\_\_

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV16-035  
 Address: SEC Excise Ave & Metro Way  
 APN: 0211-272-14  
 Existing Land Use: Vacant  
 Proposed Land Use: 18,600 SF Industrial Building  
 Site Acreage: 1.43 Proposed Structure Height: 32 ft  
 ONT-IAC Project Review: n/a  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Jeanie Aguilo  
 Date: 8/17/16  
 CD No.: 2016-052  
 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 checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 FT +	
<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: Otto Kroutil, Development Director  
Scott Murphy, Planning Director (Copy of Memo only)  
Cathy Wahlstrom, Principal Planner (Copy of memo only)  
Charity Hernandez, Economic Development  
Kevin Shear, Building Official  
Khoi Do, Assistant City Engineer  
Carolyn Bell, Landscape Planning Division  
Sheldon Yu, Municipal Utility Company  
Doug Sorel, Police Department  
Art Andres, Deputy Fire Chief/Fire Marshal  
Tom Danna, T. E., Traffic/Transportation Manager  
Lorena Mejia, Associate Planner, Airport Planning  
Steve Wilson, Engineering/NPDES  
Bob Gluck, Code Enforcement Director  
Jimmy Chang, IT Department  
David Simpson, Development/IT (Copy of memo only)

FROM: Jeanie Aguilo,

DATE: July 26, 2016

SUBJECT: FILE #: PDEV16-035

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 **Tuesday, August 9, 2016**.

- 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 Development Plan to construct 1 industrial building totaling 18,600 square feet on approximately 1.43 acres of land located at the south corner of Excise Avenue and Metro Way, within the Business Park land use district of the ACCO Airport Center Specific Plan (APN(s): [0211-272-14]).

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.

Airport Planning      Lorena Mejia      Associate Planner      8/17/16  
Department      Signature      Title      Date

CD: 2016-052





# CITY OF ONTARIO

## MEMORANDUM

TO: "Vacant" , Development Director  
Scott Murphy, Planning Director ( Copy of memo only)  
Cathy Wahlstrom, Principal Planner (Copy of memo only)  
Charity Hernandez, Economic Development  
Kevin Shear, Building Official  
Khoi Do, Assistant City Engineer  
**Carolyn Bell, Landscape Planning Division**  
Sheldon Yu, Municipal Utility Company  
Doug Sorel, Police Department  
Art Andres, Deputy Fire Chief/Fire Marshal  
Tom Danna, T. E., Traffic/Transportation Manager  
Lorena Mejia, Associate Planner, Airport Planning  
Steve Wilson, Engineering/NPDES  
Bob Gluck, Code Enforcement Director  
Jimmy Chang , IT Department  
David Simpson , Development/IT ( Copy of memo only)

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: February 06, 2017

REVISION NO. 2

SUBJECT: FILE #: PDEV16-035 Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, February 20, 2017**.

**PROJECT DESCRIPTION:** A Development Plan to construct an industrial building totaling 18,600 square feet on approximately 1.43 acres of land located at the south corner of Excise Avenue and Metro Way, within, the Business Park land use district of the ACCO Airport Center Specific Plan (APN: 0211-272-14).

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

- No comments
- See previous report for Conditions
- 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.

2/6/17

Landscape Planning Carolyn Bell S. Landscape Architect  
Department Signature Title Date

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

<b>CONDITIONS OF APPROVAL</b>	
<b>Sign Off</b>	
	2/8/17
Carolyn Bell, Sr. Landscape Planner	Date

Reviewer's Name: <b>Carolyn Bell, Sr. Landscape Planner</b>	Phone: <b>(909) 395-2237</b>
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D.A.B. File No.: PDEV16-035 Rev 2	Case Planner: Jeanie Aquilo
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Project Name and Location: ACCO Business Park South corner of Excise and Metro Way
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Applicant/Representative: GAA Architects – Roger Deitos 8811 Research Drive suite 200 Irvine, CA 92618
---

<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan (dated 2/6/17) 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.</b>
<input type="checkbox"/>	<b>A Preliminary Landscape Plan (dated ) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>

**CORRECTIONS REQUIRED**

Civil Plans

- Show backflows and DCDA dimensioned with a 5' set back from paving for landscape screening. Show on level grade, adjust basin or swale locations. Move away from corner landscape
- Dimension basins and swales to be no greater than 50% of the on-site landscape area to allow for ornamental landscape. Provide a level grade minimum 4' from pedestrian paving for safety and min 5' along parking lots for hedge row and trees. Landscaped basins should be no greater than 3:1 slopes. Consider a shallow basin depth with engineered soil fill that has a 30% porosity.
- Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
- Note on grading plans: 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.
- Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs (or 6" curb plus 12" of DG paving) where parking spaces are adjacent to planters.

Landscape Plans

- Provide a tree inventory (along north and south PL) 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. Limit mow strips within 5' of trees.
- Show large accent trees at driveways or entry areas where space allows.
- Show all utilities on landscape plan. Coordinate with civil so utilities are clear of tree locations.
- Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
- 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. Typical fees are:
 

Plan Check—5 or more acres .....	\$2,326.00
Plan Check—less than 5 acres .....	\$1,301.00
Inspection—Construction (up to 3 inspections) .....	\$278.00
Inspection—Field - additional.....	\$83.00

Once items are complete you may email an electronic set to: [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Aguilo, Associate Planner  
Planning Department

**FROM:** Adam A. Panos, Fire Protection Analyst  
Fire Department

**DATE:** August 17, 2016

**SUBJECT:** PDEV16-035 / A Development Plan to construct an industrial building totaling 18,600 square feet on approximately 1.43 acres of land located at the south corner of Excise Avenue and Metro Way, within, the Business Park land use district of the ACCO Airport Center Specific Plan (APN: 0211-272-14).

- 
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
  - Standard Conditions of Approval apply, as stated below.
- The plan **does NOT** adequately address Fire Department requirements.
- The comments contained in the attached report must be met prior to scheduling for Development Advisory Board.

---

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

- A. 2013 CBC Type of Construction: III B Concrete tilt-up
- B. Type of Roof Materials: Wood non rated
- C. Ground Floor Area(s): 18,600 sq. ft.
- D. Number of Stories: 1 story
- E. Total Square Footage: 18,600 sq. ft.
- F. 2013 CBC Occupancy Classification(s): B, F-1, S-1

## **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](http://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 (20) 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.

### **3.0 WATER SUPPLY**

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2013 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 3 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.
- 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- 3.4 The public 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 locations(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 13. 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 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- 4.5 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. 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.
- 4.6 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.
- 4.7 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA)

Standards 17A and 96. 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.

- 4.8 Hose valves with two and one half inch (2 ½”) connections will be required on the roof, in locations acceptable to the Fire Department. These hose valves shall be take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.
- 4.9 Due to inaccessible rail spur areas, two and one half inch 2-1/2” fire hose connections shall be provided in these areas. These hose valves shall be take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.

## **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 9-1.3280 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 9-1.3280 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.
- 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.
- 5.8 The building shall be provided with a Public Safety 800 MHZ radio amplification system per the Ontario Municipal Code Section 4-11.09 (n) and the CFC. The design and installation shall be approved by the Fire Department.

## 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

NONE

<END.>



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Aguilo, Planning Department

**FROM:** Douglas Sorel, Police Department

**DATE:** August 17, 2016

**SUBJECT:** PDEV16-035– A DEVELOPMENT PLAN TO CONSTRUCT A INDUSTRIAL BUILDING AT THE SOUTH CORNER OF EXCISE AVENUE AND METRO WAY

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The “Standard Conditions of Approval” contained in Resolution No. 2010-021 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided operate on photosensor. 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.
- Rooftop addresses shall be installed on the building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to call Douglas Sorel at (909) 395-2873 regarding any questions or concerns.





# CITY OF ONTARIO

## MEMORANDUM

TO: Otto Kroutil, Development Director  
Scott Murphy, Planning Director (Copy of Memo only)  
Cathy Wahlstrom, Principal Planner (Copy of memo only)  
Charity Hernandez, Economic Development  
Kevin Shear, Building Official  
Khoi Do, Assistant City Engineer  
Carolyn Bell, Landscape Planning Division  
Sheldon Yu, Municipal Utility Company  
Doug Sorel, Police Department  
Art Andres, Deputy Fire Chief/Fire Marshal  
Tom Danna, T. E., Traffic/Transportation Manager  
Lorena Mejia, Associate Planner, Airport Planning  
Steve Wilson, Engineering/NPDES  
**Bob Gluck, Code Enforcement Director**  
Jimmy Chang, IT Department  
David Simpson, Development/IT (Copy of memo only)

FROM: Jeanie Aguilo,

DATE: July 26, 2016

SUBJECT: FILE #: PDEV16-035

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 **Tuesday, August 9, 2016**.

- 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 Development Plan to construct 1 industrial building totaling 18,600 square feet on approximately 1.43 acres of land located at the south corner of Excise Avenue and Metro Way, within the Business Park land use district of the ACCO Airport Center Specific Plan (APN(s): [0211-272-14]).

- 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.

Code                      Joe Alvar                      Supervisor                      8-876  
Department                      Signature                      Title                      Date

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Jeanie Aguilo  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** July 29, 2016  
**SUBJECT:** PDEV16-035

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

KS:lm



# Development Advisory Board Decision

September 6, 2017

**DECISION NO.:** [insert #]

**FILE NO.:** PVAR17-003

**DESCRIPTION:** A Variance request (File No. PVAR17-003) to deviate from the minimum parking street setback, along Euclid Avenue, from 20 to 9 feet, and to reduce the required parking from 42 to 40 spaces, for property located at the northwest corner of Francis Street and Euclid Avenue, within the CN (Neighborhood Commercial) zoning district and the EA (Euclid Avenue) Overlay district. APNs: 1050-281-01, 1050-281-02 and 1050-281-03; **submitted by Clarkson Properties LP.**

## **Part I—BACKGROUND & ANALYSIS**

CLARKSON PROPERTIES LP, (herein after referred to as “Applicant”) has filed an application requesting Variance approval, File No. PVAR17-003, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is located at the northwest corner of Francis Street and Euclid Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Commercial Building & Vacant Land	NC (Neighborhood Commercial)	CN (Neighborhood Commercial)/EA (Euclid Avenue Overlay)	N/A
<i>North:</i>	Gas Station	NC (Neighborhood Commercial)	CN (Neighborhood Commercial)	N/A
<i>South:</i>	Cardenas Market Shopping Center	MU (Mixed Use)	MU-11 (Euclid/Francis Mixed Use)	N/A
<i>East:</i>	Office/Commercial Buildings	NC (Neighborhood Commercial)	CN (Neighborhood Commercial)	N/A
<i>West:</i>	Single Family Residential Home	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A

(2) **Project Description:** A Variance request (File No. PVAR17-003) to deviate from the minimum parking street setback, along Euclid Avenue, from 20 to 9 feet, and to reduce the required parking from 42 to 40 spaces, for property located at the northwest corner of Francis Street and Euclid Avenue. The Variance application will facilitate the related Development Plan (File No. PDEV17-008) to construct a 10,487 square foot commercial building.

(3) **Variance:** In conjunction with the Variance application, the applicant, Clarkson Properties, has submitted a Development Plan application for the construct a 10,487 square foot multi-tenant commercial building on the project site. The Variance request to deviate from the minimum parking street setback, along Euclid Avenue, from 20 to 9 feet, and to reduce the required parking from 42 to 40 spaces are necessary to facilitate the proposed Development Plan.

The 0.88 acre project site is narrow in depth, with a lot dimension of 145-feet by 265-feet. The subject property is bounded by Maple Street to the north, Euclid Avenue to the east and Francis Street to the south. To the west, the project site is bounded by single family residential development and a SCE (Southern California Edison) utility easement.

