CITY OF ONTARIO

Regular City Council/Housing Authority Meeting
SEPTEMBER 6, 2022

City Hall
303 East B Street, Ontario, CA 91764

MAYOR PAUL S. LEON • MAYOR PRO TEM ALAN D. WAPNER
COUNCIL MEMBERS JIM W. BOWMAN, DEBRA DORST-PORADA AND RUBEN VALENCIA

CITY CLERK SHEILA MAUTZ • TREASURER JAMES R. MILHISER
CITY MANAGER SCOTT OCHOA • CITY ATTORNEY RUBEN DURAN

WELCOME TO A MEETING OF THE ONTARIO CITY COUNCIL

All documents for public review are on file with the Records Management/City Clerk's Department located at 303 East B Street, Ontario, CA 91764.

Anyone wishing to speak in person during public comment or on a particular item will be required to fill out a blue slip. Blue slips must be turned in prior to public comment beginning or before an agenda item is taken up. The Clerk will not accept blue slips after that time. To comment by email, submit your comments no later than 4:00 p.m. on the day of the meeting by emailing your name, agenda item you are commenting on and your comments to publiccomments@ontarioca.gov. All comments received by the deadline will be forwarded to the City Council for consideration before action is taken on the matter and will be entered into the record.

Comments will be limited to 3 minutes. Speakers will be alerted when they have 1 minute remaining and when their time is up. Speakers are then to return to their seats and no further comments will be permitted.

In accordance with State Law, remarks during public comment are to be limited to subjects within Council's jurisdiction. Remarks on other agenda items will be limited to those items.

Remarks from those seated or standing in the back of the chamber will not permitted. All those wishing to speak including Council and Staff need to be recognized by the Chair before speaking.

ACCOMODATIONS

If you need special assistance or accommodations to participate in this meeting, please contact

the City Clerk's office at 909-395-2009. Notification of 48 hours prior to the meeting will help the City make reasonable arrangements. Equipment for the hearing impaired is available in the Records Management Office.

ORDER OF BUSINESS

The regular City Council and Housing Authority meeting begins with Closed Session and Closed Session Comment at 6:00 p.m., Public Comment at 6:30 p.m. immediately followed by the Regular Meeting and Public Hearings. No agenda item will be introduced for consideration after 10:00 p.m. except by majority vote of the City Council. (EQUIPMENT FOR THE HEARING IMPAIRED AVAILABLE IN THE RECORDS MANAGEMENT OFFICE)

CALL TO ORDER *(OPEN SESSION)*

ROLL CALL

Wapner, Bowman, Dorst-Porada, Valencia, Mayor/Chairman Leon

CLOSED SESSION PUBLIC COMMENT

The Closed Session Public Comment portion of the Council/Housing Authority meeting is limited to a maximum of 3 minutes for each speaker and comments will be limited to matters appearing on the Closed Session. Additional opportunities for further Public Comment will be given during and at the end of the meeting.

CLOSED SESSION

GC 54656.9(d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION
Robles, et al. v. City of Ontario et al., Case No. CIVDS 2007038
ATTACHMENT: 20220906 Closed Session

PLEDGE OF ALLEGIANCE

Councilmember Valencia

INVOCATION

Pastor Daniel Ventura, Ontario United Reformed Church

REPORT ON CLOSED SESSION

City Attorney

SPECIAL CEREMONIES

PROCLAMATION OF SEPTEMBER 2022 AS NATIONAL PREPAREDNESS MONTH

That the City Council proclaim the month of September 2022 as National Preparedness Month in the City of Ontario.

ATTACHMENT: National Preparedness Month 2022^01 PROCLAMATION

PUBLIC COMMENTS 6:30 P.M

The Public Comment portion of the Council/Housing Authority meeting is limited to 30 minutes with each speaker given a maximum of 3 minutes. An opportunity for further Public Comment may be given at the end of the meeting. Under provisions of the Brown Act, Council is prohibited from taking action on oral requests.

To comment by email, submit your comments by email no later than 4:00 p.m. on the day of the meeting by emailing your name, agenda item you are commenting on and your comment to publiccomments@ontarioca.gov. All Comments received by the deadline will be forwarded to the City Council for consideration before action is taken on the matter and entered into the record. As previously noted -- if you wish to address the Council, fill out one of the blue slips at the rear of the chambers and give it to the City Clerk.

AGENDA REVIEW/ANNOUNCEMENTS

The City Manager will go over all updated materials and correspondence received after the Agenda was distributed to ensure Council Members have received them. He will also make any necessary recommendations regarding Agenda modifications or announcements regarding Agenda items to be considered.

CONSENT CALENDAR

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form listed below – there will be no separate discussion on these items prior to the time Council votes on them, unless a member of the Council requests a specific item be removed from the Consent Calendar for a separate vote.

Each member of the public wishing to address the City Council on items listed on the Consent Calendar will be given a total of 3 minutes.

1. APPROVAL OF MINUTES

Minutes for the regular meetings of the City Council and Housing Authority of August 2, 2022 and approving same as on file in the Records Management Department.

ATTACHMENT: 20220802S (Not Official Until Approved).pdf

2. BILLS & PAYROLL

Bills July 31, 2022 through August 19, 2022, and Payroll July 17, 2022 through August 13, 2022 when audited by the Finance Committee.

3. AN AMENDMENT TO A DESIGN SERVICES AGREEMENT WITH INFRASTRUCTURE ENGINEERING CORPORATION FOR THE FOURTH STREET STORM DRAIN PROJECT

That the City Council approve and authorize the City Manager, or his designee, to execute Amendment No. 10 to the on-call Design Services Agreement (on file in the Records Management Department) with Infrastructure Engineering Corporation of Poway, California, to provide engineering design services for the Fourth Street Storm Drain Project in the amount of $209,930 for a revised not-to-exceed total of $1,565,872.

ATTACHMENT: 20220906 Project Location Map^01 EXH A

4. A GOODS AND SERVICES AGREEMENT FOR THE UTILITIES CUSTOMER SERVICES CENTER AUTOMATED MAIL EXTRACTION AND SCANNING WORKSTATION

That the City Council approve and authorize a three year Goods and Services Agreement (on file in the Records Management Department) with OPEX Co., of Moorestown, New Jersey, for the Utilities Customer Services Center (UCSC) Automated Mail Extraction and Scanning Workstation and Annual Maintenance and License costs in the amount of $141,008, and authorize the City Manager to execute the Agreement and future amendments within the authorization limits.

5. AN ON-CALL SERVICES CONTRACT FOR UTILITY TRENCH PAVING

That the City Council take the following actions:

A. Reject PAVECO Construction Inc.'s protest against G.M. Sager Construction Inc. in its entirety;
B. Authorize the City Manager to execute an On-Call Services Contract for up to five years (on file in the Records Management Department) with G.M. Sager Construction Inc., of Pomona, California, for On-Call and Emergency Utility Trench Paving for a not-to-exceed amount $1,695,512.

6. A PROFESSIONAL SERVICES AGREEMENT FOR CHANGE MANAGEMENT, DEVELOPMENT AND IMPLEMENTATION OF A PARTNER TECHNOLOGY SUCCESS PROGRAM, AND STAFF LEADERSHIP DEVELOPMENT

That the City Council authorize the City Manager to execute a three-year Professional Services Agreement (on file with the Records Management Department) with Steelbridge Solutions, Inc., of Eastwood, Kentucky, for consulting services, change management, development and implementation of a partner technology success program, and technology staff leadership development programs for a total not to exceed $300,000.

7. QUIT CLAIM DEED AND A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20389

That the City Council:

A. Authorize the City Manager to execute a Quit Claim Deed to Lennar Homes of California, LLC, for fee title ownership of a portion of Merrill Avenue; and
B. Adopt a Resolution approving an Improvement Agreement, Improvement Security and Final Tract Map No. 20389, located south of Merrill Avenue, west of Haven Avenue.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20389 LOCATED SOUTH OF MERRILL AVENUE, WEST OF HAVEN AVENUE.

ATTACHMENT: 20220906 Quit Claim Merrill and Tract Map 20389^01 EXH A
ATTACHMENT: 20220906 Quit Claim Merrill and Tract Map 20389^02 EXH B
ATTACHMENT: 20220906 Quit Claim Merrill and Tract Map 20389^03 RESO^RM

8. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR CONSULTING SERVICES TO MANAGE AND MAINTAIN THE CITY'S ENTERPRISE GEOGRAPHIC INFORMATION SYSTEM

That the City Council authorize the City Manager to execute an Amendment to the current Agreement (on-file with the Records Management Department) with Geographic Information Services, INC., Birmingham, Alabama, for consulting services to manage and maintain the City's Enterprise Geographic Information System (GIS) for a total not to exceed amount of $200,000 and extend the terms for one year.

9. PURCHASE OF NEW REPLACEMENT HELICOPTER AND EQUIPMENT

That the City Council authorize the City Manager to execute a sole source purchase contract with Airbus Helicopters of Grand Prairie, Texas in the amount of $4,100,000 for the purchase of a new helicopter; and authorize the City Manager to execute an Agreement with Hangar One, of Carlsbad, California in the amount of $2,152,341 for the purchase and installation of specialized helicopter equipment.

10. SECOND AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE ONTARIO HOUSING AUTHORITY AND ONTARIO EMPORIA II HOUSING PARTNERS, L.P.; AND SECOND AMENDMENT TO THE GRANT AGREEMENT BETWEEN THE CITY OF ONTARIO AND THE ONTARIO HOUSING AUTHORITY, IN AN AMENDED AMOUNT NOT TO EXCEED $11,500,000.

That the City Council ("City") and the Board of the Ontario Housing Authority ("Authority"):

A. Adopt the Resolutions approving the Second Amendment to the Disposition and

Development Agreement ("Second Amendment to DDA") between the Housing Authority and Ontario Emporia II Housing Partners, L.P. ("Developer") (on file with Records Management Department);

B. Approve the Second Amendment to City Grant Agreement ("Second Amendment to Grant Agreement") between the City and the Authority, providing a grant in an amended amount not to exceed $11,500,000 (on file with the Records Management Department); and

C. Authorize the City Manager/Executive Director or his designee to sign all documents necessary to implement the Agreements.

A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A SECOND AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE ONTARIO HOUSING AUTHORITY AND ONTARIO EMPORIA II HOUSING PARTNERS, L.P. AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THAT CERTAIN SECOND AMENDMENT TO CITY GRANT AGREEMENT [EMPORIA PHASE II MULTIFAMILY DEVELOPMENT] CONCERNING THE GRANT OF STATE AND DEVELOPER IN-LIEU FEE FUNDS TO THE ONTARIO HOUSING AUTHORITY FOR THE EMPORIA PHASE II AFFORDABLE HOUSING PROJECT.

A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THAT CERTAIN SECOND AMENDMENT TO CITY GRANT AGREEMENT [EMPORIA PHASE II MULTIFAMILY DEVELOPMENT] CONCERNING THE GRANT OF STATE AND DEVELOPER IN-LIEU FEE FUNDS TO THE ONTARIO HOUSING AUTHORITY FOR THE EMPORIA PHASE II AFFORDABLE HOUSING PROJECT.

ATTACHMENT: 20220906 Emporia Place II Project SIte^01 EXH A
ATTACHMENT: OHA - Authority Resolution for Second Amendment to Emporia Phase II Disposition and Development Agreement^04 RESO^RM.docx
ATTACHMENT: OHA - CITY RESOLUTION- SECOND AMENDMENT TO CITY GRANT AGREEMENT TO OHA^05 RESO^RM.docx
ATTACHMENT: OHA - AUTHORITY RESOLUTION FOR SECOND AMENDMENT TO CITY GRANT AGREEMENT TO OHA FOR EMPORIA PHASE II-c1^06 RESO^RM.docx

PUBLIC HEARINGS

Pursuant to Government Code Section 65009, if you challenge the City's zoning, planning or any other decision 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 City Council at, or prior to the public hearing. Affidavits of posting compliance, for all items below, are on file with the Records Management Department.

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11. A PUBLIC HEARING TO CONSIDER AN ORDINANCE FOR A PLANNED UNIT DEVELOPMENT

(FILE NO. PUD20-001) TO ESTABLISH DEVELOPMENT STANDARDS, DESIGN GUIDELINES, AND INFRASTRUCTURE REQUIREMENTS FOR THE DEVELOPMENT OF 0.81-ACRES OF LAND LOCATED AT 549 WEST HOLT BOULEVARD

That the City Council introduce and waive further reading of an Ordinance approving a Planned Unit Development, File No. PUD20-001, establishing development standards, design guidelines, and infrastructure requirements to facilitate the development of a mixed-use project located at 549 West Holt Boulevard.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD20-001, A PLANNED UNIT DEVELOPMENT (THE ROOSEVELT TOWER PLANNED UNIT DEVELOPMENT) TO ESTABLISH DEVELOPMENT STANDARDS, DESIGN GUIDELINES, AND INFRASTRUCTURE REQUIREMENTS FOR 0.81-ACRES OF LAND LOCATED AT 549 WEST HOLT BOULEVARD, WITHIN THE MU-1/LUA-3 (DOWNTOWN MIXED-USE/HOLT BOULEVARD DISTRICT) ZONING DISTRICT - APN: 1049-021-09.

ATTACHMENT: File No. PUD20-001^01 PC Backup
ATTACHMENT: File No. PUD20-001^02 ORD^RM
ATTACHMENT: File No. PUD20-001^03 ORD-PUD ATTACHMENT A

12. **A PUBLIC HEARING TO CONSIDER FILE NO. PCUP21-009, A CONDITIONAL USE PERMIT TO ESTABLISH A 128-ROOM LIMITED-SERVICE HOTEL ON 1.83 ACRES OF LAND LOCATED AT 5060 EAST FOURTH STREET**

That the City Council consider and adopt a Resolution approving the Conditional Use Permit, File No. PCUP21-009, establishing a 128-room limited-service hotel located at 5060 East Fourth Street.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP21-009, A CONDITIONAL USE PERMIT TO ESTABLISH AND OPERATE A 128-ROOM LIMITED-SERVICE HOTEL ON 1.83 ACRES OF LAND LOCATED AT 5060 EAST FOURTH STREET, WITHIN THE FREEWAY COMMERCIAL LAND USE DISTRICT OF THE EXCHANGE SPECIFIC PLAN AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 0238-012-30.

ATTACHMENT: File No. PCUP21-009 Extended Stay Hotel^01 Supplemental Market Study EXH A
ATTACHMENT: File No. PCUP21-009 Extended Stay Hotel^02 PC BACKUP
ATTACHMENT: File No. PCUP21-009 Extended Stay Hotel^03 RESO^RM
ATTACHMENT: File No. PCUP21-009 Extended Stay Hotel^04 RESO ATTACHMENT

13. **A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE ONTARIO GATEWAY SPECIFIC PLAN**

That the City Council consider and adopt the Resolution approving File No. PSPA22-003, an Amendment the Ontario Gateway Specific Plan, modifying Table 2.B (Permitted Land Uses by Planning areas) to allow "Auto Sales and Services" as a permitted land use in the Office

Planning Area 1 land use district.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA22-003, AN AMENDMENT TO THE ONTARIO GATEWAY SPECIFIC PLAN, MODIFYING TABLE 2.B (PERMITTED LAND USES BY PLANNING AREAS) TO ALLOW "AUTO SALES AND SERVICES" AS A PERMITTED LAND USE IN THE OFFICE PLANNING AREA 1 LAND USE DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF.

ATTACHMENT: File No. PSPA22-003 Ontario Gateway SP^01 Exhibits A thru C.pdf
ATTACHMENT: File No. PSPA22-003 Ontario Gateway SP^02 PC Backup.pdf
ATTACHMENT: File No. PSPA22-003 Ontario Gateway SP^03 RESO^RM

STAFF MATTERS

City Manager Ochoa

COUNCIL MATTERS

Mayor Leon
Mayor pro Tem Wapner
Council Member Bowman
Council Member Dorst-Porada
Council Member Valencia

ADJOURNMENT

CITY OF ONTARIO
CLOSED SESSION REPORT
City Council // Housing Authority // Other // *(GC 54957.1)*
September 6, 2022

ROLL CALL: Wapner _, Bowman _, Dorst-Porada _, Valencia _, Mayor / Chairman Leon _.