The narrow depth of the site and the three frontages that bound the site to the north, south and east poses a physical hardship inconsistent with the objectives of the development regulations contained in the Development Code. In order to lessen the potential impacts to the residential properties to the west, provide for viable retail/commercial suites (depth of the building suites) and safe and effective site circulation, the Variance requests are needed. Because the site is bounded by residential development to west, staff worked closely with the applicant to ensure that the residential uses were not going to be impacted by the proposed development. Impacts typically associated with parking lots, such as loitering, noise, lighting and truck deliveries. Therefore, the proposed multi-tenant building was sited with the rear of the building setback 11 feet from western property line (adjacent to residential) and the front of the building, parking lot and circulation drive facing east towards Euclid Avenue. Euclid Avenue is a major north to south arterial and therefore access into the project site from Euclid Avenue is not permitted. As a result, access into the site was limited to Maple Street and Francis Street. However, for safety concerns and to meet the Traffic Engineering Department's corner clearance standards from intersections, the driveways at Maple Street and Francis Street were required to be pushed west more than a 100 feet from Euclid Avenue to the western boundaries of the site. This resulted in a circulation drive that extends from the north and south sides of the proposed building looping east and transitions north to south along the front of the building (**See Exhibit B—Site Plan and Conceptual Landscape Plan**). To provide for a minimum drive aisle of 24 feet (for two way traffic and fire services) and standard parking stalls along the east and west sides of the drive aisle, the parking setback deviation from 20 feet to 9 feet along Euclid Avenue and the loss of two parking spaces (to meet corner sight distance requirements) were needed based on the site constraints as stated above. 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 the Development Code.

The proposed parking setback of 9 feet will be landscaped with accent trees, shrubs and groundcover. In addition, there is an existing 13-foot wide landscaped parkway and a 6-foot wide sidewalk along the Euclid Avenue frontage.

Staff believes that the Variance request is consistent with The Ontario Plan (TOP) Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances in order to achieve the Vision of providing land use flexibility and design for all sectors of our community.

#### **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

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 (“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, a Variance application (File No. PVAR17-003) to deviate from the minimum parking street setback, along Euclid Avenue, from 20 feet to 9 feet, has been filed in conjunction with a Development Plan application (File No. PDEV17-008) to construct 10,487 square foot commercial building and a Certificate of Appropriateness (File No. PHP17-014) for the construction of the commercial building; 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 September 6, 2017, 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 15305 (Class 5, Minor Alterations in Land Use Limitations) of the CEQA Guidelines; and

(2) The project is also 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

(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 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: Ontario International 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. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), 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 specific findings set forth in Sections 1 through 4, 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.*** The 0.88 acre project site is narrow in depth, with a lot dimension of 145-feet by 265-feet. The subject property is bounded by Maple Street to the north, Euclid Avenue to the east and Francis Street to the south. To the west the project site is bounded by single family residential development and a SCE (Southern California Edison) utility easement. The narrow depth of the site and the three frontages that bound the site to the north, south and east poses a physical hardship inconsistent with the objectives of the development regulations contained of the Development Code. In order to lessen the potential impacts to the residential properties to the north, provide for viable retail/commercial suites (depth of the building suites) and safe and effective site circulation, the Variance requests are needed. Because the site is bounded by residential development to west, staff worked closely with the applicant to ensure that the residential uses were not going to be impacted by the proposed development. Impacts typically associated with parking lots, such as loitering, noise, lighting and truck deliveries. Therefore, the proposed multi-tenant building was sited with the rear of the building setback 11 feet from western property line (adjacent to residential) and the front of the building, parking lot and circulation drive facing east towards Euclid Avenue. Euclid Avenue is a major north to south arterial and therefore access into the project site from Euclid Avenue is not permitted. As a result, access into the site was limited to Maple Street and Francis Street. However, for safety concerns and to meet the Traffic Engineering Department’s corner clearance standards from intersections, the driveways at Maple Street

and Francis Street were required to be pushed west more than a 100 feet from Euclid Avenue to the western boundaries of the site. This resulted in a circulation drive that extends from the north and south sides of the proposed building looping east and transitions north to south along the front of the building. To provide for a minimum drive aisle of 24 feet (for two way traffic and fire services) and standard parking stalls along the east and west sides of the drive aisle, the parking setback deviation from 20 feet to 9 feet along Euclid Avenue and the loss of two parking spaces (to meet corner sight distance requirements) were needed based on the site constraints as stated above. 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.

(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.*** The narrow depth of the site and the three frontages that bound the site to the north, south and east poses a physical hardship inconsistent with the objectives of the development regulations contained in this Development Code. Other properties along Euclid Avenue within the CN (Neighborhood Commercial) zoning district are not restricted by a narrow lot depth or bounded by residential development and three streets. Therefore, are exceptional and extraordinary circumstances, conditions applicable to the property involved that do not apply generally to other properties in the vicinity and in the same zoning district.

(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 deviation from the minimum parking setback, along Euclid Avenue, from 20 feet to 9 feet and the reduction of two parking spaces will allow for greater design flexibility and will serve to equalize development rights between the applicant and property owners within the same zoning district. In addition, very few properties within the same CN (Neighborhood Commercial) zoning district are bound by three streets, residential development and have restricted access from Euclid Avenue. The setback deviation from 20 feet to 9 feet and the reduction of two parking spaces will provide for viable retail/commercial suites (depth of the building suites) and safe and effective site circulation and substantial improvement of the existing site and therefore 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; and

(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 incorporation of certain architectural design elements on building exteriors, intensified landscape elements, and decorative paving and 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; and

(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 this Development Code.*** The proposed Project is located with the NC (Neighborhood Commercial) land use district of the Policy Plan Land Use Map, and the CN (Neighborhood Commercial) zoning district. 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. The Ontario Plan (TOP) Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances in order to achieve the Vision, such as the proposed Variances.

**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 APPROVES 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.

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APPROVED AND ADOPTED this 6<sup>TH</sup> day of September 2017.

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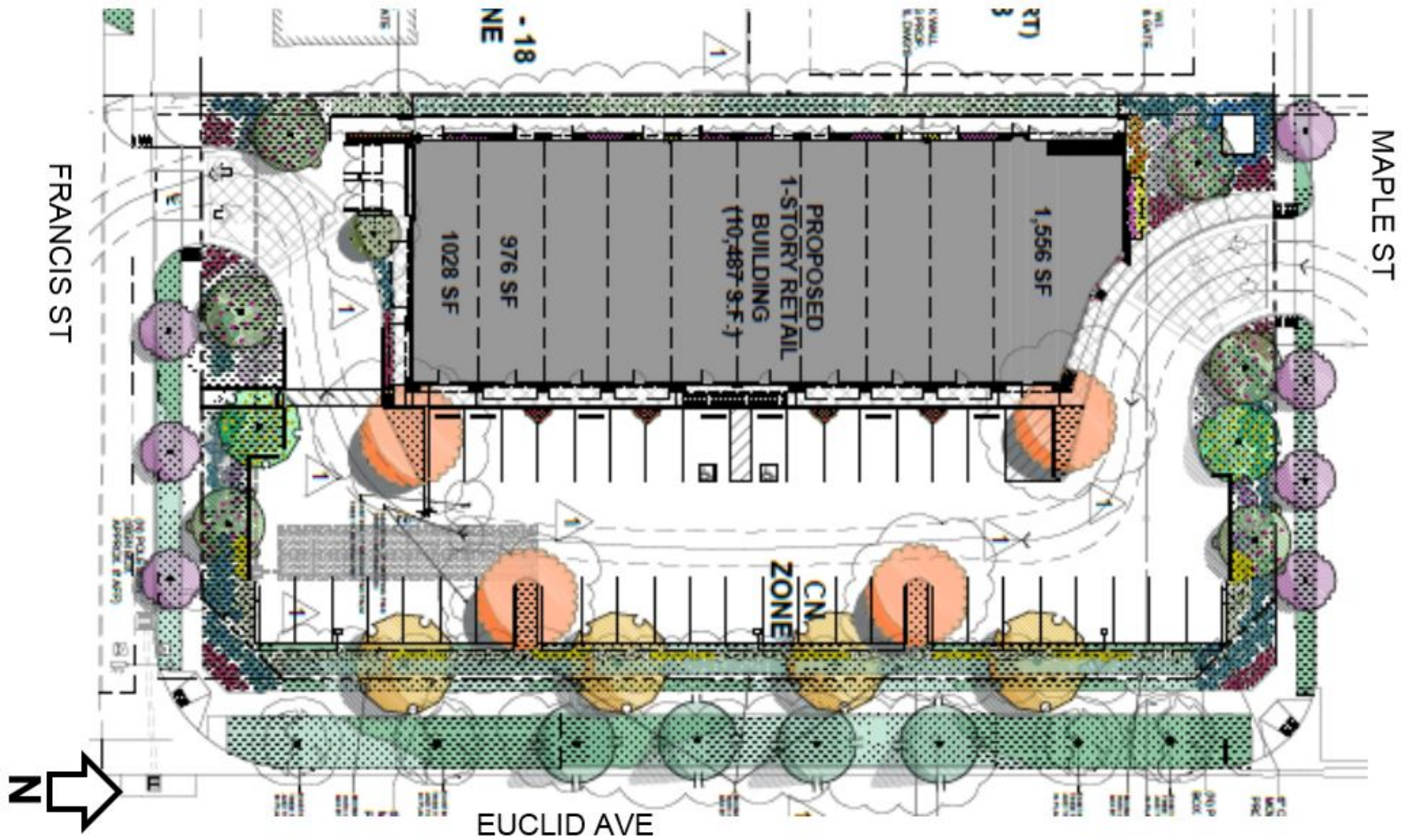
Development Advisory Board Chairman



**Exhibit A—PROJECT LOCATION MAP**



Exhibit B—SITE PLAN & CONCEPTUAL LANDSCAPE PLAN



## Attachment 1—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:** September 6, 2017

**File No:** PVAR17-003

**Related Files:** PDEV17-008

**Project Description:** A Variance request (File No. PVAR17-003) to deviate from the minimum parking street setback, along Euclid Avenue, from 20 to 9 feet, and to reduce the required parking from 42 to 40 spaces, for property located at the northwest corner of Francis Street and Euclid Avenue, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay district. (APN(s): 1050-281-01, 1050-281-02 and 1050-281-03); **submitted by Clarkson Properties, LP.**

**Prepared By:** Denny D. Chen  
Phone: 909.395.2424 (direct)  
Email: dchen@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, 2010. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

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

**2.1** 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.

**(d)** The project is contingent upon Planning Commission approval of the related Development Plan (File No. PDEV17-008) and Variance application (File No. PVAR17-003). All applicable Conditions of Approval of the related applications shall apply to the Variance application.

**2.3** 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.



# Development Advisory Board Decision

September 6, 2017

**DECISION NO.:** [insert #]

**FILE NO.:** PDEV17-008

**DESCRIPTION:** A Development Plan (File No. PDEV17-008) to construct a 10,487 square foot commercial building on 0.88 acres of land for property located at the northwest corner of Francis Street and Euclid Avenue, within the CN (Neighborhood Commercial) zoning district and the EA (Euclid Avenue) Overlay district. APNs: 1050-281-01, 1050-281-02 and 1050-281-03; **submitted by Clarkson Properties LP.**

## **Part I—BACKGROUND & ANALYSIS**

CLARKSON PROPERTIES LP, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV17-008, 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 0.88 acres of land located at the northwest corner of Francis Street and Euclid Avenue, and is bounded by Maple Street to the north, Francis Street to the south, and Euclid Avenue to the east, as depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Commercial Building & Vacant Land	CN (Neighborhood Commercial)	NC (Neighborhood Commercial)/EA (Euclid Avenue Overlay)	N/A
<i>North:</i>	Gas Station	CN (Neighborhood Commercial)	NC (Neighborhood Commercial)	N/A
<i>South:</i>	Cardenas Market Shopping Center	MU (Mixed Use)	MU-11 (Euclid/Francis Mixed Use)	N/A
<i>East:</i>	Office/Commercial Buildings	CN (Neighborhood Commercial)	NC (Neighborhood Commercial)	N/A
<i>West:</i>	Single Family Residential Home	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential)	N/A

(2) **Project Description:** A Development Plan to construct a 10,487 square foot multi-tenant commercial building on 0.88 acres of partially developed land. The site has an existing 3,210 square foot commercial building, which will be demolished to allow for the construction of the new multi-tenant commercial building. The current building has a variety of tenants, such as a seafood restaurant, bike repair shop, and a barber shop.