STAFF: City Manager / Executive Director __, City Attorney __

In attendance: Wapner _, Bowman _, Dorst-Porada _,Valencia _, Mayor / Chairman Leon _.

- GC 54656.9(d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION
  Robles, et al. v. City of Ontario et al., Case No. CIVDS 2007038

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

Reported by:

_____
City Attorney / City Manager / Executive Director

CITY OF ONTARIO *Agenda Report* **September 6, 2022**	**SECTION:** **SPECIAL CEREMONIES**
Department: Fire Department Prepared By: Sagar Patel Staff Member Presenting: Ray Gayk, Fire Chief Reviewed By: Jordan T Villwock Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No:

SUBJECT: PROCLAMATION OF SEPTEMBER 2022 AS NATIONAL PREPAREDNESS MONTH

RECOMMENDATION: That the City Council proclaim the month of September 2022 as National Preparedness Month in the City of Ontario.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Maintain the Current High Level of Public Safety

FISCAL IMPACT: There is no direct fiscal impact associated with this action.

BACKGROUND & ANALYSIS: For the eighteenth consecutive year, the Federal Emergency Management Agency (FEMA) has announced September as National Preparedness Month (NPM). The goal of NPM is to build awareness and encourage the whole community to prepare for emergencies in their homes, businesses, schools, workplaces, and communities. NPM is managed and sponsored by FEMA's Ready Campaign. The Ready Campaign works closely with Citizens Corps to increase national readiness across the nation. This year's National Preparedness Month theme is "A Lasting Legacy" and encouraging people that the life they have built is worth protecting. Prepare for disasters to create a lasting legacy for you and your family during NPM.

Residents are encouraged to take three primary actions: 1) build a kit 2) make a plan and 3) be informed. All residents are encouraged to visit the www.ReadyOntario.com website to learn more and find resources to make these three actions simple and easy to do. During this month, residents and businesses are reminded to register their cell phones with AlertOntario, the City's emergency notification system, by texting "ONTARIO" to 888777 or by visiting the www.ReadyOntario.com website.

PROCLAMATION OF SEPTEMBER 2022
AS NATIONAL PREPAREDNESS MONTH

WHEREAS, the City of Ontario is committed to ensuring the safety and security of all those living and visiting the city, and is dedicated to raising the awareness of all employees, residents, schools, and businesses about the importance of being prepared for potential disasters; and

WHEREAS, the U. S. Department of Homeland Security is focused on promoting and improving our Nation's ability to respond to emergencies and strongly supports efforts by cities to safeguard their communities by encouraging them to implement simple measures that will mitigate potential hazards and prevent damage to land and property; and

WHEREAS, the City of Ontario is proud to join with the Federal Emergency Management Agency (FEMA) in this nationwide effort and pledge their support for emergency preparedness by encouraging everyone in the community to create an emergency plan for themselves and their family and friends, to equip themselves with the necessary supplies to care for themselves and their families for at least 72 hours, to register themselves and their family for the mass notification tool AlertOntario, and become informed about the different threats that may affect them;

NOW, THEREFORE, the City of Ontario, its City Council and staff members do declare the month of September 2022 as:

NATIONAL PREPAREDNESS MONTH

GIVEN UNDER THE CORPORATE SEAL OF THE CITY OF ONTARIO, CALIFORNIA this 6th day of September 2022.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MEETING MINUTES
AUGUST 2, 2022
(Not Official Until Approved)

JOINT MEETINGS

The regular meetings of the Ontario City Council and Housing Authority were held on Tuesday, August 2, 2022 at Ontario City Hall, 303 E. B Street Ontario, California.

CALL TO ORDER

Mayor Leon called the Joint City Council and Ontario Housing Authority meetings to order at 6:32 p.m.

ROLL CALL

PRESENT:	Mayor/Chairman	Paul S. Leon
	Mayor pro Tem/Vice Chair:	Alan D. Wapner
	Council/Authority Members:	Jim W. Bowman, Debra Dorst-Porada and Ruben Valencia.
ABSENT:	Council/Authority Members:	None.

Also present were City Manager / Executive Director Scott Ochoa, City Attorney/Legal Counsel Ruben Duran, and City Clerk/Secretary Sheila Mautz.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Bowman.

INVOCATION

The invocation was led by Becky Dulay with Baha'i Faith.

PUBLIC COMMENTS

There were three emailed comments:
Alicia Hedrick, expressed concerns over property issues.
Jeanette Ellis Royston, in support of map #10**.**
Jennifer Jeanne Chang, regarding agricultural land.

Mayor Leon called upon the first speaker:

Norberto Corona, spoke on traffic issues near G Street and Grove Avenue.

Chris Robles, spoke on the creation of districts in the City of Ontario.

Stephanie Barbosa, expressed concerns regarding parking along school sites.

Jesse Fonseca, spoke on matters regarding the Ontario International Airport Authority.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa made no announcements.

CONSENT CALENDAR

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried by unanimous roll call vote 5-0, to approve the Consent Calendar as presented.

1. APPROVAL OF MINUTES

Minutes for the Regular Meetings of the City Council and Housing Authority of July 5, 2022 and special meetings of the City Council on Housing Authority on July 8, 2022 and approving the same as on file in the Records Management Department.

2. BILLS & PAYROLL

Bills from June 17, 2022 through June 30, 2022 in the amount of $6,010,359,51 and Payroll from June 5, 2022 through June 18, 2022 in the amount of $3,871,654.94, when audited by the Finance Committee.

3. ORDINANCES APPROVING DEVELOPMENT AGREEMENTS (FILE NOS. PDA22-003-A, B, C, AND D) BETWEEN THE CITY OF ONTARIO AND OTC LOT OWNER, LLC, TO ESTABLISH THE TERMS AND CONDITIONS ASSOCIATED WITH A DEVELOPMENT PLAN (FILE NO. PDEV22-014)

The City Council considered and adopted Ordinances approving Development Agreements (File No.'s PDA22-003-A, B, C, and D) to establish the terms and conditions associated with a Development Plan (File No. PDEV22-014) to construct up to 694 residential units and 71,500 square feet of commercial/office/retail uses on 10.49 acres of land located at 4000 East Ontario Center Parkway and the southeast and southwest corners of Via Piemonte and Via Villagio, within the Mixed-Use land use district (Subareas 8, 11, 16, and 17) of the Piemonte Overlay of the Ontario Center Specific Plan. First reading and introduction took place at a regular meeting of the City Council on July 19, 2022.

ORDINANCE NO. 3217 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDA22-003-A, A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND OTC LOT A OWNER LLC, TO ESTABLISH THE TERMS AND CONDITIONS FOR A DEVELOPMENT PLAN (FILE NO. PDEV22-014) TO CONSTRUCT 384

RESIDENTIAL UNITS AND UP TO 25,256 SQUARE FEET OF COMMERCIAL/OFFICE/RETAIL USES, ON APPROXIMATELY 4.83 ACRES OF LAND LOCATED AT THE SOUTHWEST CORNER OF ONTARIO CENTER PARKWAY AND CONCOURS STREET, WITHIN MIXED-USE SUBAREA 16 OF THE PIEMONTE OVERLAY OF THE ONTARIO CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: NORTHEAST PORTION OF 0210-205-01.

ORDINANCE NO. 3218 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDA22-003-B, A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND OTC LOT B OWNER LLC, TO ESTABLISH THE TERMS AND CONDITIONS FOR A DEVELOPMENT PLAN (FILE NO. PDEV22-014) TO CONSTRUCT 112 RESIDENTIAL UNITS AND UP TO 20,802 SQUARE FEET OF COMMERCIAL/OFFICE/RETAIL USES, ON APPROXIMATELY 1.69 ACRES OF LAND LOCATED AT THE SOUTHWEST CORNER OF ONTARIO CENTER PARKWAY AND FERRARI LANE, WITHIN MIXED-USE SUBAREA 17 OF THE PIEMONTE OVERLAY OF THE ONTARIO CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: SOUTHEAST PORTION OF 0210-205-01.

ORDINANCE NO. 3219 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDA22-003-C, A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND OTC LOT C OWNER LLC, TO ESTABLISH THE TERMS AND CONDITIONS FOR A DEVELOPMENT PLAN (FILE NO. PDEV22-014) TO CONSTRUCT 94 RESIDENTIAL UNITS AND UP TO 11,047 SQUARE FEET OF COMMERCIAL/OFFICE RETAIL USES, ON APPROXIMATELY 1.93 ACRES OF LAND FOR LOCATED AT THE SOUTHWEST CORNER OF ONTARIO VIA PIEMONTE AND VIA VILLAGIO, WITHIN MIXED-USE SUBAREA 8 OF THE PIEMONTE OVERLAY OF THE ONTARIO CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0210-204-39.

ORDINANCE NO. 3220 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FILE NO. PDA22-003-D, A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND OTC LOT D OWNER, LLC, TO ESTABLISH THE TERMS AND CONDITIONS FOR A DEVELOPMENT PLAN (FILE NO. PDEV22-014) TO CONSTRUCT 104 RESIDENTIAL UNITS AND UP TO 14,095 SQUARE FEET OF COMMERCIAL/OFFICE/RETAIL USES, ON APPROXIMATELY 2.04 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF ONTARIO VIA PIEMONTE AND VIA VILLAGIO WITHIN THE MIXED-USE SUBAREA 11 OF THE PIEMONTE OVERLAY OF THE ONTARIO CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0210-204-38.

4. AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 3082 LEVYING SPECIAL TAXES WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 35 (COUNTRYSIDE PHASE 2 SOUTH-FACILITIES)

The City Council considered and adopted an amending and restating Ordinance No. 3082 levying special taxes within City of Ontario Community Facilities District No. 35 (Countryside Phase 2 South-Facilities). First reading and introduction took place at a regular City Council meeting on July 19, 2022.

ORDINANCE NO. 3221 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING AND RESTATING ORDINANCE NO. 3082 LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 35 (COUNTRYSIDE PHASE 2 SOUTH-FACILITIES).

5. A DEVELOPMENT CODE AMENDMENT (FILE NO. PDCA22-004) PROPOSING CERTAIN CLARIFICATIONS AND REVISIONS TO THE CITY OF ONTARIO DEVELOPMENT CODE PERTAINING TO CHINO AIRPORT

The City Council considered and adopted the Ordinance approving File No. PDCA22-004, a Development Code Amendment proposing certain clarifications and revisions to the City of Ontario Development Code, establishing the Chino Airport Overlay zoning district and Reference L, Chino Airport Land Use Compatibility Plan. First reading and introduction took place at a regular City Council meeting on July 19, 2022.

ORDINANCE NO. 3222 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA22-004, A DEVELOPMENT CODE AMENDMENT FOR CERTAIN REVISIONS TO THE CITY OF ONTARIO DEVELOPMENT CODE, ESTABLISHING THE CHINO AIRPORT OVERLAY ZONING DISTRICT AND REFERENCE L, CHINO AIRPORT LAND USE COMPATIBILITY PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF.

ADMINISTRATIVE REPORT/DISCUSSION/ACTION

6. RESOLUTIONS CALLING FOR THE PLACEMENT OF A GENERAL TAX MEASURE ON THE BALLOT FOR THE NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION

The City Council adopted Resolutions (1) Placing a measure to approve a general capital Transactions and Use Tax (Sales Tax) at the rate of one cent (1¢) on the November 8, 2022 General Municipal Election ballot; (2) requesting the Board of Supervisors of the County of San Bernardino render the General Municipal Election consolidated with the State General Election; and (3) setting rules for the filing of primary and rebuttal arguments regarding the measure.

RESOLUTION NO. 2022-123 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, PROVIDING FOR THE FILING OF PRIMARY AND REBUTTAL ARGUMENTS AND SETTING RULES FOR THE FILING OF WRITTEN ARGUMENTS REGARDING A CITY MEASURE TO BE SUBMITTED AT THE NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION.

RESOLUTION NO. 2022-124 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2022 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO §10403 OF THE ELECTIONS CODE.

RESOLUTION NO. 2022-125 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING FOR THE PLACEMENT OF A GENERAL TAX MEASURE ON THE BALLOT FOR THE NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF AN ORDINANCE TO ENACT A GENERAL TRANSACTIONS AND USE TAX (SALES TAX) AT THE RATE OF ONE CENT (1¢).

PUBLIC COMMENTS

Chris Robles, spoke in opposition of the item.

City Council discussed the item and arrived at a consensus to give residents the opportunity to vote on the matter.

MOTION: Moved by Council Member Dorst-Porada, seconded by Mayor pro Tem Wapner and carried by unanimous roll call vote 5-0, to adopt Resolution Nos. 2022-123, 2022-124, and 2022-125.

STAFF MATTERS

There were no staff matters.

COUNCIL MATTERS

Council Member Valencia made no comments.

Council Member Bowman made no comments.

Mayor pro Tem Wapner stated he looked forward to seeing residents at National Night Out.

Mayor Leon made no comments.

Council Member Dorst-Porada stated she looked forward to seeing residents at National Night Out.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 6: 59 p.m.

Respectfully submitted,

_____
SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:

_____
PAUL S. LEON, MAYOR/CHAIRMAN

CITY OF ONTARIO *Agenda Report* **September 6, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Engineering Prepared By: Leonard Lui Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 3

SUBJECT: AN AMENDMENT TO A DESIGN SERVICES AGREEMENT WITH INFRASTRUCTURE ENGINEERING CORPORATION FOR THE FOURTH STREET STORM DRAIN PROJECT

RECOMMENDATION: That the City Council approve and authorize the City Manager, or his designee, to execute Amendment No. 10 to the on-call Design Services Agreement (on file in the Records Management Department) with Infrastructure Engineering Corporation of Poway, California, to provide engineering design services for the Fourth Street Storm Drain Project in the amount of $209,930 for a revised not-to-exceed total of $1,565,872.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

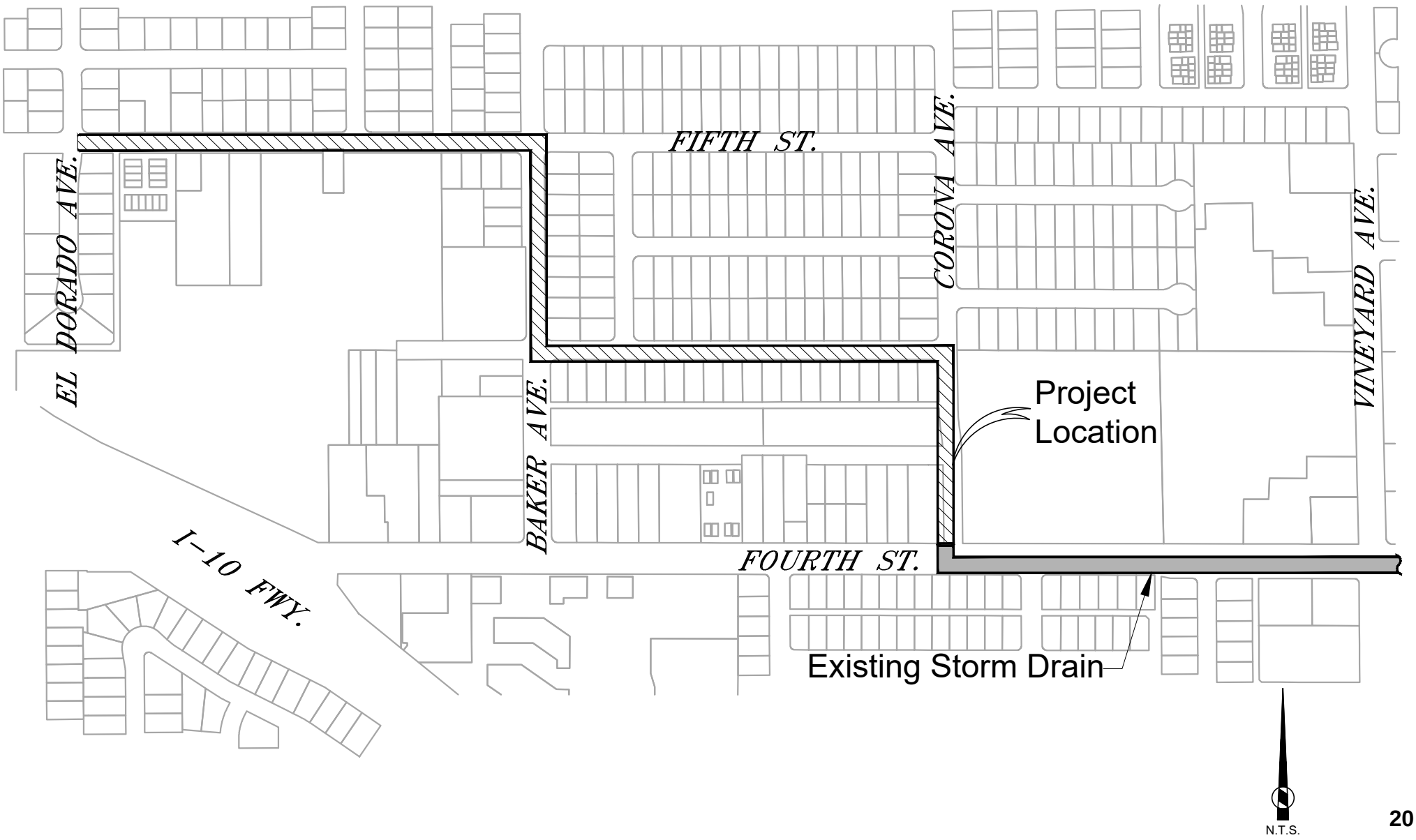
FISCAL IMPACT: The Fiscal Year 2022-23 Adopted Budget includes appropriated funds in the amount of $300,000 in OMC Local Adjacent Storm Drain Development Impact Fee (DIF) Funds for the design phase of the project (Project No. SD-063). The recommended expenditure authorization for Infrastructure Engineering Corporation consists of $190,845, plus a ten percent (10%) contingency of $19,085 for a total of $209,930 and a revised not-to-exceed contract total of $1,565,872.

BACKGROUND & ANALYSIS: The Fourth Street Storm Drain project is a master planned facility within the General City that spans from the Cucamonga Creek Channel to El Dorado Avenue and Fifth Street. The portion of the storm drain from the channel to Corona Avenue was previously built by developers and the I-10 widening project. This contract will provide for the design of the remaining portion of this project comprised of approximately 4,100 lineal feet of storm drain extending from El Dorado Avenue and Fifth Street to Corona Avenue and Fourth Street. A project location map has been provided (see Exhibit A).

In June 2022, the City solicited proposals from our on-call design engineering services consultant teams and received two responses. A selection team comprised of City staff reviewed the proposals

and recommends Infrastructure Engineering Corporation provide design engineering services for the Fourth Street Storm Drain Project. The City first contracted with Infrastructure Engineering Corporation in May of 2019 after an extensive Request for Proposal selection process for on-call professional services. This Amendment is to revise the scope of work to include services for the Fourth Street Storm Drain project and to increase the not-to-exceed compensation amount of the contract.

EXHIBIT A
FOURTH STREET
STORM DRAIN PROJECT
EL DORADO AVE. TO CORONA AVE.



CITY OF ONTARIO *Agenda Report* **September 6, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Utilities Customer Services Prepared By: Claudia Hernandez Staff Member Presenting: Scott Burton, Utilities General Manager Reviewed By: Dennice Raygoza, Albert G Gastelum, Michael Sigsbee Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 4

SUBJECT: A GOODS AND SERVICES AGREEMENT FOR THE UTILITIES CUSTOMER SERVICES CENTER AUTOMATED MAIL EXTRACTION AND SCANNING WORKSTATION

RECOMMENDATION: That the City Council approve and authorize a three year Goods and Services Agreement (on file in the Records Management Department) with OPEX Co., of Moorestown, New Jersey, for the Utilities Customer Services Center (UCSC) Automated Mail Extraction and Scanning Workstation and Annual Maintenance and License costs in the amount of $141,008, and authorize the City Manager to execute the Agreement and future amendments within the authorization limits.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner

FISCAL IMPACT: The UCSC Automated Mail Extraction and Scanning Workstation proposed expenditure amounts to $141,008. Annual maintenance and license costs for three years are included in the cost. If approved, appropriations of $113,466 from Integrated Waste, Sewer, and Water Operating Funds for year one will be included in the Fiscal Year 2022-23 First Quarter Budget update report to City Council. Appropriations for years two and three will be added to the future years budgets consistent with the annual adoption process. There is no fiscal impact to the General Fund.

BACKGROUND & ANALYSIS: The City's Utilities Customer Services Center (UCSC) is committed to recognizing and meeting the ever-changing needs of the residents and businesses. UCSC is responsible for the billing and payment collection of water, sewer, and integrated waste services, and currently processes approximately 76,000 check payments per year. The current document scanning workstation has reached its life cycle and is in need of replacement. The Falcon+Model 72 mail extraction and scanning workstation will allow UCSC to continue processing check payments while continuing to provide the highest level of service for check payment collections and processing.

The proposed workstation from OPEX Co. (OPEX) offers the latest technology for document scanning, opening envelopes, and extracting contents all in one step. The workstation reduces

processing times due to its high-capacity feeder; touchscreen monitor where operators can view images in real-time to ensure proper capture, and various media detection capabilities. OPEX is the sole source provider of the digital mailroom document scanning workstation. OPEX is the owner and manufacturer of OPEX products, and they have certified that they are the sole authorized source for parts and service on its equipment. Software, licensing, and maintenance fee's will be required for maintenance of the workstation. These fees are included in the cost. Staff has reviewed pricing, is familiar with the system, and recommends this sole source award to OPEX.

CITY OF ONTARIO *Agenda Report* **September 6, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Utilities Prepared By: Andy Marquez Staff Member Presenting: Scott Burton, Utilities General Manager Reviewed By: Dennice Raygoza, Albert G Gastelum, Michael Sigsbee Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 5

SUBJECT: AN ON-CALL SERVICES CONTRACT FOR UTILITY TRENCH PAVING

RECOMMENDATION: That the City Council take the following actions:

A. Reject PAVECO Construction Inc.'s protest against G.M. Sager Construction Inc. in its entirety;
B. Authorize the City Manager to execute an On-Call Services Contract for up to five years (on file in the Records Management Department) with G.M. Sager Construction Inc., of Pomona, California, for On-Call and Emergency Utility Trench Paving for a not-to-exceed amount $1,695,512.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The Fiscal Year 2022-23 Adopted Budget includes appropriation from the Water and Sewer Operational Funds for these on-call services. The recommended Contract amount is for a total not-to-exceed amount of $1,695,512. The initial term of the Contract will be from September 6, 2022 to June 30, 2025 (FY 2022-23 - $306,845, FY 2023-24 - $322,187, and FY 2024-25 - $338,297). At the City's discretion, up to two additional one-year extensions may be executed (FY 2025-26 - $355,211, and FY 2026-27 - $372,972). Contractor has agreed to fixed billing rates for the first year and will be compensated for on-call, as-needed services performed at the billing rates set forth in the Contract. Pricing for each additional year of the Contract will be negotiated and any increases in any year will not exceed 5% in total. The total compensation for this Contract will be commensurate with City Council approved budgets. There is no fiscal impact to the general fund.

BACKGROUND & ANALYSIS: This Contract provides for the repair and repaving of utility trenches at various locations throughout the City on an as-needed basis. The work performed under this Contract consists of approximately 200 trench repairs each year for a total of over 10,000 square feet of asphalt and 400 square feet of concrete. The trench repairs are related to underground pipeline work performed by Utilities Staff on the water and sewer systems. Trench repairs are

coordinated with the Contractor following utility work to minimize disruption within the public right-of-way.

In June 2022, the City solicited bids for On-Call and Emergency Utility Trench Paving. On June 21, 2022, six bids were received through the City's electronic bid management system in response to Bid No. 1541, OMUC Contract No. UT-1068.

Companies that submitted bids are as follows:

Vendor Name	**Location**	**Amount**
G.M Sager Construction Inc.	Pomona, CA	$306,845.00
PAVECO Construction Inc.	Baldwin Park, CA	$531,012.50
C.P. Construction Co. Inc.	Ontario, CA	$825,095.00
Hardy & Harper Inc.	Lake Forest, CA	$921,655.00
Gentry General Engineering Inc.	Rancho Cucamonga, CA	$939,013.00
T.E. Roberts Inc.	Irvine, CA	$1,845,845.00

Staff reviewed the bids for responsiveness and pricing criteria. Based on the proposed unit pricing, Staff recommends awarding the bid to G.M. Sager Construction Inc.

On June 28, 2022, PAVECO Construction Inc. submitted a protest letter stating, “G.M. Sager Inc. submitted an unbalanced bid and protested that their bid should be considered unresponsive.” Based upon Staff review, G.M. Sager was found to have reasonable percentages in the bid when compared to other bidders and recommends rejecting the protest by PAVECO Construction, Inc. in its entirety.

CITY OF ONTARIO *Agenda Report* **September 6, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Information Technology Prepared By: Samantha Robles Staff Member Presenting: Colin Fernandes, Executive Director Information Technology Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 6

SUBJECT: **A PROFESSIONAL SERVICES AGREEMENT FOR CHANGE MANAGEMENT, DEVELOPMENT AND IMPLEMENTATION OF A PARTNER TECHNOLOGY SUCCESS PROGRAM, AND STAFF LEADERSHIP DEVELOPMENT**

RECOMMENDATION: That the City Council authorize the City Manager to execute a three-year Professional Services Agreement (on file with the Records Management Department) with Steelbridge Solutions, Inc., of Eastwood, Kentucky, for consulting services, change management, development and implementation of a partner technology success program, and technology staff leadership development programs for a total not to exceed $300,000.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner

FISCAL IMPACT: The Fiscal Year 2022-23 Adopted Budget includes appropriations from the Information Technology Fund for Information Technology Agency consulting services. The proposed Professional Services Agreement has a contract amount not to exceed $300,000. Actual expenditures will be based on services rendered and pursuant based on the fixed billing rates set forth in the Agreement. If approved, appropriations will be added to the future years' budgets consistent with the annual adoption process.

BACKGROUND & ANALYSIS: Steelbridge Solutions, Inc. (Steelbridge) has a proven familiarity with the City's approach to technology projects. Over the past few years, they have partnered with the City to develop organizational change management programs and have implemented an automated coaching and development system that is utilized citywide. Steelbridge has supported several City technology initiatives, including implementing a Human Resources capital management, a payroll system and a utility billing system. Additionally, they have developed a repeatable technology change management process that supported the rollout of an Information Technology Helpdesk system. Steelbridge will leverage this knowledge to create a partner technology success program and provide additional coaching to the Information Technology Agency team on more effective use of IT tools. Based on their previous work and the effective solutions offered in their proposal, Staff recommends approval of a three-year Agreement with Steelbridge Solutions, Inc. for a not to exceed amount of $300,000.

CITY OF ONTARIO *Agenda Report* **September 6, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Engineering Prepared By: Raymond Lee Staff Member Presenting: Scott Murphy, Executive Director Community Development Reviewed By: Khoi Do Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 7

SUBJECT: **QUIT CLAIM DEED AND A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20389**

RECOMMENDATION:

That the City Council:

A. Authorize the City Manager to execute a Quit Claim Deed to Lennar Homes of California, LLC, for fee title ownership of a portion of Merrill Avenue; and
B. Adopt a Resolution approving an Improvement Agreement, Improvement Security and Final Tract Map No. 20389, located south of Merrill Avenue, west of Haven Avenue.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch

FISCAL IMPACT: There is not a direct fiscal impact associated with this action. All public infrastructure improvements required will be constructed by the Developer at its sole cost.

BACKGROUND & ANALYSIS:

Final Tract Map No. 20389, consisting of one lot on approximately 6.5 acres of land, as shown on Exhibit A, has been submitted by the Developer, Lennar Homes of California, LLC, a California Limited Liability Company. Tentative Tract Map No. 20389 was approved by the Planning Commission on May 25, 2021.

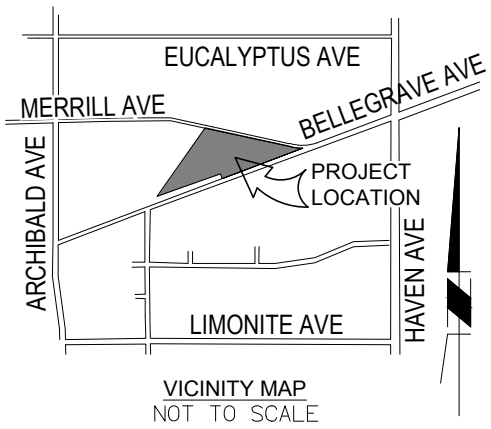
As a clean up item, the City will quit claim a portion of Merrill Avenue and a portion of the landscape area along Merrill Avenue that were dedicated by Tract Map No. 17821, as shown on Exhibit B. The Developer will re-dedicate the required easements to the City of Ontario as part of Final Tract Map 20389.

Improvements will include streets, storm drain, domestic water main, recycled water, sewer main, fiber optic conduits, street lights and parkway landscaping with irrigation. Improvements in the parkway will be consistent with current City approved drought measures.

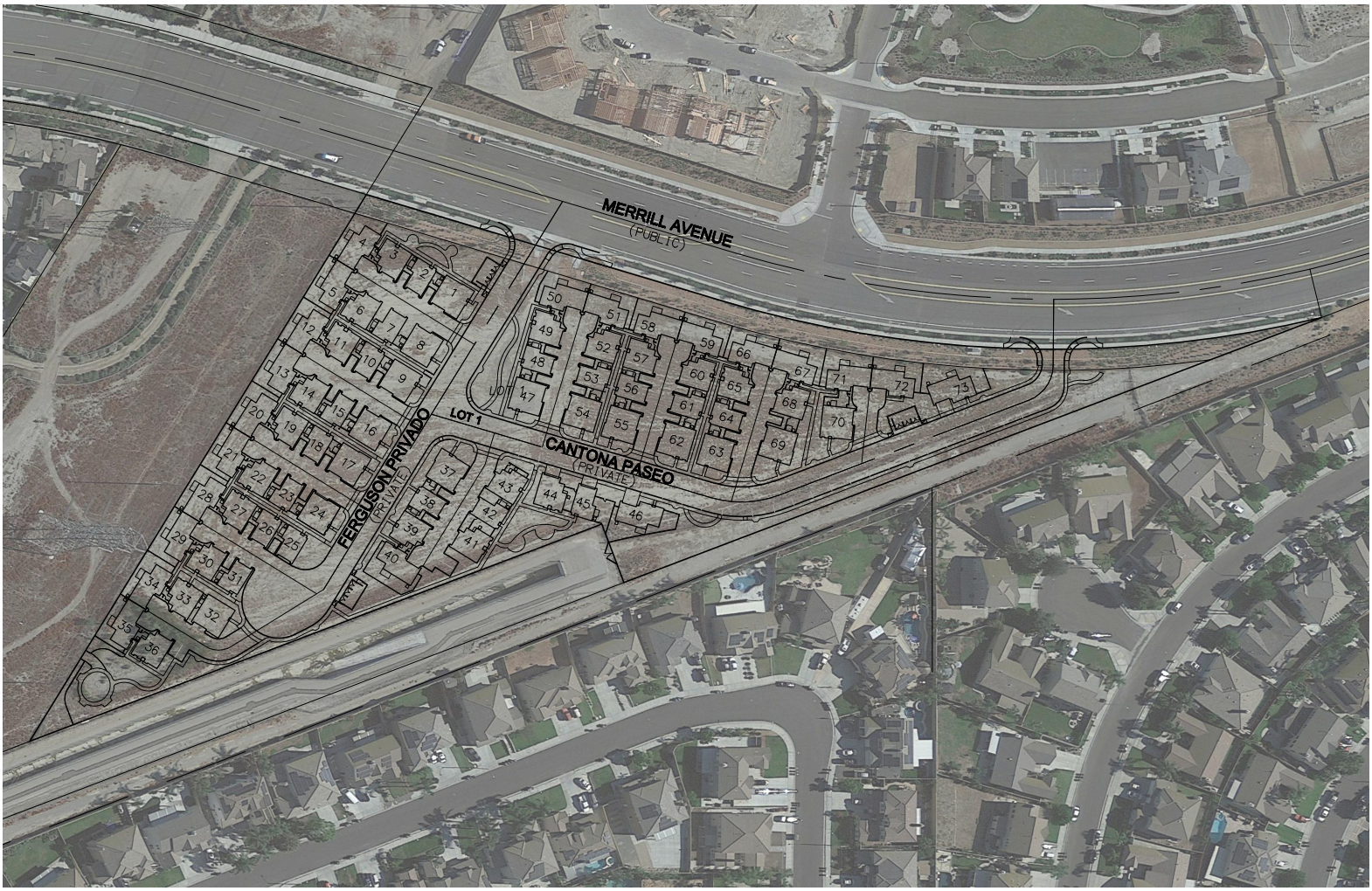
The Developer has entered into an Improvement Agreement with the City for Final Tract Map No. 20389 and has posted adequate security to ensure construction of the required improvements.