(3) The proposed building will be located along the western portion of the site, with vehicular access from Maple Street to the north and Francis Street on the south. The proposed floor plan includes ten potential tenant spaces, ranging in size from 976 to 1,556 square feet.

The building will provide a 37-foot building setback along the north property line (Maple Street), 52-feet along the south property line (Francis Street), 73-feet along the east (Euclid Avenue) property line, and 11-feet along the west property line. Landscaping will be provided on all four sides of the building. The proposed landscaping will include a variety of canopy/shade and accent trees such as Western Sycamore, Valley Oak, Chinese Pistache, Strawberry tree, and Desert Willow. Also, low, medium, and high shrubs in the form of Red Yucca, Native Yarrow, Foothill Hummingbird Sage, Dwarf Rosemary, Orchid Rockrose, and Long Leafed Yellowwood will be planted along the building's east elevation to screen the parking lot area. Additionally, the existing Silk Oak Trees along the Euclid Avenue's parkway will remain and be protected in place.

Vehicular access will be provided by two proposed driveways at the northwest corner of site from Maple Street and southwest corner of the site from Francis Street. Decorative color paving will be provided at each driveway entry, as well as along the pedestrian walkways around the building's north, east, and south elevations. Parking will be located in front of the building along the east side of the building.

The Development Code requires that the multi-tenant building provide a minimum of 42 parking spaces. However, due to the site's configuration and design constraints, 40 parking spaces will be provided. In conjunction with the Development Plan Application, a Variance application has been submitted requesting to deviate from the minimum parking street setback, along Euclid Avenue, from 20 to 9 feet, and to reduce the required parking from 42 to 40 spaces. The proposed Development Plan is contingent upon Planning Commission approval of the related Variance application (File No. PVAR17-003).

The proposed 10,487 square foot, multi-tenant commercial building has been designed in Contemporary Architectural Style that will feature the following:

- An articulated roof line with several tower elements at different heights.
- Incorporation of decorative corbels along the top of the tower to enhance the tower elements.
- Metal canopies and decorative metal awnings above all storefronts.
- Extensive use of clear glass and clear anodized aluminum along all ten storefront entries.
- Use of decorative sconce and gooseneck lighting fixtures to add interest to the building.
- Incorporation of pre-cast concrete planters at key storefront locations.
- Metal vine trellises along the store front.
- Incorporation of stone veneer and travertine tile along the building's elevations, and
- Incorporation of several wall colors to add interest.

## **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

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 ("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, a Development Plan application (File No. PDEV17-008) to construct 10,487 square foot commercial building; and

WHEREAS, a Variance application (File No. PVAR17-003) to deviate from the minimum building arterial street setback, along Euclid Avenue, from 20 feet to 9 feet, and a Certificate of Appropriateness (File No. PHP17-014) for the construction of the commercial building has been filed in conjunction with the Development Plan application; 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 September 6, 2017, 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 15305 (Class 5, Minor Alterations of Land Use Limitations) of the CEQA Guidelines, which consists of Class 5; and 15332 (Class 32, In Fill Development Projects) of the CEQA Guidelines; and

(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: Ontario International 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. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land Use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), 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 specific findings 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 NC (Neighborhood Commercial) land use district of the Policy Plan Land Use Map, and within the CN (Neighborhood Commercial) zoning district and the EA (Euclid Avenue) Overlay district. 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. The project will meet the Community Economics Element and also the Community Design Elements of the Ontario Plan. It will also create a unique, high quality, and attractive design and ensure that the building materials are appropriate for the architectural style; 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 the CN (Neighborhood Commercial) zoning district, including standards relative to the particular land use, 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. A Variance (File No. PVAR17-003) has been filed to deviate from the minimum parking street setback, along Euclid Avenue, from 20 to 9 feet, and to reduce the required parking from 42 to 40 spaces. If the Variance request is approved, the

project will comply with all the Development Code requirements for the CN (Neighborhood Commercial) zone; 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 Development Code 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

(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 Development Code 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 proposed development. 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 Development Code.

**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 APPROVES 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.

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APPROVED AND ADOPTED this 6<sup>TH</sup> day of September 2017.

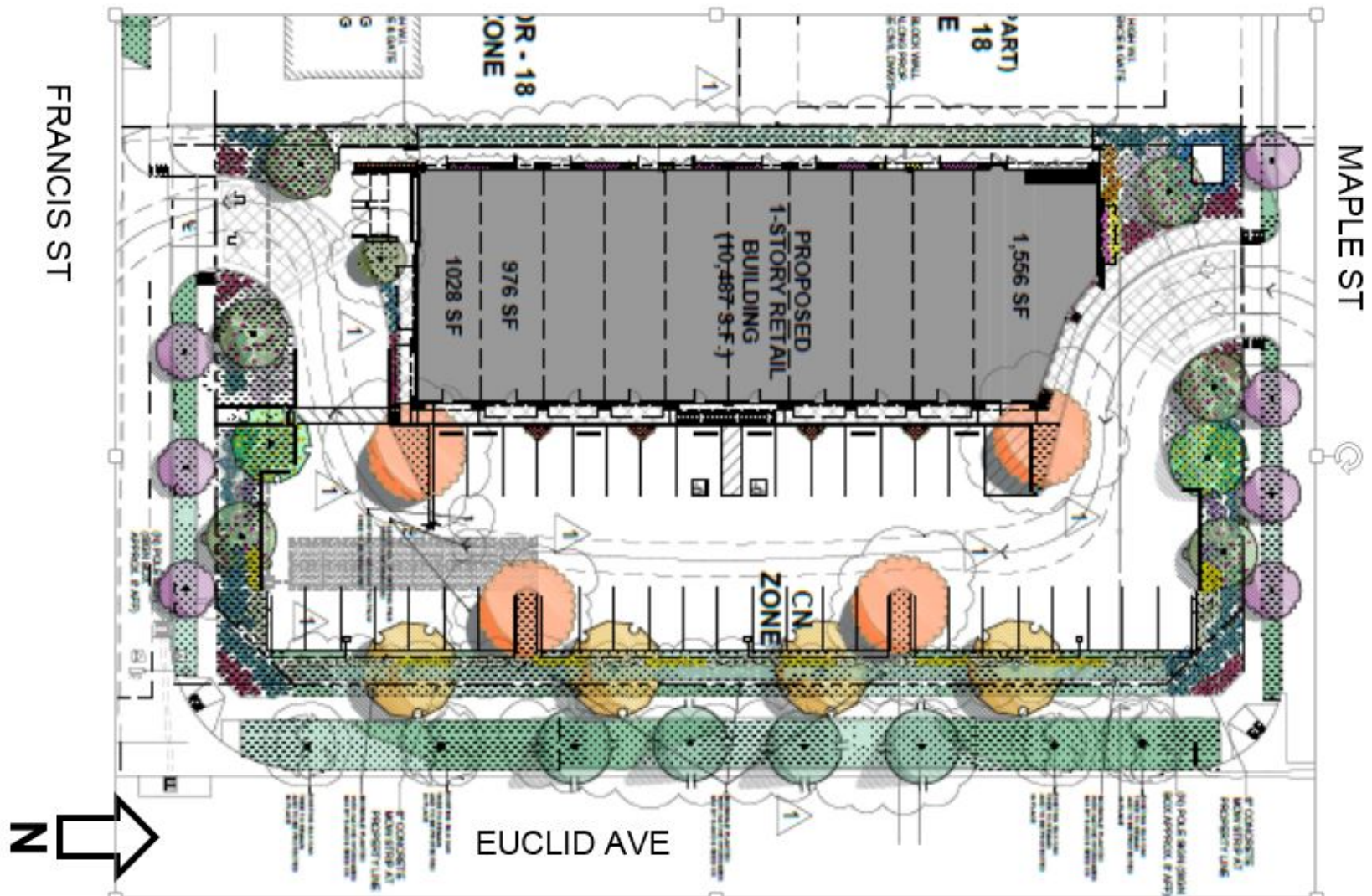
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Development Advisory Board Chairman

**Exhibit A—PROJECT LOCATION MAP**



Exhibit B—SITE PLAN & CONCEPTUAL LANDSCAPE PLAN



**Exhibit C—ELEVATIONS**



**Exhibit C—ELEVATIONS**



## Attachment 1—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***

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**Meeting Date:** September 6, 2017

**File No:** PDEV17-008

**Related Files:** PVAR17-003

**Project Description:** A Development Plan to construct a 10,487 square foot multi-tenant commercial building on 0.88 acres of land within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay district. (APN(s): 1050-281-01, 1050-281-02 and 1050-281-03); **submitted by Clarkson Properties, LP**

**Prepared By:** Denny D. Chen  
Phone: 909.395.2424 (direct)  
Email: dchen@ontarioca.gov

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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, 2010. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

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

**2.1** 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) 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.

(c) 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** Parking, Circulation and Access.

(a) 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.

(b) 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).

**2.5** 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.

**2.6** 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.

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

**2.8** Signs. A sign program shall be submitted and approved for the site prior to the installation of any signs.

**2.9** 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).

**2.10** 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 15305 (Class 5, Minor Alterations of Land Use Limitations)** of the CEQA Guidelines, meeting the following conditions:

- (i) Minor lot adjustments, side yard, and setback variances not resulting in the creation of any new parcel;
- (ii) Issuance of minor encroachment permits;
- (iii) Reversion to acreage in accordance with the Subdivision Map Act; and

(b) 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.

(c) 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).

(d) 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.

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

**2.12** Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County

Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

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

**2.13** Additional Requirements.

(a) All entry driveways shall feature decorative stamped color paving. They shall also feature a decorative design/pattern.

(b) The light posts located along the landscaped areas must be strategically placed so that they will not encroach into the 2-foot parking overhang or parking stall areas.

(c) All exterior metal work shall be powder coated to prevent rust.



**ENGINEERING DEPARTMENT  
CONDITIONS OF APPROVAL**

(Environmental, Traffic/Transportation Division, Ontario Municipal Utilities Company  
Information Technology and Management Services Department conditions incorporated herein)

<input checked="" type="checkbox"/> <b>DEVELOPMENT PLAN</b> <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP  <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
<b>PROJECT FILE NO. <u>PDEV17-008</u></b>  <b>RELATED FILE NO(S). <u>PVAR17-003</u></b>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u>  /  /  </u>	

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

CITY PROJECT PLANNER & PHONE NO:      Denny Chen      (909) 395-2424

DAB MEETING DATE:      September 6<sup>th</sup>, 2017

PROJECT NAME / DESCRIPTION:      PDEV17-008, A Development Plan to construct a 10,504 square foot multi-tenant commercial building on 0.88 acres of land.

LOCATION:      1738-1750 South Euclid Avenue

APPLICANT:      Reliable Properties

REVIEWED BY:      *[Signature]*      8/23/17  
                                  Bryan Lirley, P.E.      Date  
                                  Principal Engineer

APPROVED BY:      *[Signature]*      8/29/17  
                                  Khoi Do, P.E.      Date  
                                  Assistant City Engineer



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

**1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL:** Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:   
\_\_\_\_\_ feet on \_\_\_\_\_  
Property line corner 'cut-back' required at the intersection of \_\_\_\_\_  
and \_\_\_\_\_.
- 1.02 Dedicate to the City of Ontario, the following easement(s): \_\_\_\_\_   
\_\_\_\_\_
- 1.03 Restrict vehicular access to the site as follows: \_\_\_\_\_
- 1.04 Vacate the following street(s) and/or easement(s): \_\_\_\_\_
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) 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&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.   
(1) \_\_\_\_\_  
(2) \_\_\_\_\_
- 1.08 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.09 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.ci.ontario.ca.us](http://www.ci.ontario.ca.us)) 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.
- 1.10 Provide a preliminary title report current to within 30 days.
- 1.11 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.