This map meets all conditions of the Subdivision Map Act and the Ontario Municipal Code and has been reviewed and approved by the City Engineer.

EXHIBIT A
TRACT 20389



VICINITY MAP
NOT TO SCALE



GROSS ACREAGE: 6.51 ACRES
NET ACREAGE: 3.64 ACREES

NUMBERED LOTS: 1
LETTERED LOTS: 0

PREPARED BY:

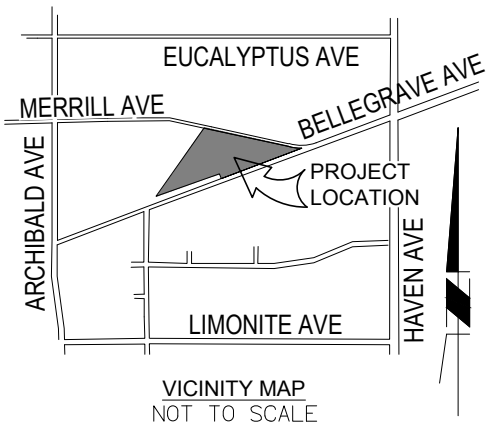
PROACTIVE
ENGINEERING CONSULTANTS
27042 Towne Centre Drive, Suite 110
Foothill Ranch, CA 92610 (949) 716-7460

APPLICANT/OWNER:

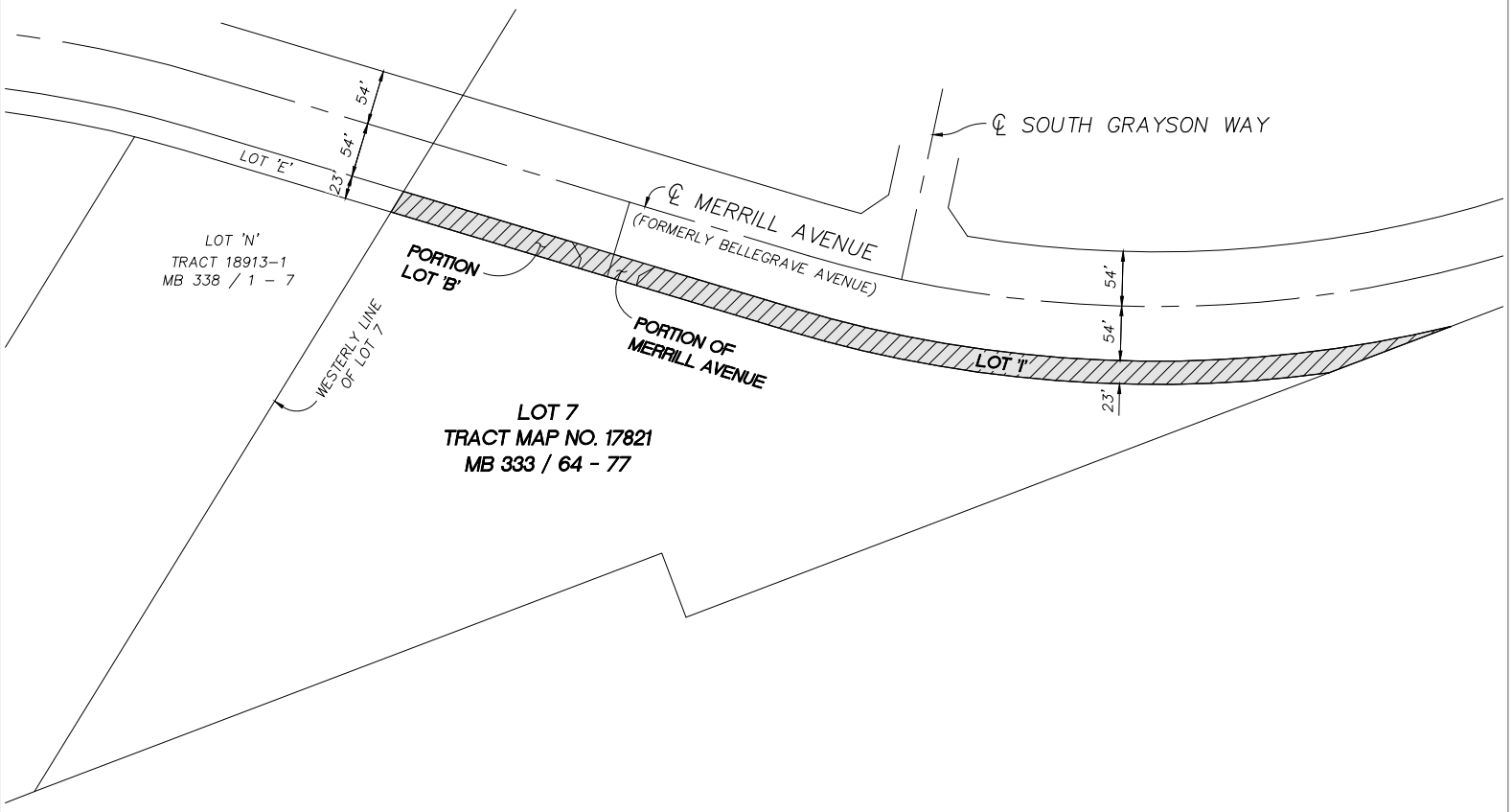
LENNAR HOMES - INLAND/LA/VENTURA DIVISION
980 MONTECITO DRIVE, SUITE 302
CORONA, CA 92879
TELEPHONE: (951) 817-3500

CITY OF ONTARIO
ENGINEERING DEPARTMENT

EXHIBIT B
TRACT 20389



VICINITY MAP
NOT TO SCALE



— INDICATES AREA TO BE QUITCLAIMED (0.528 ACRES)

— INDICATES AREA OF PROPOSED EASEMENT FOR LANDSCAPE, TRAIL, SIDEWALK, PUBLIC UTILITY, APPROVED PUBLIC ACCESS OR ANY OTHER LAWFUL PUBLIC PURPOSES (0.528 ACRES)

PREPARED BY:

PROACTIVE ENGINEERING CONSULTANTS
27042 Towne Centre Drive, Suite 110
Foothill Ranch, CA 92610 (949) 716-7460

APPLICANT/OWNER:

LENNAR HOMES - INLAND/LA/VENTURA DIVISION
980 MONTECITO DRIVE, SUITE 302
CORONA, CA 92879
TELEPHONE: (951) 817-3500

EXHIBIT B
TRACT 20389

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20389 LOCATED SOUTH OF MERRILL AVENUE, WEST OF HAVEN AVENUE.

WHERAS, Tentative Tract Map No. 20389 submitted for approval by SL Ontario Development Company, a Delaware Limited Liability Company, was approved by the Planning Commission of the City of Ontario on May 25, 2021; and

WHEREAS, Tentative Tract Map No. 20389 consists of one numbered lot being a subdivision of lot 4 of Tract Map No. 18913-4, recorded in book 347, pages 53 through 58, inclusive, of maps together with Lot 'I' and a portion of Lot 'B' of Tract Map No. 17821 filed in book 333, pages 64 through 77, inclusive, of maps, in official records in the office of County Recorder of San Bernardino County together with that portion of Merrill Avenue (formerly Bellegrave Avenue) as dedicated on said Tract Map No. 17821, lying easterly of the northerly prolongation of the westerly line of lot 7 of said Tract Map No. 17821, excepting therefrom any portion of said lot 'b', lying westerly of said northerly prolongation of said lot 7 also excepting therefrom, the northerly 54.00 feet of said portion of Merrill Avenue; and

WHEREAS, to meet the requirements established as prerequisite to final approval of Tract Map No. 20389, Lennar Homes of California, LLC, a California Limited Liability Company, has offered the Improvement Agreement together with good and sufficient improvement security, in conformance with the City Attorney's approved format, for approval and execution by the City; and

WHEREAS, the requirement for the preparation of Covenants, Conditions and Restrictions (CC&R's), approved by the City Attorney's Office, to ensure the right to mutual ingress and egress and continued maintenance of common facilities by the commonly affected property owners has been deferred to a date that coincides with the recordation of the subject Tract Map.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, California, as follows:

1. That said Improvement Agreement be, and the same is, approved and the City Manager is authorized to execute same on behalf of said City, and the City Clerk is authorized to attest thereto; and

2. That said Improvement Security is accepted as good and sufficient, subject to approval as to form and content thereof by the City Attorney; and

3. That Final Tract Map No. 20389 be approved and that the City Clerk be authorized to execute the statement thereon on behalf of said City.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of September 2022.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

_____
BEST, BEST & KREIGER, LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2022- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held September 6, 2022 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2022- duly passed and adopted by the Ontario City Council at their regular meeting held September 6, 2022.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO *Agenda Report* **September 6, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Information Technology Prepared By: Samantha Robles Staff Member Presenting: Colin Fernandes, Executive Director Information Technology Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 8

SUBJECT: **AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR CONSULTING SERVICES TO MANAGE AND MAINTAIN THE CITY'S ENTERPRISE GEOGRAPHIC INFORMATION SYSTEM**

RECOMMENDATION: That the City Council authorize the City Manager to execute an Amendment to the current Agreement (on-file with the Records Management Department) with Geographic Information Services, INC., Birmingham, Alabama, for consulting services to manage and maintain the City's Enterprise Geographic Information System (GIS) for a total not to exceed amount of $200,000 and extend the terms for one year.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner

FISCAL IMPACT: The Fiscal Year 2022-23 Adopted Budget includes appropriations from the Information Technology Fund for Information Technology Agency consulting services. The proposed Amendment to the Professional Services Agreement increases the authorized contract amount by $50,000 for a not-to-exceed contract amount of $200,000 and extends the agreement through July 31,2023. Actual expenditures will be based on services rendered and pursuant based on the fixed billing rates set forth in the existing Agreement. If approved, appropriations will be added to the future years' budgets consistent with the annual adoption process.

BACKGROUND & ANALYSIS: The City's Geographic Information System (GIS) provides mapping and address data to multiple systems used by the City. The City's consultant, Geographic Information Services, Inc (GIS Consultant) provides the City with professional services to assist with the management and maintenance of the City's information system. The initial Agreement with the GIS Consultant began in August 2020 and was extended for an additional year to August 2022. Over this time frame, the GIS Consultant has provided the City with excellent support and has demonstrated the level of specific systems expertise that is required. Staff requests City Council approval to extend the Agreement to August 2023 and to increase funding in Fiscal Year 2022-23.

CITY OF ONTARIO *Agenda Report* **September 6, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Police Department Prepared By: Zina Hullings Staff Member Presenting: Mike Lorenz, Chief of Police Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 9

SUBJECT: PURCHASE OF NEW REPLACEMENT HELICOPTER AND EQUIPMENT

RECOMMENDATION: That the City Council authorize the City Manager to execute a sole source purchase contract with Airbus Helicopters of Grand Prairie, Texas in the amount of $4,100,000 for the purchase of a new helicopter; and authorize the City Manager to execute an Agreement with Hangar One, of Carlsbad, California in the amount of $2,152,341 for the purchase and installation of specialized helicopter equipment.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Maintain the Current High Level of Public Safety
Operate in a Businesslike Manner

FISCAL IMPACT: The purchase of a replacement helicopter will be funded from the Equipment Services Fund for approximately $4,752,341. The cost of the new helicopter is $4,100,000 and the estimated cost for the installation and purchase specialized helicopter equipment is $2,152,341; this includes a $50,000 contingency. It is projected that the sale of the City's existing helicopter will generate approximately $1,500,000 in proceeds, which will reduce the net cost of the replacement helicopter from the cost of $6,252,341 to the projected amount of $4,752,341. If approved, the associated appropriations adjustments will be included in the Fiscal Year 2022-23 First Quarter Budget Update report to the City Council.

BACKGROUND & ANALYSIS: The Ontario Police Department Air Support Unit operates three helicopters in its fleet. The planned replacement of City aircraft is predicated on a milestone of 10 years, which is prior to the requirement to perform significant maintenance. Aging aircraft have a higher hourly operating cost due to unanticipated maintenance. Replacing at 10 years will avoid a 12-year inspection which includes paint stripping and disassembling the helicopter to focus on identification of fatigue and potential airframe and equipment failures. This is very costly and requires approximately six to nine months to complete.

Airbus Helicopters is considered a sole source vendor for the City of Ontario. The acquisition of the replacement H125 helicopter will ensure standardization and maintain the current high level of public safety for the City. This acquisition will also allow for consistency of training, tools and equipment, as well as enhance officer safety. Airbus Helicopters was selected as a sole-source

vendor based on the aircraft effectiveness and technical features, longer useful life, higher resale value, and lower maintenance requirements as compared to helicopters made by other manufacturers. The City's experience with this manufacturer began in 2002 with Ontario Police Department's purchase, of its first American Eurocopter (AEC) helicopter. The company since changed its name in 2014 to Airbus Helicopters.

The installation of avionics (and additional helicopter equipment) will be performed by Hangar One. Hangar One is also a City approved sole-source vendor. The company is an FAA-certified repair station, as well as an authorized sales and service center for manufacturers of avionic equipment for both law enforcement and private business aircraft. Utilizing Hangar One for equipment installation will maintain compatibility with avionics currently in service with all aircraft operated by Ontario Police Department.

CITY OF ONTARIO *Agenda Report* **September 6, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Housing Prepared By: Katryna Gonzalez Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 10

SUBJECT: **SECOND AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE ONTARIO HOUSING AUTHORITY AND ONTARIO EMPORIA II HOUSING PARTNERS, L.P.; AND SECOND AMENDMENT TO THE GRANT AGREEMENT BETWEEN THE CITY OF ONTARIO AND THE ONTARIO HOUSING AUTHORITY, IN AN AMENDED AMOUNT NOT TO EXCEED $11,500,000.**

RECOMMENDATION: That the City Council ("City") and the Board of the Ontario Housing Authority ("Authority"):

A. Adopt the Resolutions approving the Second Amendment to the Disposition and Development Agreement ("Second Amendment to DDA") between the Housing Authority and Ontario Emporia II Housing Partners, L.P. ("Developer") (on file with Records Management Department);
B. Approve the Second Amendment to City Grant Agreement ("Second Amendment to Grant Agreement") between the City and the Authority, providing a grant in an amended amount not to exceed $11,500,000 (on file with the Records Management Department); and
C. Authorize the City Manager/Executive Director or his designee to sign all documents necessary to implement the Agreements.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: The Fiscal Year 2022-23 Adopted Budget includes appropriations of $10,000,000 in the Ontario Housing Authority Fund for Emporia Phase II. Approval of the Second Amendment to the DDA will increase the Authority's gap loan from $10,000,000 to $11,500,000, increasing the City's total investment for the project to an estimated amount of $14,200,000. If approved, appropriations of $1,500,000 will be included in the First Quarter budget update and added to the FY 2022-23 Adopted Budget from the Affordability In-Lieu Fund.

The Developer loan amount will be finalized at the close of escrow and is dependent upon the land appraisal amount. The Authority's gap loan is a residual receipt note without interest that will be paid back over a 65-year term. Under the DDA, the loan will provide funds for the acquisition of land at a cost of $2,267,000 or appraised value, whichever is greater. In this case, the appraised value is higher at $2,700,000. The land purchase price will be provided to the Developer in the form of a loan carryback. The land purchase principal will have an interest rate at the applicable federal rate that will be set at escrow closing, currently estimated at 3.25%.

The City's Grant Agreement to the Authority, as amended by the Second Amendment to the Grant Agreement will not exceed $11,500,000 and will be funded from the following sources:

- California 2019 Budget Act Funds in the amount of $5,000,000;
- Affordability In-Lieu Fees in the amount of $4,619,990; and
- Permanent Local Housing Allocation (PLHA) Funds (SB2 Funds) in the amount of $1,880,010.

The increased funding of $1,500,000 is included in the not to exceed $11,500,000 proposed as part of the Second Amendment to the DDA. Additionally, the project is expected to be awarded Low-Income Housing Tax Credits to support the development in September 2022.