- 1.12 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).
- 1.13 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 \_\_\_\_\_
- 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 March 4<sup>th</sup>, 1972.**
- 2.05 **Apply for a:**  Certificate of Compliance with a Record of Survey;  **Lot Line Adjustment – to merge lots, APN #s 1050-281-01, -02 and -03, into one lot;** 
  - 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 in addition to maintenance requirements established in the Water Quality Management Plan ( WQMP), as applicable to the project.
- 2.07 **Submit a soils/geology report.**
- 2.08 **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: \_\_\_\_\_

- 2.09 Dedicate to the City of Ontario the right-of-way described below: 
  - 1. 11-feet on Francis Street
  - 2. Property line corner 'cut-back' required at the intersection of Euclid Avenue and Francis Street.
- 2.10 Dedicate to the City of Ontario the following easement(s): \_\_\_\_\_

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- 2.11 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).
- 2.12 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.
- 2.13 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.
- 2.14 Pay all Development Impact Fees (DIF) to the Building Department.
- 2.15 Other conditions: 
  - 1. The applicant/developer shall process a general vacation to vacate a 25-ft alley west of lots, APN #s 1050-281-01 and 1050-281-02.
  - 2. The applicant/developer shall extend the existing private Southern California Edison (SCE) easement to include the electrical lines and poles within the 25-ft alley to be vacated.



**B. PUBLIC IMPROVEMENTS**  
 (See attached Exhibit 'A' for plan check submittal requirements.)

- 2.16 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	Euclid Av	Francis St	Maple St	Street 4
<b>Curb and Gutter</b>	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> <b>Replace existing curb w/ curb &amp; gutter</b>	<input checked="" type="checkbox"/> <b>New and gutter; 32-ft from C/L</b> <input type="checkbox"/> Replace damaged	<input checked="" type="checkbox"/> <b>New and gutter; 20-ft from C/L</b> <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged
<b>AC Pavement</b>	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> <b>Widen street section for a total half street width of 32-ft along frontage, including pavm't transition</b>	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
<b>PCC Pavement (Truck Route Only)</b>	<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
<b>Drive Approach</b>	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New commercial driveway approach</b>	<input checked="" type="checkbox"/> <b>New commercial driveway approach</b>	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Sidewalk</b>	<input checked="" type="checkbox"/> <b>Remove and replace broken or uplifted sidewalk panels</b>	<input checked="" type="checkbox"/> <b>New sidewalk adj. to ROW</b>	<input checked="" type="checkbox"/> <b>New sidewalk adj. to ROW</b>	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>ADA Access Ramp (see Sec. F)</b>	<input checked="" type="checkbox"/> <b>Modify existing wheelchair ramp</b>	<input checked="" type="checkbox"/> <b>Modify existing wheelchair ramp</b>	<input checked="" type="checkbox"/> <b>Modify existing wheelchair ramp</b>	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Parkway</b>	<input checked="" type="checkbox"/> <b>Trees</b> <input checked="" type="checkbox"/> <b>Landscaping (w/irrigation)</b>	<input checked="" type="checkbox"/> <b>Trees</b> <input checked="" type="checkbox"/> <b>Landscaping (w/irrigation)</b>	<input checked="" type="checkbox"/> <b>Trees</b> <input checked="" type="checkbox"/> <b>Landscaping (w/irrigation)</b>	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
<b>Raised Landscaped Median</b>	<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
<b>Fire Hydrant (see Sec. 2.D)</b>	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> <b>Equip existing fire hydrant w/ break-off check valve</b>	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation





<b>Sewer</b> (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
<b>Water</b> (see Sec. 2.D)	<input checked="" type="checkbox"/> Service for domestic <input checked="" type="checkbox"/> Service for fire	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
<b>Recycled Water</b> (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service for irrigation	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
<b>Traffic Signal System</b> (see Sec. 2.F)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Traffic Signing and Striping</b> (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
<b>Street Light</b> (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
<b>Bus Stop Pad or Turn-out</b> (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
<b>Storm Drain</b> (see Sec. 2G)	<input checked="" type="checkbox"/> New inlet <input checked="" type="checkbox"/> Extend existing culvert	<input checked="" type="checkbox"/> New inlet <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
<b>Fiber Optics</b> (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
<b>Overhead Utilities</b>	<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
<b>Removal of Improvements</b>	<input checked="" type="checkbox"/> Remove sidewalk panels within pkwy landscape area	_____	_____	_____
<b>Other Improvements</b>	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.15, above: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2.17 Construct a 0.15' asphalt concrete (AC) grind and overlay on the following street(s): \_\_\_\_\_



- 2.18 **Reconstruct the full pavement structural section per City of Ontario Standard Drawing number 1011 if existing pavement section does not meet City standards. Minimum limits of reconstruction shall be along Francis Street property frontage, from street centerline to curb/gutter. 'Pothole' verification of existing pavement section required prior to acceptance/approval of street improvement plan.**
- 2.19 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.
- 2.20 Other conditions: \_\_\_\_\_

**C. SEWER**

- 2.21 **An 8-inch sewer main is available for connection by this project in Francis Street. (Ref: Sewer plan bar code: S12621)**
- 2.22 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.23 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.
- 2.24 **Other conditions:**
  - 1. **The applicant/developer shall construct a sewer lateral with a monitoring man-hole and clean-outs.**

**D. WATER**

- 2.25 **A 12-inch water main is available for connection by this project in Euclid Avenue. (Ref: Water plan bar code: W12437)**
- 2.26 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.27 **Other conditions:**
  - 1. **The applicant/developer shall construct a domestic water lateral with a meter & backflow device.**
  - 2. **The applicant/developer shall construct a fire service with a double check detector assembly (DCDA).**
  - 3. **The applicant/developer shall relocate and upgrade existing public fire hydrant along the property frontage facing Francis Street per City Standard Drawing Number 4101.**

**E. RECYCLED WATER**

- 2.28 A \_\_\_\_\_ inch recycled water main is available for connection by this project in \_\_\_\_\_. (Ref: Recycled Water plan bar code: \_\_\_\_\_)
- 2.29 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.30 **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. Applicant shall be responsible for construction of a connection to the recycled water main for approved uses, when the main becomes available. The cost for connection to the main shall be borne solely by Applicant.**



- 2.31 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) 395-2687 regarding this requirement.

- 2.32 Other conditions:
1. The applicant/developer shall construct a 12-inch Recycled Water Main in Francis Street between the westerly property line and the point of connection at Euclid Avenue.

#### F. TRAFFIC / TRANSPORTATION

- 2.33 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

- 2.34 Other conditions:
1. The applicant/developer shall construct the wheelchair ramps at the SWC of Euclid Avenue & Maple Street and NWC of Euclid Avenue & Francis Street per Caltrans Specifications and Standards.
  2. The applicant/developer shall be responsible to design and construct in-fill public street lights (LED lamp type) along the property frontages facing Euclid Avenue, Francis Street and Maple Street, in accordance with the Traffic and Transportation Design Guidelines Section 1.4 Street Light Plans and City Standard Drawing Numbers 5101 and 5105.
    - a. The applicant/developer's engineer-of-record shall meet with City Engineering staff prior to starting street lighting design to discuss tie-ins to existing or future street light circuits.
  3. The applicant/developer shall modify the traffic signal at Francis Street and Euclid Avenue to relocate equipment to be displaced by the project's required street improvements. The traffic signal may include, but not be limited to: new controller cabinet, vehicle detection, CCTV, wireless radio communication devices, emergency vehicle preemption systems and bicycle detection.
    - a. The applicant/developer's engineer-of-record shall meet with City Engineering staff prior to starting traffic signal modification design.
  4. The applicant/developer shall comply with stopping sight distance requirements per City Standard Drawing Number 1309.
  5. The applicant/developer shall install "No Parking Anytime" signs within 20-ft of the proposed driveway approaches.
  6. The applicant/developer shall be advised Euclid Avenue (State-Route 83) is under the jurisdiction of the California Department of Transportation (Caltrans).
    - a. The applicant/developer is solely responsible to ascertain Caltrans' requirements for Project approval and permit issuance.
  7. Euclid Avenue is expected to be restriped to provide for a third south bound lane, at that time parking along the entire frontage will be subject to removal.



**G. DRAINAGE / HYDROLOGY**

- 2.35 A \_\_\_\_\_ inch storm drain main is available to accept flows from this project in \_\_\_\_\_.   
 (Ref: Storm Drain plan bar code: \_\_\_\_\_)
- 2.36 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.
- 2.37 **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.**
- 2.38 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.
- 2.39 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.
- 2.40 **Pay Storm Drain Development Impact Fee, approximately \$18,554, Fee shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.41 **Other conditions:** 
  1. **The applicant/developer shall extend the existing culvert along Euclid Avenue north of the modified curb return.**
  2. **The applicant/developer shall construct an inlet on Euclid Avenue and Francis Street and connect inlets to culvert.**
  3. **Pay a Storm Drain In-lieu Fee for a future 48-inch storm drain along the property frontage facing Francis Street, approximately \$26,929, Fee shall be paid to the Engineering Department.**

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

- 2.41 401 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.
- 2.43 **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>.**
- 2.44 Other conditions: \_\_\_\_\_



**J. SPECIAL DISTRICTS**

- 2.45 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 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 the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.46 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

- 2.47 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 Euclid Avenue and Francis Street, see Fiber Optic Exhibit herein.
- 2.48 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**

- 2.49 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>
- 2.50 Other conditions: 
  - 1. The applicant/developer shall construct a new two-bin trash enclosure with a solid roof per the Refuse & Recycling Planning Manual.



**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 benchmark 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.).



**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

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**Project Number: PDEV17-008, and/or Parcel Map/Tract Map No. \_\_\_\_\_**

**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. **Lot Line Adjustment Document**
  - 2. **Right-of-way Dedication Document**
  - 3. **Vacation Document**



**PRELIMINARY PROJECT SUMMARY:**

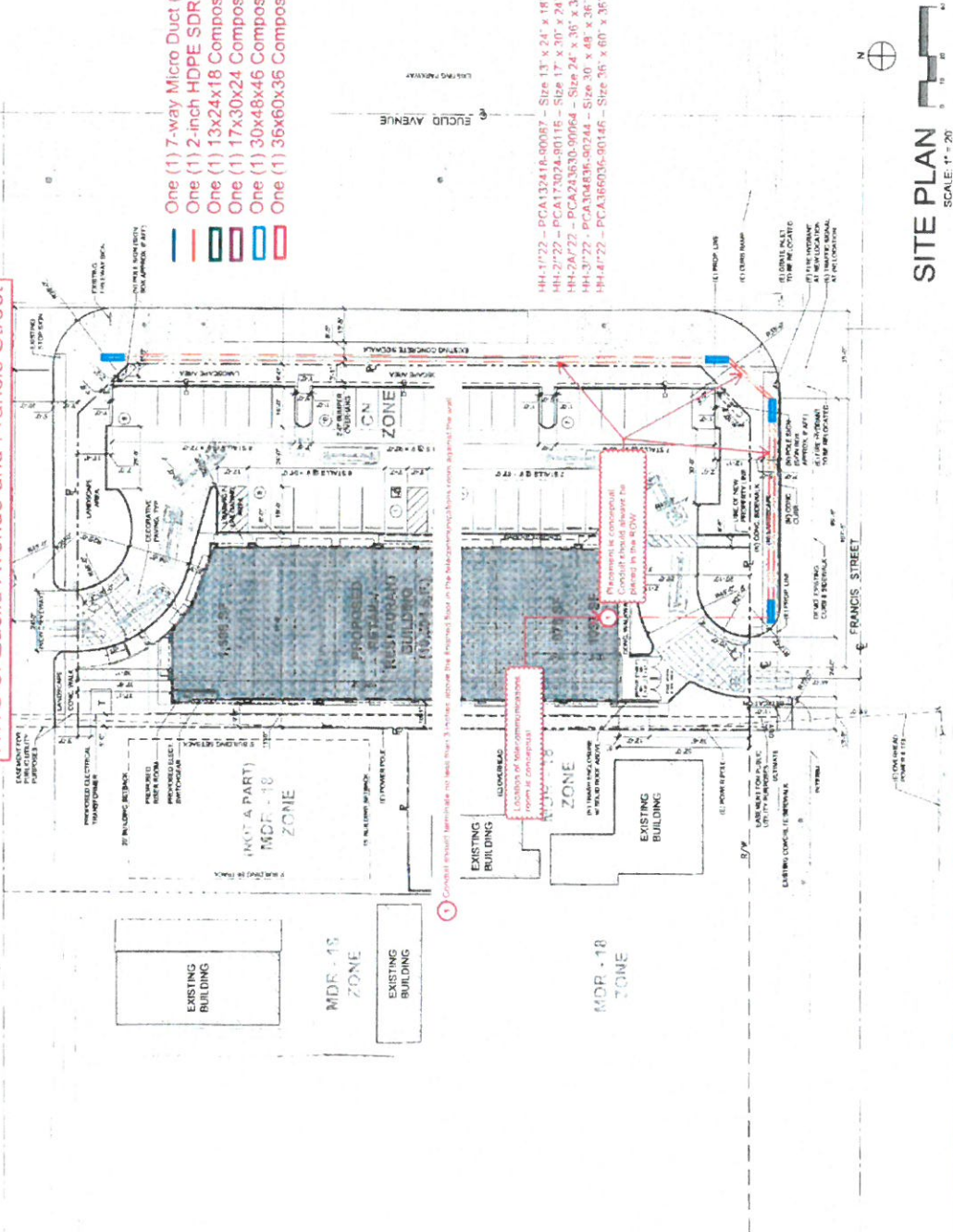
- LOT AREA: 38,222 SQ. FT. (1.07 AC)
- ALLOWABLE BUILDING AREA: 38,222 SQ. FT. (1.07 AC)
- IMPOSED BUILDING AREA: 10,504 SQ. FT.
- PARKING REQUIRED: RETAIL 10,504 x (1/200) = 42 SPACES
- PARKING PROVIDED: 40 SPACES (INCLUDING 01 ADA STALLS)
- (2) PARKING SPACES SHOWN
- LANDSCAPE AREA REQUIRED: 38,222 SQ. FT. x 18 (18%) = 6,880 SQ. FT.

- One (1) 7-way Micro Duct (Duraline) - 16mm Tubes or Equivalent
- One (1) 2-inch HDPE SDR-11 Smoothwall Orange Conduit
- One (1) 13x24x18 Composite Polymer Concrete Hand Hole (HH1)
- One (1) 17x30x24 Composite Polymer Concrete Hand Hole (HH2)
- One (1) 30x48x46 Composite Polymer Concrete Hand Hole (HH3)
- One (1) 36x60x36 Composite Polymer Concrete Hand Hole (HH4)

**PARCEL 1:** APN: 1056-261-01-000 AND 1056-261-01-000  
 A PORTION OF LOT 33, SECTION 31, TOWNSHIP 1 SOUTH, RANGE 7 WEST, SAN BERNARDINO COUNTY, CALIFORNIA, AS PER MAP RECORDED IN BOOK 6, PAGE 15 OF MAPS, RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 33, SAID SOUTHWEST CORNER BEING THE INTERSECTION OF THE NORTH LINE OF FRANCIS STREET AND THE WEST LINE OF EUCLID AVENUE; THENCE NORTH 89° 56' 00" WEST ALONG THE WEST LINE OF EUCLID AVENUE 200 FEET TO THE NORTH LINE OF FRANCIS STREET; THENCE NORTH 89° 56' 00" WEST ALONG THE NORTH LINE OF FRANCIS STREET 145 FEET TO THE POINT OF BEGINNING.  
 EXCEPTING FROM THAT PORTION BEGINNING AT A POINT ON THE WEST LINE OF EUCLID AVENUE, 200 FEET DISTANT THEREON FROM THE SOUTHWEST CORNER OF SAID LOT 33, THENCE WEST 145 FEET TO THE NORTH LINE OF FRANCIS STREET; THENCE SOUTH 145 FEET TO THE POINT OF BEGINNING.  
**PARCEL 2:** APN: 1056-261-27-000  
 THE WEST 60 FEET OF THE EAST 241 FEET OF LOT 13, BLOCK 10, TOWNSHIP 1 SOUTH, RANGE 7 WEST, SAN BERNARDINO COUNTY, CALIFORNIA, AS PER PLAY OF SUBDIVISION OF PART OF HANCO ROAD, SAID ROAD BEING RECORDED IN BOOK 6, PAGE 15 OF MAPS, RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 13, SAID SOUTHWEST CORNER BEING THE INTERSECTION OF THE NORTH LINE OF FRANCIS STREET AND THE WEST LINE OF EUCLID AVENUE; THENCE NORTH 89° 56' 00" WEST ALONG THE WEST LINE OF EUCLID AVENUE 200 FEET TO THE NORTH LINE OF FRANCIS STREET; THENCE NORTH 89° 56' 00" WEST ALONG THE NORTH LINE OF FRANCIS STREET 145 FEET TO THE TRUE POINT OF BEGINNING OF FRANCIS STREET 145 FEET TO THE TRUE POINT OF BEGINNING OF FRANCIS STREET; THENCE WEST 145 FEET TO THE WEST LINE OF EUCLID AVENUE; THENCE SOUTH 145 FEET TO THE POINT OF BEGINNING OF SAID LOT 13, 94.98 FEET; THENCE EAST AT THE POINT OF BEGINNING, THENCE NORTH 89° 56' 00" WEST TO THE POINT OF BEGINNING.

- HH-17-22 - PCA132418-90087 - Size 13" x 24" x 18"
- HH-24-22 - PCA173024-90116 - Size 17" x 30" x 24"
- HH-30-22 - PCA243630-90064 - Size 24" x 36" x 30"
- HH-48-22 - PCA304836-90244 - Size 30" x 48" x 36"
- HH-60-22 - PCA3166036-90146 - Size 36" x 60" x 36"

**Fiber Optic Exhibit  
 PDEV17-008  
 NWC of Euclid Avenue and Francis Street**



**RELIABLE PROPERTIES**  
 6390 VAN SHURE BOULEVARD, SUITE 104  
 LOS ANGELES, CA 90048

**Amor**  
 10000 4TH STREET, SUITE 100  
 RANCHO CUCAMONGA, CA 91730  
 909.259.8971 TEL  
 909.941.6405 FAX  
 143 WILSON, SUITE 100  
 ANAHEIM, CA 92814  
 www.AmorA.com  
 Amor Architectural Corporation

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**PROPOSED RETAIL BUILDING**  
 NWC OF EUCLID AVENUE AND FRANCIS STREET  
 ONTARIO, CA 91762  
 01.09.2017

**RELIABLE PROPERTIES**  
 6390 VAN SHURE BOULEVARD, SUITE 104  
 LOS ANGELES, CA 90048



CITY OF ONTARIO  
MEMORANDUM

TO: Hassan Haghani , Development Director  
Scott Murphy, Planning Director ( Copy of memo only)  
Cathy Wahlstrom, Principal Planner (Copy of memo only)  
Charity Hernandez, Economic Development  
Kevin Shear, Building Official  
Khoi Do, Assistant City Engineer  
Carolyn Bell, Landscape Planning Division  
Sheldon Yu, Municipal Utility Company  
Doug Sorel, Police Department  
Art Andres, Deputy Fire Chief/Fire Marshal  
Jay Bautista, T. E., Traffic/Transportation Manager  
Lorena Mejia, Senior Planner  
Steve Wilson, Engineering/NPDES  
Bob Gluck, Code Enforcement Director  
Jimmy Chang , IT Department  
David Simpson , Development/IT ( Copy of memo only)

FROM: Denny Chen, Associate Planner

DATE: June 22, 2017

REVISION NO. 1

SUBJECT: FILE #: PDEV17-008

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, July 6, 2017**.

**PROJECT DESCRIPTION:** A Development Plan to construct a 10,487 square foot multi-tenant commercial building on 0.88 acres of land within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay district, located at the northwest corner of Francis Street and Euclid Avenue (APN: 1050-281-01, 02 and 03).

RELATED FILE: PVAR17-003

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

- No comments
- See previous report for Conditions
- 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 Carolyn Bell Sr Landscape Architect  
Department Signature Title Date 7/10/17

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

CONDITIONS OF APPROVAL	
Sign Off	
 Carolyn Bell, Sr. Landscape Planner	7/10/17 Date

Reviewer's Name: <b>Carolyn Bell, Sr. Landscape Planner</b>	Phone: <b>(909) 395-2237</b>
D.A.B. File No.: PDEV17-008 REV 1	Case Planner: Denny Chen
Project Name and Location: Multi-tenant Retail building NW corner Francis and Euclid Ave	
Applicant/Representative: Amor Architectural Corp – Bill Beebe/ Armstrong & Walker Landscape Architects 10300 4 <sup>th</sup> St ste 100 Rancho Cucamonga, CA 91730	
<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan (dated 6/15/17) 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.</b>
<input type="checkbox"/>	<b>A Preliminary Landscape Plan (dated ) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>
<b>CORRECTIONS REQUIRED</b>	

Civil Plans

1. Dimension basins and swales to be no greater than 50% of the on-site landscape area to allow for ornamental landscape. Provide a level grade minimum 4' from pedestrian paving for safety and along parking lots for hedge row and trees. **Change infiltration swale to 3' wide (can increase depth) so that tree planter along parking lot is min 5' wide.**
2. Show backflows and transformers on plan, and dimension a 4' set back from paving. **Move backflow device out of tree island planter on Euclid 2<sup>nd</sup> north (show backflow parallel to street so water lines runs through paving and not planter),**
3. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. **Move sewer line east 15-20' out of tree planter at trash enclosure. Move drainlines along west PL out of center of planter and adjacent to wall or walkway.**
4. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1. **Not corrected**

Landscape Plans

5. Show all utilities ( DCDA, backflow devices, water and sewer lines) on the landscape plans. Coordinate to keep utilities clear of required tree locations. **Not completed, see #2, 3 above. Show infiltration basin on Francis St and relocate tree shown in basin.**
6. **Show parkway landscape and street trees spaced 30' apart. Evenly space trees- looks like 32' oc works better.**
7. Show parking lot trees 1 per every 10 spaces and at each parking row end. **Add a tree to each parking row end.**
8. Show parking lot island planters adjacent to trash enclosures with an evergreen tree for screening. **Coordinate with civil to move sewer line east 15-20'**
9. Change to tall narrow shrubs and trees along west pl for screening. Consider Tristania laurina, Podocarpus, etc. **Shrubs ok, add 6 or 7, 15 gal, tree form instead of hedge, 25'-30 apart.**
10. Show concrete mowstrips to identify property lines along open areas, or between maintenance areas. **Add mowstrip from where block wall ends at PL on Francis to sidewalk**

11. Note street trees on Maple and Francis shall be according to the Master Street Tree Plan. Street tree on Francis is *Pinus canariensis*. Street tree on Maple is *Ulmus parvifolia*
12. Check scale for printing – plan doesn't measure at 20 scale.
13. Show sidewalk connect at PL on Francis. Add landscape and irrigation west of sidewalk connection and in parkway. See civil plan for sidewalk layout where street widens.
14. Add tall accent shrubs (not trees) to triangle planters in parking lot at building such as dwarf fruitless Olive 'Little Ollie' Or similar 4-6' vase shaped accent shrub
15. **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. Typical fees are:
 

Plan Check—5 or more acres .....	\$2,326.00
Plan Check—less than 5 acres .....	\$1,301.00
Inspection—Construction (up to 3 inspections) .....	\$278.00
Inspection—Field - additional.....	\$83.00

Electronic plan check sets may be sent to: [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Denny Chen  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** March 8, 2017  
**SUBJECT:** PDEV17-008

- 
- 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 : lm



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Denny Chen, Associate Planner  
Planning Department

**FROM:** Lora L. Gearhart, Fire Protection Analyst  
Fire Department

**DATE:** March 21, 2017

**SUBJECT:** PDEV17-008 – A Development Plan to construct a 10,504 square foot multi-tenant commercial building on 0.88 acres of land within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay district, located at the northwest corner of Francis Street and Euclid Avenue (APN: 1050-281-01, 02 and 03). RELATED FILE: PVAR17-003

- 
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
- Standard Conditions of Approval apply, as stated below.
- 

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

- A. 2016 CBC Type of Construction: Unknown
- B. Type of Roof Materials:
- C. Ground Floor Area(s): 10,500 Sq. Ft.
- D. Number of Stories: One
- E. Total Square Footage: 10,500 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): A, B, M

### **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](http://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 (20) ft. wide. See Standard #B-004.