BACKGROUND & ANALYSIS: On April 20, 2021, the City Council and Authority Board approved the Emporia Phase II Multifamily Development ("Development") Disposition and Development Agreement ("DDA") and the City Grant Agreement for a 50-unit affordable housing development in the area of Emporia Street and Palm Avenue. The area, site plan, and elevations are shown in Exhibit A. The First Amendment to the DDA and the First Amendment to the Grant Agreement were approved by the City Council and Authority Board on February 15, 2022. Following is a brief summary of the proposed Amendments under consideration:

- The Second Amendment to DDA will increase the OHA loan fixed sum portion by $1,500,000, which increases the proposed loan amount to Developer to an amount equal to the sum of the Purchase Price for the property plus the fixed sum amount of $11,500,000; and

- The Second Amendment to Grant Agreement will increase the grant to include the total amount of Local In-Lieu Fees of $4,619,990, which includes the amended authorization of $3,119,990 and the additional allocation of $1,500,000, PLHA funds of $1,880,010, and $5,000,000 from California 2019 Budget Act Funds.

The Development is expected to be awarded Federal Low-Income Housing Tax Credit (LIHTC) program funds as a primary source of project funding. The Developer submitted an application for 2022 Round 2 funding and has received the apparent top score in the competitive grant application process for this region. The additional funding is necessary to complete the Development due to the rising construction costs and construction loan interest rates.

If the City Council and Authority Board approve the proposed Amendments, the Developer will accept the tax credits and will commence construction in March 2023.


W. Emporia St.
S. Palm Ave
W. Transit St
Emporia Place II
(Project Site)
S. Fern Ave
Emporia Place Phase I
(Not a part)
Holt Blvd
S. Vine Ave
N



SHEET INDEX

	COVER SHEET
A. R1	RENDERINGS
A. R2	RENDERINGS
A. R3	RENDERINGS - OUTDOOR SEATING AREA
A. R4	CORNER ELEVATION DETAILS
A.00	PROJECT SUMMARY
A.01	SITE PLAN
A.01a	PARKING DIAGRAM (PHASE 1 & 2)
A.02	OPEN SPACE PLAN
A.03	PRELIMINARY FIRE ACCESS PLAN
A.04	SOLID WASTE HANDLING PLAN
A.05	NORTH BUILDING - FIRST AND SECOND FLOOR PLANS
A.06	NORTH BUILDING - THIRD FLOOR AND ROOF PLANS
A.07	NORTH BUILDING - ELEVATIONS
A.08	NORTH BUILDING - ELEVATIONS
A.09	SOUTH BUILDING - FIRST AND SECOND FLOOR PLANS
A.10	SOUTH BUILDING - THIRD FLOOR AND ROOF PLANS
A.11	SOUTH BUILDING - ELEVATIONS
A.12	SOUTH BUILDING - ELEVATIONS
A.13	NORTH AND SOUTH BUILDING SECTIONS
A.14	COMMUNITY BUILDING FIRST FLOOR AND ROOF PLANS
A.15	COMMUNITY BUILDING ELEVATIONS
A.16	COMMUNITY BUILDING SECTIONS
A.17	UNIT PLANS
	COLORS & MATERIALS
L.1	CONCEPTUAL LANDSCAPE PLAN
L.2	SITE FURNITURE / AMENITIES

Emporia Place Phase 2

ONTARIO, CA

5.20.2021

THE RELATED COMPANIES OF CALIFORNIA, LLC
18021 VON KARMAN AVE. SUITE 900

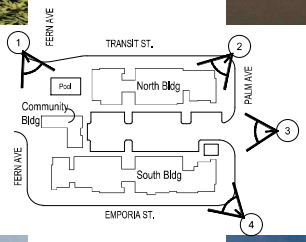
DANIELIAN ASSOCIATES
architects ▪ planners
www.danielian.com 949.474.6030



VIEW 1 - COMMUNITY BUILDING AND SWIMMING POOL



VIEW 2 - VIEW FROM CORNER OF TRANSIT ST. AND PALM AVE.





VIEW 4 - VIEW FROM CORNER OF EMPORIA ST. AND PALM AVE.



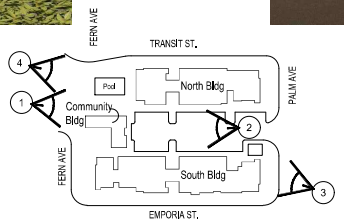
VIEW 3 - VIEW FROM PALM AVE. TOWARD PARKING LOT



VIEW 1 - COMMUNITY BUILDING AND SOUTH BUILDING



VIEW 2 - VIEW FROM PARKING LOT TOWARD COMMUNITY BUILDING





VIEW 4 - BIRD'S EYE VIEW



VIEW 3 - BIRD'S EYE VIEW



VIEW 1 - COMMUNITY BUILDING OUTDOOR SEATING / TRELLIS AREA



VIEW 2 - COMMUNITY BUILDING OUTDOOR SEATING / TRELLIS AREA

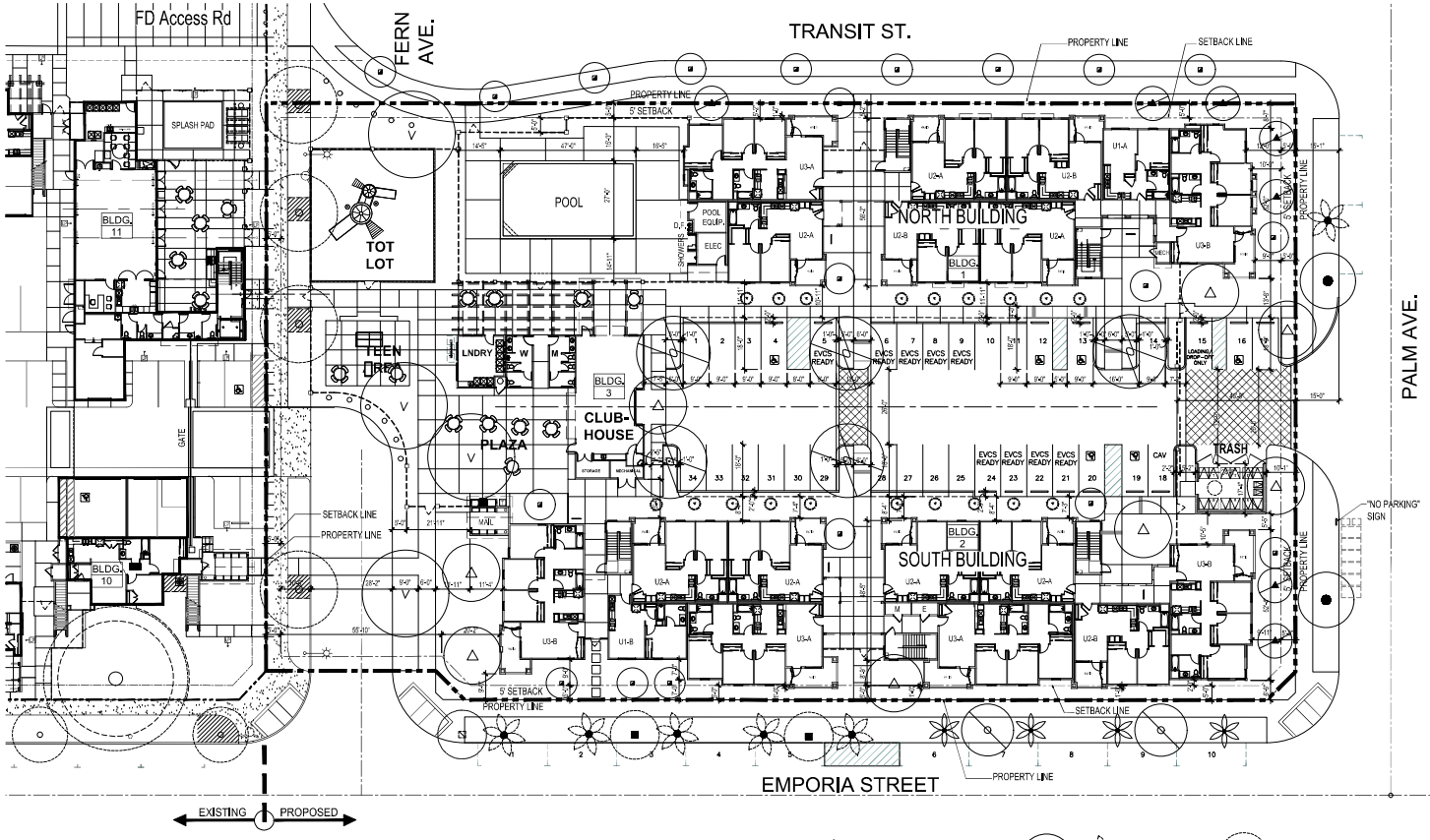


VIEW 4 - COMMUNITY BUILDING OUTDOOR SEATING / TRELLIS AREA



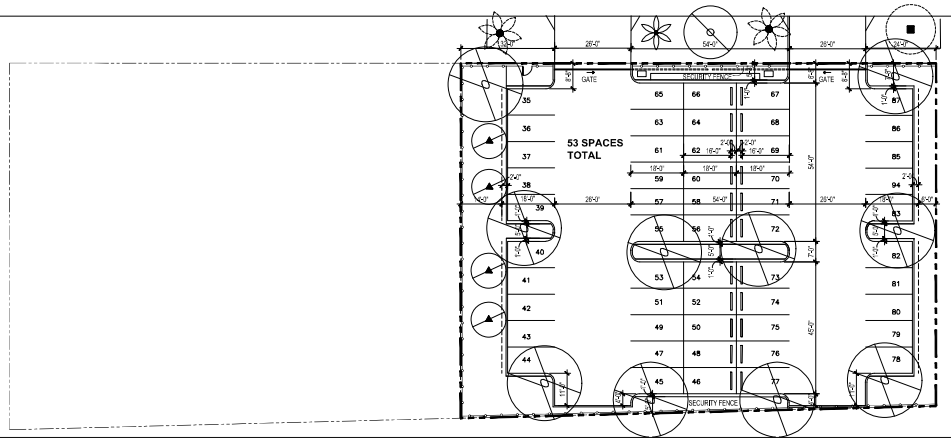
VIEW 3 - COMMUNITY BUILDING OUTDOOR SEATING / TRELLIS AREA

EXHIBIT A



SITE LIGHTING

1. OFF-STREET PARKING FACILITES SHALL BE PROVIDED WITH NIGHTTIME SECURITY LIGHTING PERSUANT TO ONTARIO MUNICIPAL CODE SECTION 4-11.08, (SPECIAL RESIDENTIAL 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.
2. SITE LIGHTING SHALL BE REVIEWED AND APPROVED BY THE PLANNING AND POLICE DEPARTMENT PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
3. ALONG PEDESTRIAN MOVEMENT CORRIDORS, THE USE OF LOW MOUNTED BOLLARD LIGHT STANDARDS, WHICH REINFORCE PEDESTRIAN SCALE, SHALL BE USED. STEPS, RAMPS AND SEATWALLS SHOULD BE ILLUMINATED WHEREVER POSSIBLE, WITH BUILT-IN LIGHT FIXTURES.
4. THE DESIGN OF LIGHT FIXTURES AND THEIR STRUCTUAL SUPPORTS SHOULD BE ARCHITECTURALLY COMPATIBLE WITH THE MAIN STRUCTURES ON THE SITE. LIGHT FIXTURES SHOULD BE ARCHITECTURALLY INTERGRATED INTO THE DESIGN OF A STRUCTURE.
5. THE MAXIMUM HEIGHT OF LUMINAIRES SHALL BE AS FOLLOWS;
   - 5.1. WHEN A LIGHT SOURCE OR LUMINAIRE HAS NO CUTOFF(THE POINT AT WHICH ALL LIGHT RAYS ARE COMPLETELY SHIELDED), THE MAXIMUM PERMITTED HEIGHT OF THE LUMINAIRE SHALL BE 14 FT.
   - 5.2. WHEN A LUMINAIRE HAS A TOTAL CUTOFF OF LIGHT AT AN ANGLE OF 90 DEGREES OR GREATER, THE MAX. PERMITTED HEIGHT OF THE LUMINAIRE SHALL BE 24 FT.WHEN A LUMINAIRE HAS A TOTAL CUTOFF OF LIGHT AT AN ANGLE OF LESS THAN 90 DEGREES, THE MAX. PERMITTED HEIGHT OF THE LUMINAIRE SHALL BE 30 FT.
6. THE LOCATION OF LIGHT FIXTURES SHOULD CORRESPOND TO ANTICIPATED USE. LIGHTING OF PEDESTRIAN MOVEMENT PATH SHOULD ILLUMINATE CHANGES IN GRADE, PATH INTERSECTIONS, SEATING AREAS AND ANY OTHER USES ALONG THE MOVEMENT PATH THAT , IF LEFT UNLIGHTED, WOULD CREATE AN UNSAFE SITUATION.
7. ALL LIGHT FIXTURES MUST BE SHIELDED TO CONFINE LIGHT SPREAD ON-SITE.
8. NIGHT LIGHTING OF BUILDING IS ENCOURAGED, BUT SHOULD BE ACCOMPLISHED IN A SELECTIVE MANNER. AVOIDING OVERALL BUILDING ILLUMINATION THAT PRODUCES AN UNDESIRABLE LOOK. NIGHT LIGHTING OF BUILDINGS MAY BE USED TO HIGHLIGHT SPECIAL BUILDING FEATURES, EMPHASIZE REPEATED OR DECORATIVE FEATURES, AND USE THE JUXTAPOSITION OF LIGHT AND SHADOW TO ARTICULATE THE BUILDING FACADE.



NOTE
ALL GROUND MOUNTED UTILITY STRUCTURES SHALL BE LOCATED OUT OF THE VIEW FROM THE PUBLIC STREET OR ADEQUATELY SCREENED WITH LANDSCAPING OR SCREEN WALLS.

20093
EMPORIA PLACE PHASE 2
ONTARIO, CA
The Related Companies of California, LLC

SITE PLAN

N
0' 20' 40'
SCALE 1" = 20'-0"

A.01 5/20/2021

DANIELIAN ASSOCIATES
architects + planners
www.danielian.com 949.474.6030

RESOLUTION NO._____

A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY APPROVING A SECOND AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE ONTARIO HOUSING AUTHORITY AND ONTARIO EMPORIA II HOUSING PARTNERS, L.P. AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH.

WHEREAS, the Ontario Housing Authority, a California public agency ("Authority"), currently owns certain real property generally located between Transit Street and Emporia Street and Fern Avenue and Laurel Avenue and more specifically described in Exhibit A attached to this Resolution and incorporated herein by this reference ("Property"); and

WHEREAS, the Authority entered into that certain Disposition and Development Agreement (the "DDA"), dated as of April 20, 2021, with Ontario Emporia II Housing Partners, L.P. (the "Developer"), pursuant to which (a) the Authority would sell to Developer the Property, and (b) the Developer will develop thereon an approximately 50-unit, multifamily, affordable, rental housing project (the "Project"); and

WHEREAS, the Authority and Developer entered into the First Amendment to the DDA dated, for reference purposes, as of February 15, 2022 ("First Amendment to DDA") to increase the Fix Sum Portion of the Authority Subordinate Loan for the Project; and

WHEREAS, in order to address increased construction costs, increased interest rates, and the unforeseen costs of installing a vapor barrier for the Project, the Authority and Developer now desire to amend the DDA ("Second Amendment to DDA") in order to further increase the Fixed Sum Portion of the Authority Subordinate Loan (as those terms are defined in the DDA, as amended) for the Project by One Million, Five Hundred Thousand Dollars ($1,500,000), resulting in an amended not to exceed fixed sum of Eleven Million, Five Hundred Thousand Dollars ($11,500,000), and to update the Preliminary Project Budget, including the Cash Flow Projection.

NOW, THEREFORE, BE IT RESOLVED by the City Councill of the City of Ontario as follows:

SECTION 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. Approval of Agreement. The Authority Board hereby approves the Second Amendment to DDA, a copy of which is on file with the Secretary of the Authority, subject to any non-substantive revisions which do not increase the Authority's liability and are approved by the Authority counsel, and authorizes the Executive Director to sign and enter into the Second Amendment to DDA.

SECTION 3. CEQA. The Authority has determined that it can be seen with certainty that there is no possibility that approval of the actions authorized under this Resolution will have a significant adverse effect on the environment. Thus, the adoption

of this Resolution is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines.

SECTION 4. Notice of Exemption. The Executive Director, or his designee, is hereby directed to file a Notice of Exemption for the Project under CEQA.

SECTION 5. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Authority declares that the Authority would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

SECTION 6. Effective Date. This Resolution shall become effective immediately upon its adoption.

The Secretary of the Ontario Housing Authority shall certify as to the adoption this Resolution.

PASSED, APPROVED AND ADOPTED this 6th day of September 2022.

_____
PAUL S. LEON, CHAIRMAN

ATTEST:

_____
SHEILA MAUTZ, AUTHORITY SECRETARY

APPROVED AS TO FORM:

_____
AUTHORITY COUNSEL

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

I, SHEILA MAUTZ, Secretary of the Ontario Housing Authority, DO HEREBY CERTIFY that the foregoing Resolution No. OHA- was duly passed and adopted by the Board Members of the Ontario Housing Authority at their regular meeting held September 6, 2022 by the following roll call vote, to wit:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

_____
SHEILA MAUTZ, AUTHORITY SECRETARY

(SEAL)

The foregoing is the original of Resolution No. OHA- duly passed and adopted by the Ontario Housing Authority at their regular meeting held September 6, 2022.

_____
SHEILA MAUTZ, AUTHORITY SECRETARY

(SEAL)

EXHIBIT “A”
LEGAL DESCRIPTION OF THE PROPERTY

EXHIBIT “A”
LEGAL DESCRIPTION OF THE PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ONTARIO IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1: LOTS 4, 5, 8 AND 9, BLOCK 58, TOWN OF ONTARIO, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 9, PAGE 43 OF MAPS, RECORDS OF SAID COUNTY. EXCEPTING THE NORTH 3.25 FEET AS CONVEYED TO THE CITY OF ONTARIO, BY DEED RECORDED MAY 13, 1958 IN BOOK 4507, PAGE 433 OFFICIAL RECORDS OF SAN BERNARDINO COUNTY. APN: 1049-054-02-0-000

PARCEL 2: THE NORTH 60 FEET OF LOTS 1, 2 AND 3, BLOCK 58, TOWN OF ONTARIO, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 9, PAGE 43 OF MAPS, RECORDS OF SAID COUNTY. APN: 1049-054-03-0-000

PARCEL 3: LOTS 6 AND 7, IN BLOCK 58, TOWN OF ONTARIO, AS PER PLAT RECORDED IN BOOK 9, PAGE 43 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING LOT LINE ADJUSTMENT NO. L-78-4, RECORDED JULY 06, 1978 IN BOOK 9468, PAGE 1350 OFFICIAL RECORDS, DESCRIBED AS FOLLOWS: PORTIONS OF BLOCK 58, TOWN OF ONTARIO, AS PER PLAT RECORDED IN BOOK 9, PAGE 43 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY. BEGINNING AT THE NORTHWEST CORNER OF LOT 6 OF THE ABOVE DESCRIBED BLOCK, THENCE EASTERLY TO THE NORTHEAST CORNER OF SOUTH LOT 6, THENCE SOUTHERLY 210 FEET TO THE SOUTHEAST CORNER OF LOT 7 OF SAID BLOCK, THENCE WESTERLY TO THE SOUTHWEST CORNER OF SOUTH LOT 7, THENCE NORTHERLY 210 FEET TO THE POINT OF BEGINNING. APN: 1049-054-06-0-000

PARCEL 4: THAT PORTION OF BLOCK “B”, IN THE TOWN OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED I BOOK 9, PAGE 43 OF MAPS, RECORDS OF SAID COUNTY, PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF EMPORIA AVENUE 40.6 FEET WEST OF THE EAST LINE OF SAID BLOCK “B” (THE SAME BEING 364 FEET WEST OF THE WEST LINE OF LAUREL AVENUE); RUNNING THENCE WEST ON THE SOUTH LINE OF EMPORIA AVENUE 52 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID BLOCK “B” 118 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF THE RIGHT OF WAY OF THE SOUTHERN PACIFIC RAILWAY COMPANY; THENCE EAST ON SAID NORTH LINE 52 FEET, MORE OR LESS TO A POINT DUE SOUTH OF THE POINT OF BEGINNING; THENCE NORTH TO THE POINT OF BEGINNING. APN: 1049-059-07-0-000

PARCEL 5: LOTS 1, 2, 3, 10, 11 AND 12, IN BLOCK 58, TOWN OF ONTARIO, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF

CALIFORNIA, AS PER PLAT RECORDED IN BOOK 9, PAGE 43 OF MAPS, RECORDS OF SAID COUNTY. SAVING AND EXCEPTING THE NORTH 60 FEET OF LOTS 1, 2 AND 3. APN: 1049-054-04-0-000

PARCEL 6: THAT PORTION OF BLOCK "B", AS SHOWN ON THE MAP OF TOWN OF ONTARIO, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 9, PAGE 43, OF MAPS, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF EMPORIA AVENUE, 50 FEET EAST OF THE WEST LINE OF BLOCK "B"; THENCE EAST ALONG THE SOUTH LINE OF EMPORIA AVENUE, 213.8 FEET TO A POINT 92.6 FEET WEST OF THE EAST LINE OF SAID BLOCK "B"; THENCE SOUTH ON A LINE PARALLEL WITH THE EAST LINE OF SAID BLOCK "B" 118 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF THE SOUTHERN PACIFIC RAILWAY RIGHT OF WAY; THENCE WESTERLY ALONG THE NORTH LINE OF SAID RIGHT OF WAY 214 FEET; MORE OR LESS TO A POINT DUE SOUTH OF THE POINT OF BEGINNING; THENCE NORTH ON A LINE PARALLEL WITH AND 50 FEET EAST OF THE WEST LINE OF SAID BLOCK, TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THE WESTERLY 103.8 FEET. APN: 1049-059-06-0-000

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THAT CERTAIN SECOND AMENDMENT TO CITY GRANT AGREEMENT [EMPORIA PHASE II MULTIFAMILY DEVELOPMENT] CONCERNING THE GRANT OF STATE AND DEVELOPER IN-LIEU FEE FUNDS TO THE ONTARIO HOUSING AUTHORITY FOR THE EMPORIA PHASE II AFFORDABLE HOUSING PROJECT.

WHEREAS, the City of Ontario ("City") has received the following funds from the State of California: California 2019 Budget Act Funds in the amount of $5,000,000, and Permanent Local Housing Allocation Funds (SB2 funds) in the amount of $1,880,010.

WHEREAS, in addition, the City has collected Local In-Lieu Fees from developers in the amount of $4,619,990.

WHEREAS, the Authority has entered into a Disposition and Development Agreement ("DDA") with Ontario Emporia II Housing Partners, L.P. ("Developer") dated, for reference purposes, as of April 20, 2021, as subsequently amended, setting forth the terms for the transfer of the Property (as that term is defined in the DDA) to Developer and the development of a 50-unit affordable housing development (the "Development").

WHEREAS, the City desires to develop and support affordable rental housing, and stabilize the community through the grant of the funds described herein.

WHEREAS, pursuant to that certain City Grant Agreement [Emporia Phase II Multifamily Development] ("Agreement"), dated, for reference purposes, as of April 20, 2021 the City originally extended to the Authority financial assistance in the form of a grant from the following funding sources, and in the following original sums: California 2019 Budget Act Funds in the amount of $5,000,000, the Permanent Local Housing Allocation Funds (SB2 funds) in the amount of $736,015 and the Local In-Lieu Fees in the amount of $2,263,985 ("Original Grant").

WHEREAS, the City and the Authority entered into a First Amendment to City Grant Agreement [Emporia Phase II Multifamily Development] ("First Amendment"), dated February 15, 2022, to amend the amount of the Original Grant and increase it to a total sum of $10,000,000.

WHEREAS, the City desires to enter into a Second Amendment to City Grant Agreement [Emporia Phase II Multifamily Development] ("Second Amendment") to amend the amount of the Original Grant and increase it by an additional $1,500,000 in In-Lieu Fees due to increased construction costs, increased interest rates, and unforeseen costs for a vapor barrier for the Development.

WHEREAS, pursuant to the Second Amendment, the City desires to amend the amount of the Original Grant, and to provide the following amounts of financial assistance:

California 2019 Budget Act Funds in the amount of $5,000,000, the Permanent Local Housing Allocation Funds (SB2 funds) in the amount of $1,880,010 and the Local In-Lieu Fees in the amount of $4,619,990 ("Grant").

WHEREAS, the City desires to make the Grant in accordance with the terms and conditions set forth in the Agreement, as amended by the First Amendment and the Second Amendment, and Authority desires to receive the Grant from the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ontario as follows:

SECTION 1. Recitals. The above recitals are true and correct, and are incorporated into this Resolution by reference as though fully set forth herein.

SECTION 2. Approval of Second Amendment to City Grant Agreement [Emporia Phase II Multifamily Development]. The City Council hereby approves the Second Amendment to City Grant Agreement [Emporia Phase II Multifamily Development] in the form on file at the Offices of the City.

SECTION 3. Authorization. The City Council hereby authorizes the City Manager (with the concurrence of the City Attorney) to execute and deliver on behalf of the City the Second Amendment, with such changes as may be authorized by the City Attorney, and such other documents and instruments as may be necessary or convenient in the furtherance of the actions authorized in this Resolution.

SECTION 4. Direction. City staff is hereby directed to do all that is necessary to effectuate the intent of this Resolution.

SECTION 5. CEQA Compliance. The City has determined that it can be seen with certainty that there is no possibility that approval of the actions authorized under this Resolution will have a significant adverse effect on the environment. Thus, the adoption of this Resolution is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines.

SECTION 6. Certification. The City Clerk shall certify the adoption of this Resolution.

SECTION 7. Effective Date. This Resolution shall become effective upon its adoption.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 6th day of September 2022.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2022- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held September 6, 2022 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2022- duly passed and adopted by the Ontario City Council at their regular meeting held September 6, 2022.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY APPROVING THAT CERTAIN SECOND AMENDMENT TO CITY GRANT AGREEMENT [EMPORIA PHASE II MULTIFAMILY DEVELOPMENT] CONCERNING THE GRANT OF STATE AND DEVELOPER IN-LIEU FEE FUNDS TO THE ONTARIO HOUSING AUTHORITY FOR THE EMPORIA PHASE II AFFORDABLE HOUSING PROJECT

WHEREAS, the City of Ontario ("City") has received the following funds from the State of California: California 2019 Budget Act Funds in the amount of $5,000,000, and Permanent Local Housing Allocation Funds (SB2 funds) in the amount of $1,880,010.

WHEREAS, in addition, the City has collected Local In-Lieu Fees from developers in the amount of $4,619,990.

WHEREAS, the Authority has entered into a Disposition and Development Agreement ("DDA") with Ontario Emporia II Housing Partners, L.P. ("Developer") dated, for reference purposes, as of April 20, 2021, as subsequently amended, setting forth the terms for the transfer of the Property (as that term is defined in the DDA) to Developer and the development of a 50-unit affordable housing development (the "Development").

WHEREAS, the City desires to develop and support affordable rental housing, and stabilize the community through the grant of the funds described herein.

WHEREAS, pursuant to that certain City Grant Agreement [Emporia Phase II Multifamily Development] ("Agreement"), dated, for reference purposes, as of April 20, 2021, the City originally extended to the Authority financial assistance in the form of a grant from the following funding sources, and in the following original sums: California 2019 Budget Act Funds in the amount of $5,000,000, the Permanent Local Housing Allocation Funds (SB2 funds) in the amount of $736,015 and the Local In-Lieu Fees in the amount of $2,263,985 ("Original Grant").

WHEREAS, the City and the Authority entered into a First Amendment to City Grant Agreement [Emporia Phase II Multifamily Development] ("First Amendment"), dated February 15, 2022, to amend the amount of the Original Grant and increase it to a total sum of $10,000,000.

WHEREAS, the City desires to enter into a Second Amendment to City Grant Agreement [Emporia Phase II Multifamily Development] ("Second Amendment") to amend the amount of the Original Grant and increase it by an additional $1,500,000 in In-Lieu Fees due to increased construction costs, increased interest rates, and unforeseen costs for a vapor barrier for the Development.

WHEREAS, pursuant to the Second Amendment, the City desires to amend the amount of the Original Grant, and to provide the following amounts of financial assistance: California 2019 Budget Act Funds in the amount of $5,000,000, the Permanent Local

Housing Allocation Funds (SB2 funds) in the amount of $1,880,010 and the Local In-Lieu Fees in the amount of $4,619,990 ("Grant").

WHEREAS, the City desires to make the Grant in accordance with the terms and conditions set forth in the Agreement, as amended by the First Amendment and the Second Amendment, and Authority desires to receive the Grant from the City.

NOW, THEREFORE, BE IT RESOLVED by the Ontario Housing Authority as follows:

SECTION 1. Recitals. The above recitals are true and correct, and are incorporated into this Resolution by reference as though fully set forth herein.

SECTION 2. Approval of Second Amendment to City Grant Agreement [Emporia Phase II Multifamily Development]. The Authority hereby approves the Second Amendment to City Grant Agreement [Emporia Phase II Multifamily Development] in the form on file at the Offices of the Authority.

SECTION 3. Authorization. The Authority hereby authorizes the Executive Director (with the concurrence of the Authority Counsel) to execute and deliver on behalf of the Authority the Second Amendment, with such changes as may be authorized by the Authority Counsel, and such other documents and instruments as may be necessary or convenient in the furtherance of the actions authorized in this Resolution.

SECTION 4. Direction. Authority staff is hereby directed to do all that is necessary to effectuate the intent of this Resolution.

SECTION 5. CEQA Compliance. The Authority has determined that it can be seen with certainty that there is no possibility that approval of the actions authorized under this Resolution will have a significant adverse effect on the environment. Thus, the adoption of this Resolution is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines.

SECTION 6. Certification. The Authority Secretary shall certify the adoption of this Resolution.

SECTION 7. Effective Date. This Resolution shall become effective upon its adoption.

The Secretary of the Ontario Housing Authority shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of September 2022.

_____
PAUL S. LEON, CHAIRMAN

ATTEST:

_____
SHEILA MAUTZ, AUTHORITY SECRETARY

APPROVED AS TO FORM:

_____
AUTHORITY COUNSEL

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

I, SHEILA MAUTZ, Secretary of the Ontario Housing Authority, DO HEREBY CERTIFY that the foregoing Resolution No. OHA- was duly passed and adopted by the Board Members of the Ontario Housing Authority at their regular meeting held September 6, 2022 by the following roll call vote, to wit:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

_____
SHEILA MAUTZ, AUTHORITY SECRETARY

(SEAL)

The foregoing is the original of Resolution No. OHA- duly passed and adopted by the Ontario Housing Authority at their regular meeting held September 6, 2022.

_____
SHEILA MAUTZ, AUTHORITY SECRETARY

(SEAL)

CITY OF ONTARIO *Agenda Report* **September 6, 2022**	**SECTION:** **PUBLIC HEARINGS**
Department: Planning Prepared By: Luis Batres Staff Member Presenting: Scott Murphy, Executive Director Community Development Reviewed By: Charles Mercier, Rudy Zeledon Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 11

SUBJECT: **A PUBLIC HEARING TO CONSIDER AN ORDINANCE FOR A PLANNED UNIT DEVELOPMENT (FILE NO. PUD20-001) TO ESTABLISH DEVELOPMENT STANDARDS, DESIGN GUIDELINES, AND INFRASTRUCTURE REQUIREMENTS FOR THE DEVELOPMENT OF 0.81-ACRES OF LAND LOCATED AT 549 WEST HOLT BOULEVARD**

RECOMMENDATION: That the City Council introduce and waive further reading of an Ordinance approving a Planned Unit Development, File No. PUD20-001, establishing development standards, design guidelines, and infrastructure requirements to facilitate the development of a mixed-use project located at 549 West Holt Boulevard.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: There is not a direct fiscal impact associated with this action.

BACKGROUND & ANALYSIS: The project site is composed of 0.81-acres of vacant land located at 549 West Holt Boulevard, within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district. Property to the north of the Project site is within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district and is developed with the Ontario Village Commercial Shopping Center. The property to the south is within the IL (Light Industrial) zoning district and is developed with a mix of industrial uses. The property to the east and west are within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district and are developed with multi-tenant commercial uses.