## **3.0 WATER SUPPLY**

☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 2750 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.

## **4.0 FIRE PROTECTION SYSTEMS**

☒ 4.3 An automatic fire sprinkler system is recommended. If A-2 in one fire area exceeds 5000 Sq. Ft. or occupant load of 100, fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. 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 If fire sprinkler system is provided, Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150’) of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.

☒ 4.6 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.

- ☒ 4.7 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. 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.

## **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.





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Denny Chen, Planning Department

**FROM:** Douglas Sorel, Police Department

**DATE:** July 5, 2017

**SUBJECT:** PDEV17-008, REVISION 1: A DEVELOPMENT PLAN TO CONSTRUCT A RETAIL BUILDING AT THE NORTHWEST CORNER OF FRANCIS STREET AND EUCLID AVENUE

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The “Standard Conditions of Approval” contained in Resolution No. 2010-021 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 and other areas used by the public shall be provided and shall operate on photosensor. Photometrics shall be provided and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting fixtures.
- Rooftop addresses shall be installed on the building as stated in the Standard Conditions.
- 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 call Douglas Sorel at (909) 395-2873 regarding any questions or concerns.

# AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-008 & PVAR17-003  
 Address: 1738, 1742 & 1750 South Euclid Avenue  
 APN: 1050-281-01, 02 & 03  
 Existing Land Use: Vacant/ Commercial Buildings  
 Proposed Land Use: 10,504 SF multi-tenant commercial building  
 Site Acreage: 0.8 Proposed Structure Height: 27 ft  
 ONT-IAC Project Review: N/A  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Denny Chen  
 Date: 4/18/17  
 CD No.: 2017-021  
 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 checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 ft +	
<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: \_\_\_\_\_

# TOP-Zoning Consistency Determination



File No.: PDEV17-008 & PVAR17-003

Prepared By:

Clarice Burden

Location: NW corner of Francis St. & Euclid Ave.


Date:

4/4/17

Project Description:

A Development Plan for a 10,504 sf commercial building and a Variance to reduce the front parking setback from 20 ft. to 9 ft. on 0.88 ac. within the CN zone and EA (Euclid Avenue) Overlay district, located at the NW corner of Francis St. & Euclid Ave. (APNs: 1050-281-01, 02 & 03)

Signature:



This project has been reviewed for consistency with The Ontario Plan Zoning Consistency project. The following was found:

- The existing TOP land use designation of the property is: **Neighborhood Commercial**  
The existing zoning of the property is: **CN, Neighborhood Commercial**
  
- A change to the TOP land use designation has been proposed which would change the land use designation of the property to:  
This proposed TOP land use change will:
  - Make the existing zoning of the property consistent with the proposed General Plan Amendment;
  - Make the proposed project consistent with The Ontario Plan.
  
- The zoning of the property will need to be changed in order to be consistent with The Ontario Plan. Through the TOP-Zoning Consistency effort, the zoning of the property is proposed to be changed to:  
This proposed zone change will:
  - Make the zoning of the property consistent with The Ontario Plan;
  - Without the Zone Change described above, the proposed project is not consistent with The Ontario Plan. A finding of consistency with The Ontario Plan is required in order to approve this project.
  
- Additional Comments:  
The existing TOP land use designation and the zoning for the property are consistent.



# CITY OF ONTARIO

## MEMORANDUM

TO: "Vacant", Development Director  
Scott Murphy, Planning Director (Copy of Memo only)  
Cathy Wahlstrom, Principal Planner (Copy of memo only)  
Charity Hernandez, Economic Development  
Kevin Shear, Building Official  
Khoi Do, Assistant City Engineer  
Carolyn Bell, Landscape Planning Division  
Sheldon Yu, Municipal Utility Company  
Doug Sorel, Police Department  
Art Andres, Deputy Fire Chief/Fire Marshal  
Tom Danna, T. E., Traffic/Transportation Manager  
Lorena Mejia, Associate Planner, Airport Planning  
Steve Wilson, Engineering/NPDES  
**Bob Gluck, Code Enforcement Director**  
Jimmy Chang, IT Department  
David Simpson, Development/IT (Copy of memo only)

FROM: Denny Chen, Associate Planner

DATE: March 03, 2017

SUBJECT: FILE #: PDEV17-008

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 **Friday, March 17, 2017**.

- 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 Development Plan to construct a 10,504 square foot multi tenant building on 0.8 acres of land within the Neighborhood Commercial land use zone (Euclid Avenue Overlay District), located Northwest corner of Francis Street and Euclid Avenue (APN: 1050-281-01,02 and 03).

- 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.

Department: Code Signature: [Signature] Title: Supervisor Date: 3-3-17



# Development Advisory Board Decision

September 6, 2017

**DECISION NO.:** [insert #]

**FILE NO.:** PDEV17-019

**DESCRIPTION:** A Development Plan to construct a 4,086-square foot drive-thru restaurant (Raising Cane's Chicken Fingers) on 1.47 acres of land located at 4360 East Mills Circle, within the Commercial/Office land use district of the California Commerce Center North/Ontario Gateway Plaza/Wagner Properties Specific Plan (APN: 0238-014-21); **submitted by Raising Cane's Chicken Fingers.**

## **Part I—BACKGROUND & ANALYSIS**

RAISING CANE'S CHICKEN FINGERS, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV17-019, 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 1.47 acres of land generally located at the southeast corner of Milliken Avenue and Mall Drive, at 4360 East Mills Circle, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Coco's Bakery and Restaurant	MU (Mixed Use)	Ontario Mills Specific Plan	Commercial/Office
<i>North:</i>	76 Gas Station	MU (Mixed Use)	Ontario Mills Specific Plan	Commercial/Office
<i>South:</i>	La-Z-Boy Furniture Store	MU (Mixed Use)	Ontario Mills Specific Plan	Commercial/Office
<i>East:</i>	Ontario Mills Mall	MU (Mixed Use)	Ontario Mills Specific Plan	Regional Commercial
<i>West:</i>	Chevron Gas Station	MU (Mixed Use)	The Ontario Center Specific Plan	Urban Commercial

(2) **Project Description:** The project site is comprised of 1.47 acres of land located at the southeast corner of Milliken Avenue and Mall Drive, within the Commercial/Office land use district of the California Commerce Center North/Ontario Gateway Plaza/Wagner Properties Specific Plan. The property surrounding the Project site is characterized by commercial land uses to the south and east, and gas stations to the north and west. The proposed project consists of a Development Plan to construct a drive-thru restaurant for Raising Cane's Chicken Fingers, totaling 4,086 square feet. The restaurant will incorporate a modern design with a stucco finish and stacked stone.

The restaurant's primary entrance faces west, toward Milliken Avenue, while a secondary entrance will face south, toward the restaurant parking lot. The restaurant is situated on the northeast portion of the site due

to several utility easements along the western portion of the site, adjacent to Milliken Avenue. Parking will be primarily situated to the south of the building.

Primary access to the project site is from Mills Circle, on the eastern portion of the site. A secondary access point is from Milliken Avenue, through the La-Z-Boy parking lot situated southwest of the site.

The Project has provided off-street parking pursuant to the "Restaurant" parking standards of the Ontario Development Code. The minimum off-street parking requirement for the proposed project is 55 parking stalls, which have been provided. The restaurant will feature a double lane drive-thru, with a stacking length of 304 feet, which will accommodate up to 12 vehicles before the first drive-thru window.

### ***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

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 act 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 September 6, 2017, 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 decision-making 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 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.

(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 decision-making 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: Ontario International 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. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), 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 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 specific findings 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 Mixed Use land 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; 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 the Commercial/Office land use district of the Ontario Mills Specific Plan, including standards relative to the particular land use proposed (drive-thru restaurant), 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 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; [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; 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 (fast food restaurant). 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 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 APPROVES 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.

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APPROVED AND ADOPTED this 6th day of September 2017.

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Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