The Ontario Plan Policy Plan (General Plan) designates the project area as Mixed-Use, permitting residential uses at a density of 25.0 to 75.0 du/ac and commercial development at an intensity of up to 2.0 FAR for office and retail developments. The Ontario Plan ("TOP") describes the Downtown Mixed-Use Area as an intensive vertical and horizontal mixture of retail, office and residential uses

in a pedestrian friendly atmosphere. The most intensive uses are envisioned along Euclid and Holt Avenue. The Downtown Mixed-Use District is also intended to provide new housing opportunities that will provide increased demand for retail at more concentrated, strategic locations. The densities and intensities of the Mixed-Use land use designation represented within TOP are the range of anticipated development; however, individual projects may vary depending upon an approved master plan, such as an area plan, specific plan, or planned unit development (PUD).

The Policy Plan specifies that the Downtown Mixed-Use Area is to be implemented through the approval of an Area Plan or PUD prior to the development of properties within the area. In compliance with this requirement, the Applicant has submitted " The Roosevelt Tower Planned Unit Development" (included as Attachment "A" to the Ordinance), which is consistent with the vision and the goals and policies of the Policy Plan. The purpose of the Roosevelt Tower PUD is to implement TOP vision for the Downtown Mixed-Use Area as an intensive vertical and horizontal mixture of retail, office and residential uses in a pedestrian friendly atmosphere; to promote high standards in urban design; and to encourage the development of exceptionally high quality residential and commercial uses, while establishing regulations and standards for uses with special conditions and regulatory needs to ensure harmonious relationships with other surrounding land uses. The PUD will establishes the development standards, design guidelines and infrastructure to serve the site and to facilitate the development of a mixed-use development project at a density of 72.8 dwelling units per acre. In conjunction with the PUD submittal, the applicant has submitted a Development Plan application (File No. PDEV20-009) to construct a 5-story (three-stories of residential units over two-stories of podium parking) 59 unit apartment project and 2,500 square feet of first floor retail space. Consistent with the requirements of the MU-1 (Downtown Mixed-Use) zoning district, the proposed PUD allows for uses intended to encourage retail and commercial uses to service local residents, visitors and employees, and attract pedestrian traffic along Holt Boulevard. The development regulations set forth in the PUD will govern the placement, height, and bulk of permitted buildings and structures; establish locational criteria for vehicular access to the site; establish parking and loading requirements; and, establish landscape and sign standards.

On July 26, 2022, the Planning Commission conducted a public hearing to consider the above-described PUD and concluded the hearing on that date. After considering all public testimony on the application, the Planning Commission unanimously approved (7-0) Resolution No. PC22-037, recommending that the City Council approve the PUD document and adopted Resolution No. PC22-038 approving the Development Plan contingent on City Council approval of the PUD.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of TOP, 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.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport, and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill

Development) of the CEQA Guidelines, which consists of projects characterized as infill developments, meeting the following conditions:

(a) The Project is consistent with the applicable General Plan designation and all applicable General Plan policies, as well as with applicable zoning designation. The proposed Project is located within the MU (Mixed Use) land use district of the Policy Plan Land Use Map and the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district. The proposed project is consistent with all applicable Policy Plan (general plan) policies, as well as with the requirements of the Roosevelt Tower PUD, and applicable Development Code regulations;

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The Project is proposed within the established boundaries of the City of Ontario, on a project site totaling 0.81-acre of land, which is surrounded by established commercial land uses;

(c) The Project site has no value as habitat for endangered, rare, or threatened species. The site is void of any flora or fauna, was previously graded, and is regularly maintained to prevent the growth of weeds and grasses;

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The proposed mixed-use development is similar to, and of no greater impact than other allowed residential uses and commercial development projects within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district; and

(e) The site can be adequately served by all required utilities and public services. The site is located within an area that is currently served by all required utilities and public services, including, but not limited to sewer, water, gas, electric and municipal solid waste services.

CITY OF ONTARIO PLANNING DEPARTMENT

PLANNING COMMISSION STAFF REPORT

July 26, 2022

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

FILE NOS: PUD20-001 and PDEV20-009

SUBJECT: A Planned Unit Development (File No. PUD20-001) to establish development standards, design guidelines and infrastructure requirement for 0.81-acres of land, in conjunction with a Development Plan (File No. PDEV20-009) to construct a mixed-use project consisting of 59 multiple-family dwellings (three-stories of residential units) over two-stories of podium parking and 2,500 square feet of first floor retail space, on property located at 549 West Holt Boulevard, within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district; (APN: 1049-021-09) **submitted by Kathy Huynh. City Council action required for PUD only.**

PROPERTY OWNER: Roosevelt Property Management

RECOMMENDED ACTION: That the Planning Commission consider and 1) adopt the resolution recommending the City Council approve the Planned Unit Development, File No. PUD20-001, and 2) adopt the resolution approving the Development Plan, File No. PDEV20-009, pursuant to the facts and reasons contained in the staff report and resolution, and subject to the departmental conditions of approval included as Attachment A to the resolution.

PROJECT SETTING: The project site is comprised of 0.81-acres of vacant land located at 549 West Holt Boulevard, within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard) zoning district and is depicted in Figure 1: Project Location Map. The property is relatively flat, with a gentle slope to the southwest corner of the site and is covered with perennial

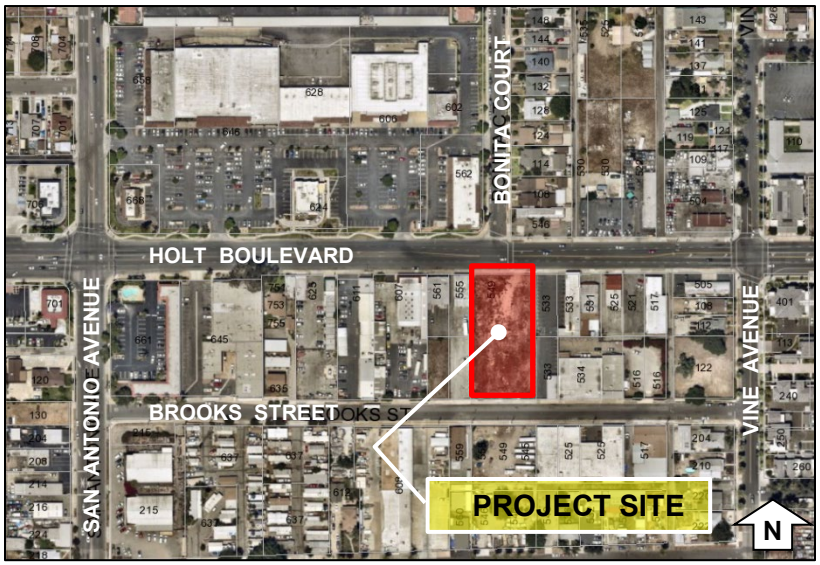


Figure 1: Project Location

Case Planner:	Luis E. Batres
Planning Director Approval:	
Submittal Date:	4/13/20

Hearing Body	*Date*	*Decision*	*Action*
DAB	7/6/22	Approval	Recommend
PC	7/26/22	Approval / Approved	Recommend (PUD) Final (PDEV)
CC	9/6/22		Final (PUD)

grasses. The Project site is rectangular in shape, with a lot depth of approximately 270 feet and a lot width of 140 feet. The property to the north of the Project site is within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard) zoning district and is currently developed with the Ontario Village Commercial Shopping Center. The property to the south is within the IL (Light Industrial) land use district and is developed with a mix of industrial uses. The properties to the east and west are located within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard) zoning district and are developed with multi-tenant commercial buildings. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — On April 13, 2020, the Applicant submitted a Planned Unit Development application (File No. PUD20-001, Roosevelt Tower Planned Unit Development) that will establish the development standards, design guidelines, and infrastructure requirements for the Project site. In conjunction with the Planned Unit Development ("PUD"), the Applicant submitted a Development Plan (File No. PDEV20-009) application requesting approval to construct a mixed-use project consisting of 59 multiple-family dwellings and 2,500 square feet of retail space (four tenant spaces), and two levels of podium parking. Pursuit to the Ontario Development Code, the PUD requires approval by both the Planning Commission and City Council.

On July 6, 2022, the Development Advisory Board ("DAB") conducted a hearing and unanimously voted to recommend that the Planning Commission approve the subject Development Plan (File No. PDEV20-009). The DAB's purview does not extend to the proposed Planned Unit Development.

(2) Planned Unit Development —The Ontario Plan Policy Plan (general plan) designates the project area as Mixed-Use, permitting residential uses at a density of 25.0 to 75.0 du/ac, and a development intensity of up to 2.0 FAR for office and retail development. The Ontario Plan describes the Downtown Mixed-Use Area as an intensive vertical and horizontal mixture of retail, office and residential uses in a pedestrian friendly atmosphere. The most intensive uses are envisioned along Euclid and Holt Avenue. The Downtown Mixed-Use District is also intended to provide new housing opportunities that will also provide increased demand for retail in more concentrated, strategic locations. The densities and intensities of the Mixed-Use land use designation represented within The Ontario Plan ("TOP") are the intended level of anticipated development; however, individual projects may vary depending upon an approved master plan, such as an area plan, specific plan, or PUD.

The Policy Plan specifies that the Downtown Mixed-Use Area is to be implemented through the approval of an Area Plan or PUD prior to the development of properties within the area. In compliance with this requirement, the Applicant has submitted the "Roosevelt Tower Planned Unit Development" (included as Attachment "A" to the

attached resolution), which is consistent with this vision and the goals and policies of the Policy Plan.

The purpose of the PUD is to secure a fuller realization of the Policy Plan than would result from the strict application of present zoning district regulations and to:

- Promote high standards in urban design;
- Encourage the development of exceptionally high quality, mixed-use, while establishing regulations and standards for uses with unique regulatory and design needs; and
- Ensure harmonious relationships with surrounding land uses.

A PUD is comparable to a Specific Plan in that it sets development regulations that are unique to a specific area; however, it is also unlike a Specific Plan in that a PUD is typically intended to apply to a single development project or several interrelated development projects that function together as a single, comprehensive project.

(a) Land Use and Development Regulations — Consistent with the requirements of the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard) zoning district, the "Roosevelt Tower Planned Unit Development" land use restrictions only permit commercial uses, or a mix of commercial and residential uses in the same building or on the same site, or stand-alone multiple-family projects. The maximum building height allowed is 75 feet. The minimum building setbacks allowed are two feet from the Holt Boulevard (north) property line, two feet from the Brooks Street (south) property line, and one-foot from the east and west property lines.

(b) Landscaping and Drainage — A conceptual landscape plan is required to be submitted with the Development Plan for construction of the project site. The plan will be required to specify all landscape and hardscape elements for the development plan site. Water conservation will be provided through low water using plant materials, hydro zones, water efficient irrigation and weather-based controllers. Landscaped areas may be used for storm water infiltration through vegetated swales, retention basins, or dry wells as needed with the use of appropriate planting materials. Broad canopy shade trees can be used to reduce heat gain on buildings, paving and parking areas. The landscape design shall meet the requirements of the Landscape Development Standards and shall create well-functioning spaces within a sustainable design. Trees along street frontages shall comply with the variety, size, and spacing as directed by the City of Ontario Master Street Tree Plan.

(c) Off-Street Parking and Circulation\Access — Parking, circulation, transit and infrastructure improvements will be provided as follows:

(i) **Parking:** Off-street parking is required to be provided on-site, at the rates required by the City of Ontario Development Code. No on-street parking will be allowed on Holt Boulevard, in front of the Project site.

(ii) **Circulation/Access:** Vehicular access for the project site is provided at two points, including one 20-foot-wide driveway on Holt Boulevard, at the northeast corner of the Project site, and one 20-foot-wide driveway on Brooks Street, at the southeast corner of the Project site. After improvements are made from the West Valley Connector ("BRT") Project, vehicular access from Holt Boulevard will be limited to right-in/right-out movements. Pedestrian connections to the project site will be provided from sidewalks within the PUD site.

(iii) **Mass Transit:** The PUD, along with the future development entitlements for the site, will require the necessary infrastructure to serve the site and provide the necessary rights-of-way dedications for street widening and to accommodate the future BRT line for the SBX West Valley Connector.

(iv) **Street Improvements:** The City of Ontario, as part of its street widening plan, and the developers of the PUD site, will be responsible to improve Holt Boulevard and Brooks Street to their ultimate widths. The proposed project will be required to dedicate 20 feet along the Project's Holt Boulevard street frontage and two feet along the Project's Brooks Street frontage.

(d) Architecture/Design Guidelines — The architectural design and details, outlined within the PUD, focus on the following elements:

- Appropriate scale and massing;
- Architectural style and design that are complementary and appropriate to its setting;
- Use of high-quality materials that will create visual interest, high quality, durable and appropriate for the architectural style;
- Appropriate site planning to ensure building orientation visibility from the street;
- Roof form; and
- Building entry design.

The PUD requires the architectural theme of the project area to be contemporary or a modern style that generally responds to the region's climate, including such features as outdoor circulation, outdoor courtyards/plazas, recessed window frames, awnings, and decorative canopies/trellises. Additionally, buildings are to be oriented toward Holt Boulevard, and incorporate entry elements, interesting architecture, enhanced materials, and a pedestrian scale, to provide connection between the development and the public street.

Due to the size and scale of the PUD area, all sides of the buildings will be visible from the public street. As such, appropriate massing becomes more important to maintain the human-scale of the development and create a visually pleasing environment. Bay windows, stepped buildings, height changes, and setback variations between stores help to break up large buildings, as well as indicate entries and store locations to customers.

(3) Development Plan—In conjunction with the Planned Unit Development, the Applicant is requesting Development Plan approval (File No. PDEV20-009) to construct a mixed-use project consisting of 59 multiple-family dwellings (three-stories of residential units) over two-stories of podium parking and 2,500 square feet of first floor retail space. Staff has worked with the Applicant to design a project that meets the goals and requirements of the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district, the Roosevelt Tower PUD, and the goals and policies of The Ontario Plan ("TOP"). The project characteristics are described below:

(a) Site Design/Building Layout —The proposed building is set back five feet from the Holt Boulevard (north) property line, two feet from the Brooks Street (south) property line, and one-foot from the east and west property lines. The residential structures above the two stories of podium parking will be set back 17 feet from Holt Boulevard (north) property line, 18 feet from the Brooks Street (south) property line and a zero-setback has been provided along the east and west property lines.

The Project has been oriented in a north-south orientation, with the front of the building and primary building entrance facing Holt Boulevard. The rear of the building will face Brooks Street.

The building is proposed at five-stories in height (68 feet), comprised of three-stories of residential units constructed over two-stories of podium parking. Additionally, 2,500 square feet of retail space has been incorporated into the building's ground floor, facing the Project's Holt Boulevard street frontage. The retail space is divided into four separate units ranging from 540 to 760 square feet in area (see Exhibits B—Site Plan and Exhibit C—Floor Plans, attached). The retail unit characteristics are shown in Table 1, below.

Table 1: Retail Unit Characteristics

Unit No.	*Area (in SF)*
Unit 1	760
Unit 2	600
Unit 3	600
Unit 4	540

The Project has been designed with two points of vehicular access, one on Holt Boulevard (north) and the second on Brooks Street (south). Holt Boulevard will serve as the primary access point for both residential and commercial units. The residential parking area is gated, limiting access to residents only. Designated parking for the commercial component is located on the ground floor, immediately behind the four retail units (see Exhibit C—Floor Plans, attached).

The Project is proposed at a residential density of 72.8 du/ac, consisting of 13 studio units, 30 one-bedroom units, and 16 two-bedroom units. The residential units range from 403 to 987 square feet in area. The residential unit characteristics are shown in Table 2, below.