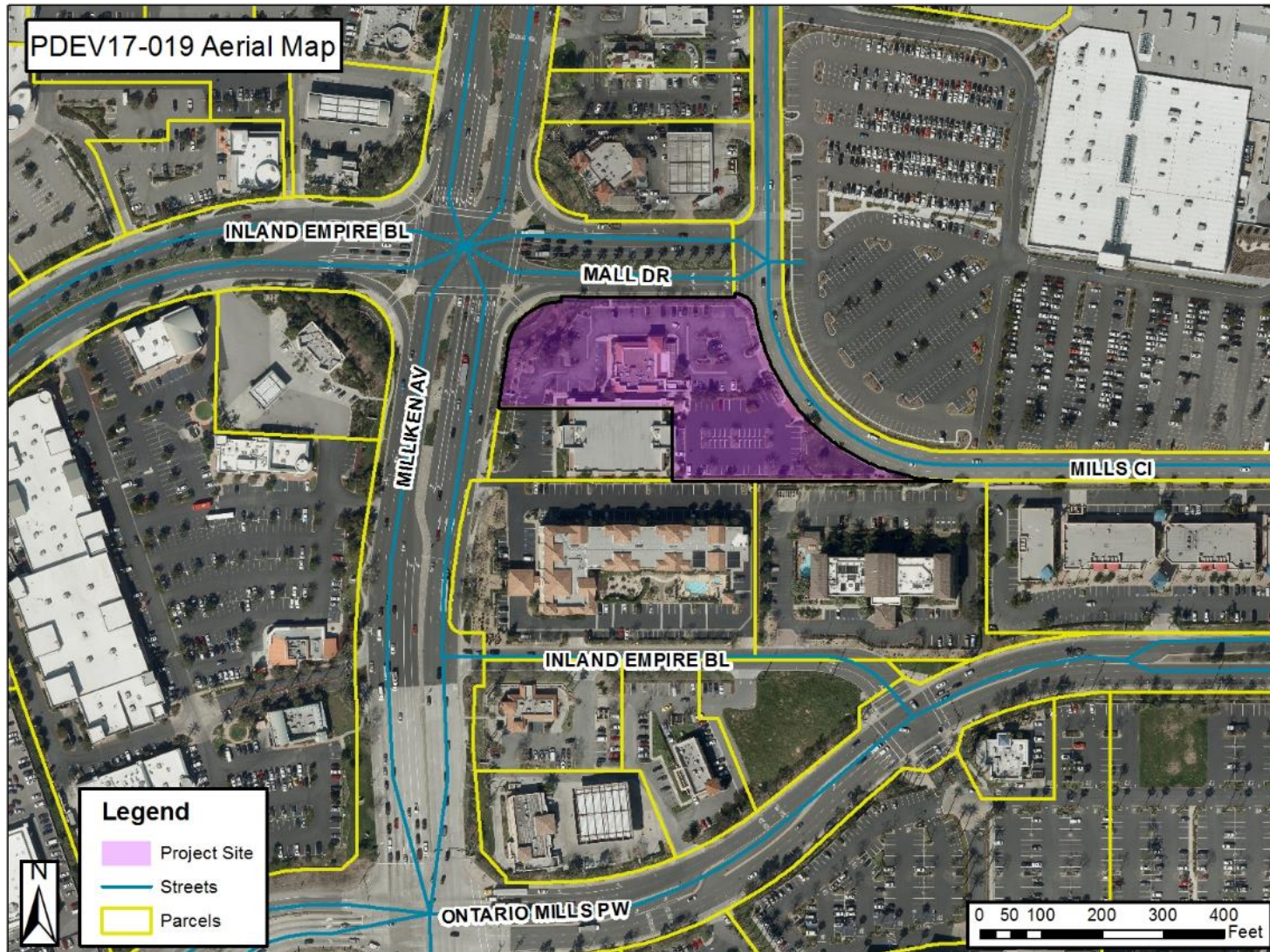
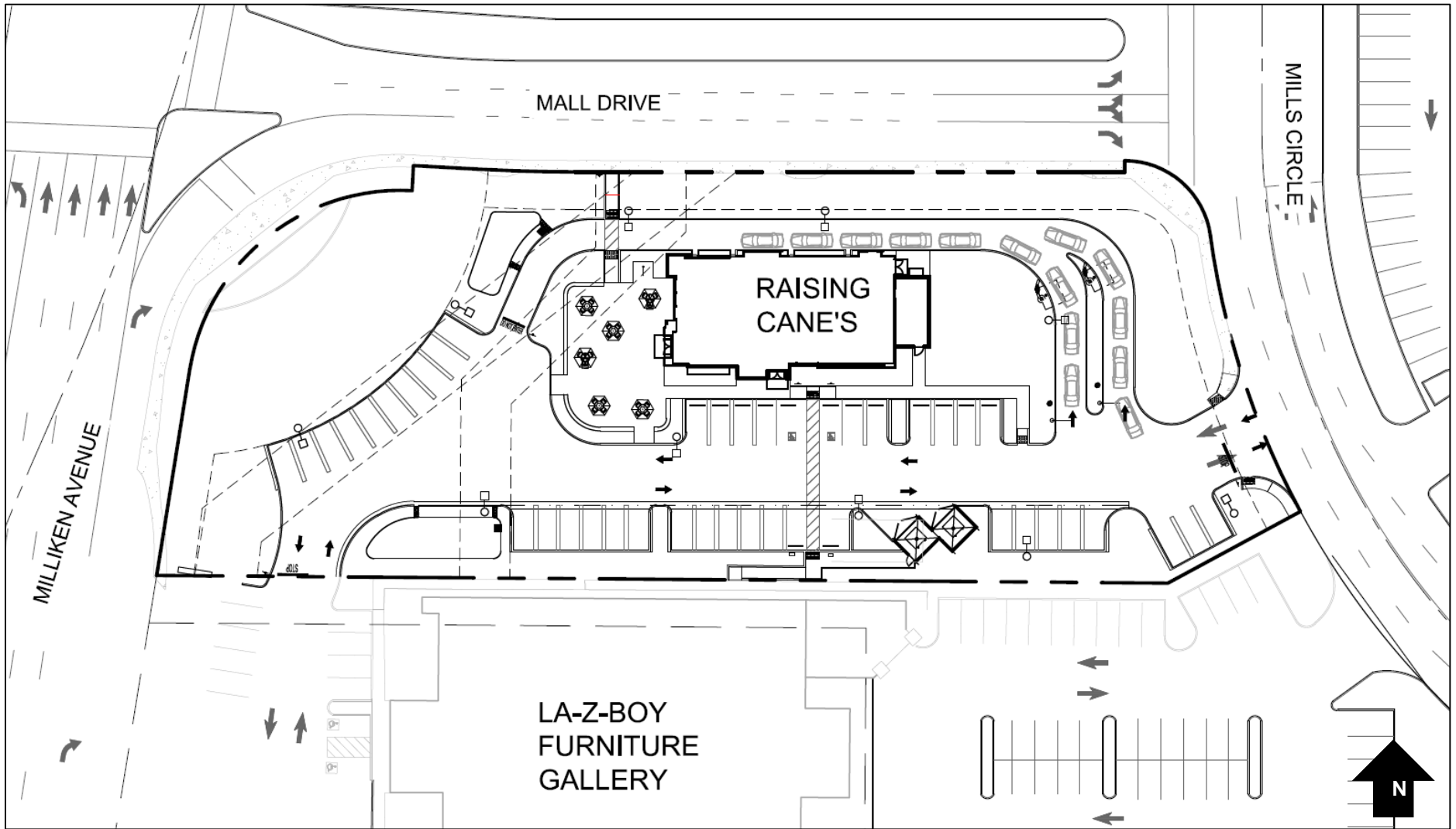


Exhibit B—SITE PLAN



**Exhibit C—ELEVATIONS**



**01** | WEST ELEVATION (ENTRY)  
TYPE: 3/17/17



**02** | NORTH ELEVATION (DRIVE-THRU)  
TYPE: 3/17/17

**Exhibit C—ELEVATIONS (CONTINUED)**

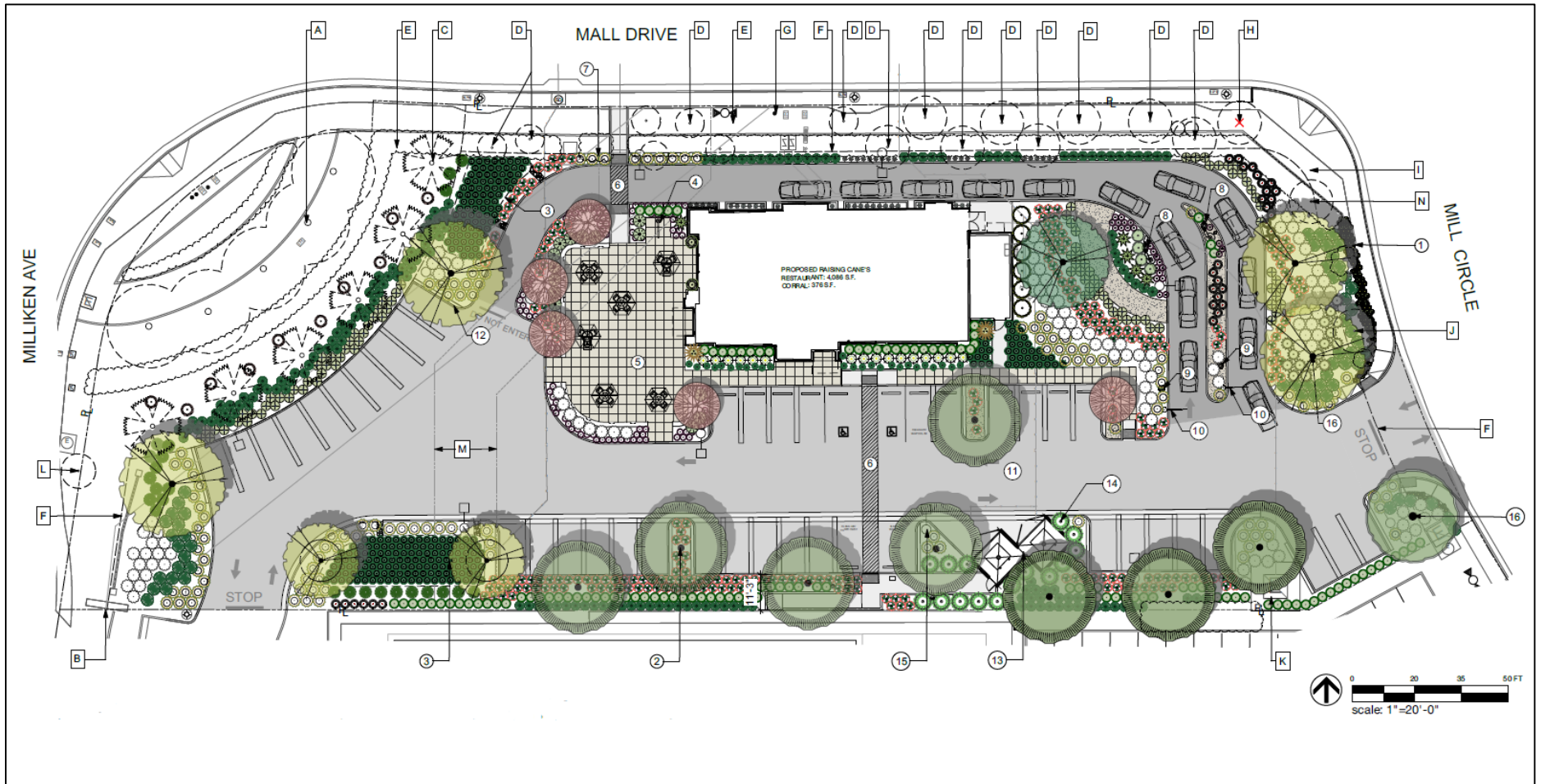


**01** EAST ELEVATION  
1/4" = 1'-0"



**02** SOUTH ELEVATION  
1/4" = 1'-0"

**Exhibit D—LANDSCAPE PLAN**



## Attachment 1—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:** September 6, 2017

**File No:** PDEV17-019

**Project Description:** A Development Plan to construct a 4,086-square foot drive-thru restaurant (Raising Cane's Chicken Fingers) on 1.47 acres of land located at 4360 East Mills Circle, within the Commercial/Office land use district of the California Commerce Center North/Ontario Gateway Plaza/Wagner Properties Specific Plan (APN: 0238-014-21); **submitted by Raising Cane's Chicken Fingers.**

**Prepared By:** Jeanie Irene Aguilo  
Phone: 909.395.2418 (direct)  
Email: jaguilo@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**     Outdoor Loading and Storage Areas.

**(a)**     Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

**(b)**     Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

**2.7** 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.

**2.8** 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.

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

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

(a) Individual sign plans (3 copies) for the project shall be submitted for separate review and approval to the Planning and Building Departments prior to installation.

**2.11** 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).

**2.12** 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, Infill 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.

**2.13** 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.

**2.14** 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.

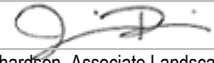
**2.15** Additional Requirements.

(a) Construct roofs or trellises over drive-up windows. Posts supporting roofs or trellises should be substantial in appearance and fully integrated into the architecture of the building. The stacking area for drive-up windows should be screened from the street through a combination of 3-foot high decorative masonry block walls and landscaping.

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

**PRELIMINARY PLAN CORRECTIONS**

**Sign Off**

	07/25/2017
Jamie Richardson, Associate Landscape Planner	Date

viewer's Name: <b>Jamie Richardson, Associate Landscape Planner</b>	Phone: <b>(909) 395-2615</b>
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D.A.B. File No.: PDEV17-019	Case Planner: Jeanie Irene Aguilo
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Project Name and Location: Drive though restaurant – Raising Cane's 4360 East Mills Circle
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Applicant/Representative: PMDG, inc Mohamed <a href="mailto:Mokledmmokled@pmdginc.com">Mokledmmokled@pmdginc.com</a> 38 Executive Park ste 130 Irvine, CA 92324
--

<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan (07/10/2017) 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.</b>
<input type="checkbox"/>	<b>A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>

**CORRECTIONS REQUIRED**

**Civil Plans – Previous Comments 5/16/2017**

1. Dimension basins and swales to be no greater than 50% of the on-site landscape area to allow for ornamental landscape. Provide a level grade minimum 4' from pedestrian paving for safety and min 5' along parking lots for hedge row and trees. *Verify if location over easement is approved.*
2. Revise site plan to show 15% of the site with landscaping *not including right of way* or paved areas.
3. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and *12" wide curbs, or 12" wide pavers or DG paving where parking spaces are adjacent to planters. Stepouts shall be 12" wide total.*

**Landscape Plans – Previous Comments 5/16/2017**

4. Add tree protection notes on construction and demo plans and coordinate to add to civil plans.
5. Show appropriate parking lot shade trees in the island planters with min 30' canopy at maturity such a Pistache, Koelreuteria, Ulmus 'True Green', etc. Replace Cercidium and Arbutus. *(Oaks are ok in landscape planters 8+).*
6. Note that irrigation plans shall provide separate systems for tree stream bubblers with pc screens.
7. Replace high maintenance, thorny or poor performing plants: Lantana, Salvia leucantha, Agave Americana. *Limit use of grasses to avoid winter cropped appearance.*
8. Match planting palette on Mills circle with Quercus agrifolia and Platanus acerifolia alternating groups with iceberg roses and ornamental grasses. *Verify and match existing.*
9. Add small trees to the parking row ends and along the outdoor dining planter beds. Verify min 5' space. Consider small rooting shade trees such as Lagerstroemia, Pittosporum undulatum etc. *Add 2 Lagerstroemia to the southern plater at the outdoor dining area.*
10. Provide an appropriate hydroseed plant mix or container plants for the water quality basins. *See City of Ontario hydroseed mix*
11. Note for agronomical soil testing and include report on landscape plans.
12. Correct MAWA and ETWU formula. ETo per year is 54.6 not 15.06.
13. Show all proposed sign locations (on buildings and in landscape) to avoid conflicts with trees,

shrubs or basin areas. Adjust sign location on Mills per setback and not to reconstruct mowstrip.

14. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
15. 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. Typical fees are:
  - Plan Check—less than 5 acres .....\$1,301.00
  - Inspection—Construction (up to 3 inspections) ..... \$278.00

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



**ENGINEERING DEPARTMENT  
CONDITIONS OF APPROVAL**

(Environmental, Traffic/Transportation Division, Ontario Municipal Utilities Company  
Information Technology and Management Services Department conditions incorporated herein)

<input checked="" type="checkbox"/> <b>DEVELOPMENT PLAN</b> <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
<b>PROJECT FILE NO. <u>PDEV17-019</u></b>  RELATED FILE NO(S). _____	
<input checked="" type="checkbox"/> <b>ORIGINAL</b> <input type="checkbox"/> REVISED: __/__/__	

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

CITY PROJECT PLANNER & PHONE NO:      Jeanie Aguilo      (909) 395-2418

DAB MEETING DATE:      September 6<sup>th</sup>, 2017

PROJECT NAME / DESCRIPTION:      PDEV17-019, a Development Plan to construct a drive-thru restaurant (Raising Cane's Chicken Fingers) totaling 4,086 square feet on approximately 1.47 acres of land

LOCATION:      4360 East Mills Circle

APPLICANT:      Raising Cane's Restaurants, LLC

REVIEWED BY:           8/23/17  
    Bryan Lirley, P.E.      Date  
    Principal Engineer

APPROVED BY:           8/24/17  
    Khoi Do, P.E.      Date  
    Assistant City Engineer





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.

- 1.12 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).
- 1.13 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 2 of Parcel Map No. 14898.**
- 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 in addition to maintenance requirements established in the Water Quality Management Plan ( WQMP), as applicable to the project.
- 2.07 **Submit a soils/geology report.**
- 2.08 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: \_\_\_\_\_

2.09 Dedicate to the City of Ontario the right-of-way described below:

\_\_\_\_\_ feet on \_\_\_\_\_

Property line corner 'cut-back' required at the intersection of \_\_\_\_\_  
and \_\_\_\_\_.

2.10 Dedicate to the City of Ontario the following easement(s): \_\_\_\_\_

\_\_\_\_\_

2.11 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).

2.12 **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.**

2.13 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.

2.14 **Pay all Development Impact Fees (DIF) to the Building Department.**

2.15 **Other conditions:**   
1. **The applicant/developer shall provide a reciprocal access easement across the drive aisle off of Milliken Avenue for a solid waste truck to cross parcel 1 (APN 0238-014-20) and enter parcel 2 (APN 0238-014-21) of Parcel Map No. 14898.**



**B. PUBLIC IMPROVEMENTS**  
 (See attached Exhibit 'A' for plan check submittal requirements.)

2.16 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	Mall Dr	Mills Ci	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
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"/> 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
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 checked="" type="checkbox"/> <b>Modify existing curb return ramp at driveway approach</b>	<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"/> <b>Equip existing fire hydrant w/ break-off check valve</b>	<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



<b>Sewer</b> (see Sec. 2.C)	<input checked="" type="checkbox"/> Equip existing sewer lateral w/ clean-outs and a grease interceptor	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
<b>Water</b> (see Sec. 2.D)	<input checked="" type="checkbox"/> Equip existing domestic water service w/ a backflow device <input checked="" type="checkbox"/> Equip existing irrigation water service w/ a backflow device	<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
<b>Street Light</b> (see Sec. 2.F)	<input checked="" type="checkbox"/> Upgrade existing street light fixtures to LED	<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. 2G)	<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 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	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.15, above: \_\_\_\_\_



- 2.17 Construct a 0.15' asphalt concrete (AC) grind and overlay on the following street(s): \_\_\_\_\_
- 2.18 Reconstruct the full pavement structural section per City of Ontario Standard Drawing number 1011, based on existing pavement condition and approved street section design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. 'Pothole' verification of existing pavement section required prior to acceptance/approval of street improvement plan.
- 2.19 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.
- 2.20 Other conditions: \_\_\_\_\_

**C. SEWER**

- 2.21 **A 10 & 15-inch sewer main is available for connection by this project in Mall Drive. (Ref: Sewer plan bar code: S10492)**
- 2.22 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.23 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.
- 2.24 **Other conditions:** 
  - 1. **The applicant/developer shall apply for a Wastewater Discharge Permit and comply with all the requirements of their Wastewater Discharge Permit. Requirements are to equip a monitoring manhole station and/or other pretreatment devices (e.g. grease interceptor, clarifier, etc.) to the on-site sewer system as occupant establishment use requires. Please contact Sheldon Yu ([omucenviromental@ontarioca.gov](mailto:omucenviromental@ontarioca.gov)), Senior Associate Engineer, at (909) 395-2687 for more information about the permit and how to apply.**
  - 2. **The applicant/developer shall equip the existing sewer lateral with a clean-out and grease interceptor.**

**D. WATER**

- 2.25 **A 16-inch water main is available for connection by this project in Mall Drive. (Ref: Water plan bar code: W10036)**
- 2.26 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.27 **Other conditions:** 
  - 1. **The applicant/developer shall upgrade and equip a break-off check valve to the existing fire hydrant located within frontage of Mall Drive per City Standard Drawing Number 4101.**
  - 2. **The applicant/developer shall install a fire service with a DCDA and abandon the existing fire service no longer to be used.**
  - 3. **The applicant/developer shall equip the existing domestic water service with a backflow device.**
  - 4. **The applicant/developer shall construct a separate water service with a water meter and backflow device for irrigation purposes only.**



**E. RECYCLED WATER**

- 2.28 A \_\_\_\_\_ inch recycled water main is available for connection by this project in \_\_\_\_\_. (Ref: Recycled Water plan bar code: \_\_\_\_\_)
- 2.29 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.30 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. Applicant shall be responsible for construction of a connection to the recycled water main for approved uses, when the main becomes available. The cost for connection to the main shall be borne solely by Applicant.
- 2.31 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) 395-2687 regarding this requirement.

- 2.32 Other conditions: \_\_\_\_\_

**F. TRAFFIC / TRANSPORTATION**

- 2.33 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
- 2.34 Other conditions: 
  - 1. The applicant/developer shall replace the existing street light fixture with a current City approved LED equivalent fixture for three (3) existing street lights located within frontage of Mall Drive in accordance with the Traffic & Transportation Guidelines Section 1.4 Street Light Plans. The City guidelines are available on the City's website at: <http://www.ontarioca.gov/engineering/traffic-transportation>.
  - 2. Mall Drive and Milliken Avenue shall be posted "No Parking Anytime" along the entire project frontage

**G. DRAINAGE / HYDROLOGY**

- 2.35 A 42-inch storm drain main is available to accept flows from this project in Mall Drive. (Ref: Storm Drain plan bar code: D10523)
- 2.36 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.
- 2.37 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.
- 2.38 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.



- 2.39 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.
- 2.40 **Pay Storm Drain Development Impact Fee, approximately \$30,993, Fee shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.41 Other conditions: \_\_\_\_\_

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

- 2.41 401 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.
- 2.43 **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>.**
- 2.44 Other conditions: \_\_\_\_\_

**J. SPECIAL DISTRICTS**

- 2.45 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 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 the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.46 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

- 2.47 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 \_\_\_\_\_, see Fiber Optic Exhibit herein.
- 2.48 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**

- 2.49** 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>
  
- 2.50** Other conditions: 
  - 1. The applicant/developer shall construct a new 2-bin trash enclosure with a solid roof and pedestrian access per the Refuse & Recycling Planning Manual.



**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 benchmark 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.).**





**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

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**Project Number: PDEV17-019, and/or Parcel Map/Tract Map No. \_\_\_\_\_**

**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: \_\_\_\_\_

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-019  
 Address: 4360 E Mills Circle  
 APN: 0238-014-21  
 Existing Land Use: Commercial building - restuarant  
 Proposed Land Use: 4,086 SF drive-thru restaurant (Raising Cane's)  
 Site Acreage: 1.47 Proposed Structure Height: 24 ft  
 ONT-IAC Project Review: n/a  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Jeanie Aguilo  
 Date: 5/26/17  
 CD No.: 2017-035  
 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: 85 ft	
<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:** Jeanie Aguilo, Planning Department

**FROM:** Douglas Sorel, Police Department

**DATE:** May 16, 2017

**SUBJECT:** PDEV17-019 – A DEVELOPMENT PLAN TO CONSTRUCT A RAISING CANE'S FAST FOOD RESTAURANT WITH DRIVE-THRU AT 4360 EAST MILLS CIRCLE

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The “Standard Conditions of Approval” contained in Resolution No. 2010-021 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. 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.
- Rooftop addresses shall be installed on the building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions.

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

- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, all cash registers, and at least one camera shall capture any vehicle utilizing the drive-thru. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- 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 call Douglas Sorel at (909) 395-2873 regarding any questions or concerns.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Aguilo, Planning Department

**FROM:** Douglas Sorel, Police Department

**DATE:** May 16, 2017

**SUBJECT:** PDEV17-019 – A DEVELOPMENT PLAN TO CONSTRUCT A RAISING CANE'S FAST FOOD RESTAURANT WITH DRIVE-THRU AT 4360 EAST MILLS CIRCLE

---

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 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. 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.
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# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Jeanie Aguilo  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** May 4, 2017  
**SUBJECT:** PDEV17-019

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

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### Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm





# CITY OF ONTARIO

## MEMORANDUM

TO: "Vacant", Development Director  
Scott Murphy, Planning Director (Copy of Memo only)  
Cathy Wahlstrom, Principal Planner (Copy of memo only)  
Charity Hernandez, Economic Development  
Kevin Shear, Building Official  
Khoi Do, Assistant City Engineer  
Carolyn Bell, Landscape Planning Division  
Sheldon Yu, Municipal Utility Company  
Doug Sorel, Police Department  
Art Andres, Deputy Fire Chief/Fire Marshal  
Tom Danna, T. E., Traffic/Transportation Manager  
Lorena Mejia, Associate Planner, Airport Planning  
Steve Wilson, Engineering/NPDES  
**Bob Gluck, Code Enforcement Director**  
Jimmy Chang, IT Department  
David Simpson, Development/IT (Copy of memo only)

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: May 01, 2017

SUBJECT: FILE #: PDEV17-019

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 **Monday, May 15, 2017**.

- 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 Development Plan to construct a drive-thru restaurant for Raising Cane's Chicken Fingers totaling 4,086 square feet on approximately 1.47 acres of land located at 4360 East Mills Circle, within the Commercial/Office land use district of the Ontario Mills Specific Plan (APN: 0238-014-21).

- 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.

*Carl* Department      *Je Marie Aguilo* Supervisor Signature      Title      *5-8-17* Date