Table 2: Residential Unit Characteristics

Plan No.	*Area (In SF)*	*Total Units*	*No. Bedrooms*	*No. Baths*
U-1	403	13	Studio	1 bath
U-2	987	6	2-bedrooms	2 baths
U-3	804	3	2 bedrooms	1 bath
U-4	571	21	1 bedroom	1 bath
U-5	532	9	1 bedroom	1 bath
U-6	860	7	2 bedrooms	2 baths

(b) Site Access/Circulation — The project has been designed in conformance with the development regulations, standards and design guidelines of the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district and the Roosevelt Tower PUD. The project proposes two points of vehicular access. Primary access is provided from Holt Boulevard, at the northeast corner of the Project site. Secondary access is provided from Brooks Street, at the southeast corner of the Project site. Pedestrian access into the building is proposed at the northwest corner of the building, through a lobby with elevator access. Pedestrian access to the retail units is proposed from the Holt Boulevard public sidewalk. Residential units will be accessed through interior corridors located on each floor. Emergency access stairs have been incorporated at all four corners of the building (see Exhibits B—Site Plan and Exhibit C—Floor Plans, attached).

(c) Parking —The project has been parked in accordance with the Ontario Development Code and the Roosevelt Tower PUD requirements. The Project's total required number of off-street parking spaces is 127 and 128 off-street parking spaces have been provided, exceeding the minimum requirement. All required parking will be located within the first two floors of the 5-story structure. Parking was calculated as shown on Table 3, below.

Table 3: Off-Street Parking Requirements

Use	*Ratio*	*Area (in SF) or No. Dwelling Units (DUs)*	*Total Required*	*Provided*
Commercial	4 spaces/1,000 SF	2,500 SF	10	10
Studio	1.5 spaces/DU	13 DUs	19	19
One-Bedroom	1.75 spaces/DU	30 DUs	52	53 **
Two-Bedroom	2 spaces/DU	16 DUs	32	32

Table 3: Off-Street Parking Requirements

Use	*Ratio*	*Area (in SF) or No. Dwelling Units (DUs)*	*Total Required*	*Provided*
Guest	1Portion DUs <50: 0.25 space/DU Portion DUs 50 to 100: 0.2 space/DU	50 DUs 9 DUs	14	14
Total			**127**	**128**

*Note: **14 residential parking spaces (12%) are tandem*

(d) Architecture —The Project proposes a Contemporary Architectural Design, exemplifying the type of high-quality architecture promoted by the Ontario Development Code, The Ontario Plan, and the Roosevelt Tower PUD (see Figure 2: Holt Boulevard Perspective, Figure 3: Brooks Street Perspective, and Exhibit E—Elevations, attached). The mass and scale of the building along the Holt Boulevard frontage will serve to establish an urban sensibility, as envision by the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district. Additionally, the varying stacked massing of the building, in combination with the articulated roof line, deep exterior wall insets, and the various story step-downs along the front of the building, provides visual interest and helps soften the pedestrian interface between the building façade and the street frontage along both Holt Boulevard and Brooks Street.

Special attention was given to the use of color, finished materials, building form, massing, and the use of architectural details. This is exemplified through the use of:

- Articulation in the building's roof lines;
- Focal architectural towers that have been incorporated at different heights to add interest;
- A variety of horizontal cement board siding;
- Concrete Masonry;
- Spandrel glass;
- Cantilevered balconies and decorative canopies at the third, fourth and fifth floors;
- Extensive vision glass at the first and second floors;
- Exterior smooth stucco finish;
- Enhanced lighting fixtures;
- Front and side facing decorative railings at the third, fourth and fifth floor balconies;
- Incorporation of contrasting exterior building colors to add interest;
- Decorative aluminum storefront framing; and
- Deep insets and pop-outs (2.5 feet to 16 feet) at key areas of the building.



Figure 2: Holt Boulevard Perspective



Figure 3: Brooks Street Perspective

(e) Landscaping — The project exceeds the minimum landscape requirements established by the City's Development Code and the Roosevelt Tower PUD (see Exhibit F—Landscape Plan and Exhibit G—Landscape Plan Perspective, attached). The project will provide an average of 66 square feet of private open space per unit (60 square feet minimum required), in the form of private balconies, and 251.5 square feet of common open space for each unit (250 square feet minimum required). The common open space (14,853 square feet) will be provided on the third floor (podium deck) of the proposed five-story building, which is fully landscaped and amenitized. The third floor includes an exercise room, entertainment area, restrooms, built-in barbecues and serving counters, rubberized play surface, a decorative steel shade structure, decorative pavers, wood decking, decorative masonry block raised planters, decorative benches, lounge seating, dining tables and chairs, several decorative umbrella shades, two play structures and ping pong tables. The Holt Boulevard and Brooks Street setback areas both feature decorative paving and decorative potted plants.

(f) Signage —The project is required to comply with the Ontario Development Code and the Roosevelt Towers PUD. A sign program is required to be submitted for review and approval prior to any signs being installed on the property.

(g) Utilities (drainage, sewer) —The applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, bio treatment, and evapotranspiration. The PWQMP proposes an underground infiltration system located beneath the podium parking structure along the south portion of the building. The system is designed to accept runoff from the building's roof and third floor courtyard.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy;
- Operate in a Businesslike Manner;
- Focus Resources in Ontario's Commercial and Residential Neighborhoods; and
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

(2) Vision.

Distinctive Development:

- Commercial and Residential Development

➢ Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

➢ G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

(4) Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

➢ LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

➢ LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).

- Goal LU2: Compatibility between a wide range of uses.

➢ LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

  - H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

- Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

  - H5-2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation and other amenities.

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.

  - CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

  - CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

  - CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

  - CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➢ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

➢ S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

▪ Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➢ CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

➢ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

➢ CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➢ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➢ CD2-2 Neighborhood Design. We create distinct residential neighborhoods

that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the "outdoor living room"), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.

➢ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➢ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➢ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➢ CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

➢ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➢ CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

- CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

- Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

- CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

- CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

- CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

- CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.

- CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

- Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

- CD5-1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.

- CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: 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.

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, 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. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development) of the CEQA Guidelines, which consists of:

(1) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as with applicable zoning designation and regulations. The proposed Project is located within the MU (Mixed Use) land use district of the Policy Plan Land Use Map, and the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district. The proposed project is consistent with all applicable Policy Plan (general plan) policies, as well as with the requirements of the Roosevelt Tower PUD, and applicable Development Code regulations.

(2) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The Project is proposed within the established boundaries of the City of Ontario, on a project site totaling 0.81-acre of land, which is surrounded by established commercial land uses.

(3) The Project site has no value as habitat for endangered, rare, or threatened species. The site is void of any flora or fauna, was previously graded, and is regularly maintained to prevent the growth of weeds and grasses.

(4) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The proposed mixed-use development is similar to, and of no greater impact than other allowed residential uses and commercial development projects within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district.

(5) The site can be adequately served by all required utilities and public services. The site is located within an area that is currently served by all required utilities and public services, including, but not limited to sewer, water, gas, electric and municipal solid waste services.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*General Plan Designation*	*Zoning Designation*	*Specific Plan Land Use*
Site	Vacant Land	MU (Mixed-Use)	MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District)	N/A
North	Ontario Village Commercial Shopping Center & Auto Smog Shop	MU (Mixed-Use)	MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District)	N/A
South	Industrial	Industrial	IL (Light Industrial)	N/A
East	Multi-Tenant Commercial	MU (Mixed-Use)	MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District)	N/A
West	Commercial	MU (Mixed-Use)	MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District)	N/A

Off-Street Parking:

Use	*Ratio*	*Area (in SF) or No. Dwelling Units (DUs)*	*Total Required*	*Provided*
Commercial	4 spaces/1,000 SF	2,500 SF	10	10
Studio	1.5 spaces/DU	13 DUs	19	19
One-Bedroom	1.75 spaces/DU	30 DUs	52	53 **
Two-Bedroom	2 spaces/DU	16 DUs	32	32
Guest	Portion DUs <50: 0.25 space/du Portion DUs 50 to 100: 0.2 space/DU	50 DUs 9 DUs	14	14
Total			127	128

Note: **14 residential parking spaces (12%) are tandem

General Site & Building Statistics

Item	*Required Min./Max.*	*Provided (Ranges)*	*Meets Y/N*
Project area (in acres):	0.81 Acres	0.81 Acres	Y
Maximum project density (dwelling units/ac):	25.1 -75.0 du/ac	72.8 du/ac	Y
Front yard setback (in FT):	2'	5'	Y
Side yard setback (in FT):	1'	1'	Y
Rear yard setback (in FT):	2'	2'	Y
Maximum dwelling units:	59	59	Y

Item	*Required Min./Max.*	*Provided (Ranges)*	*Meets Y/N*
Maximum height (in FT):	75'	68'	Y
Parking – resident:	11	118	Y
Commercial -Parking	10	10	Y
Parking – guest:	14	14	Y
Open space – private:	60 sq. ft.	66 sq. ft.	Y
Open space – common:	250 sq. ft. per unit	251.5 sq. ft. per unit	Y

Dwelling Unit Statistics:

Plan No.	*Area (In SF)*	*Total Units*	*No. Bedrooms*	*No. Baths*	*Private Open Space (in FT)*
U-1	403	13	Studio	1 bath	66
U-2	987	6	2-bedrooms	2 baths	66
U-3	804	3	2 bedrooms	1 bath	66
U-4	571	21	1 bedroom	1 bath	66
U-5	532	9	1 bedroom	1 bath	66
U-6	860	7	2 bedrooms	2 baths	66

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN

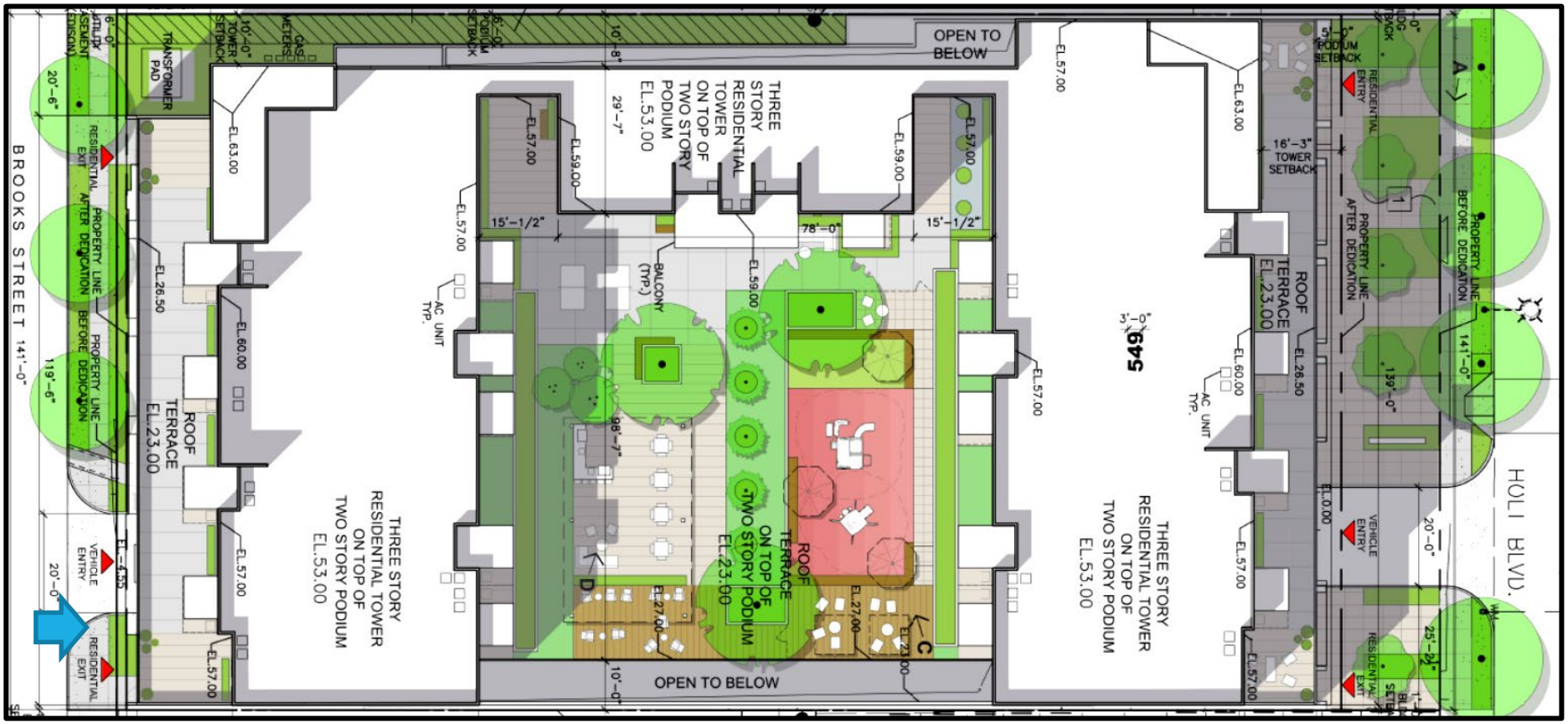


Exhibit C—FLOOR PLANS

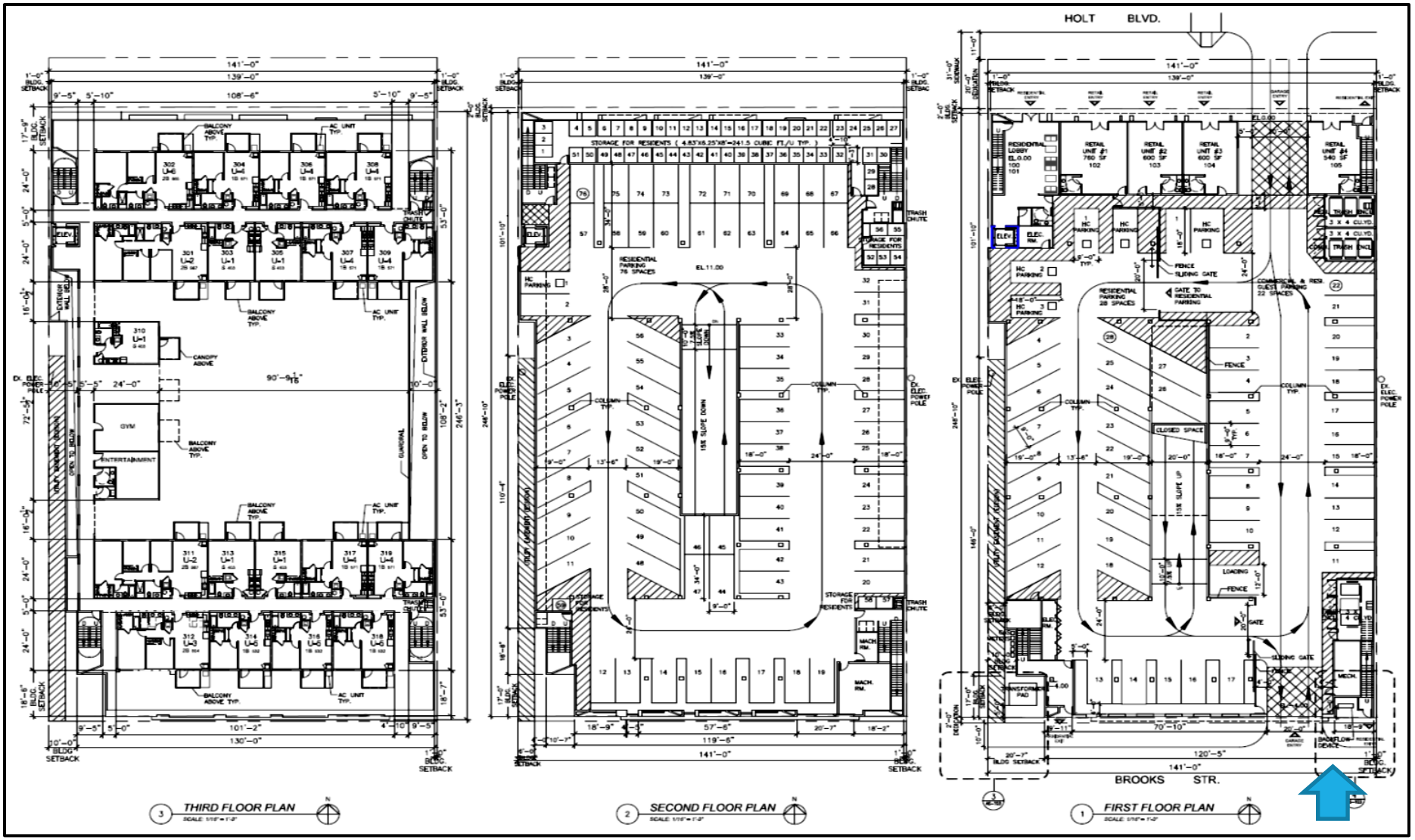


Exhibit D—FLOOR PLANS

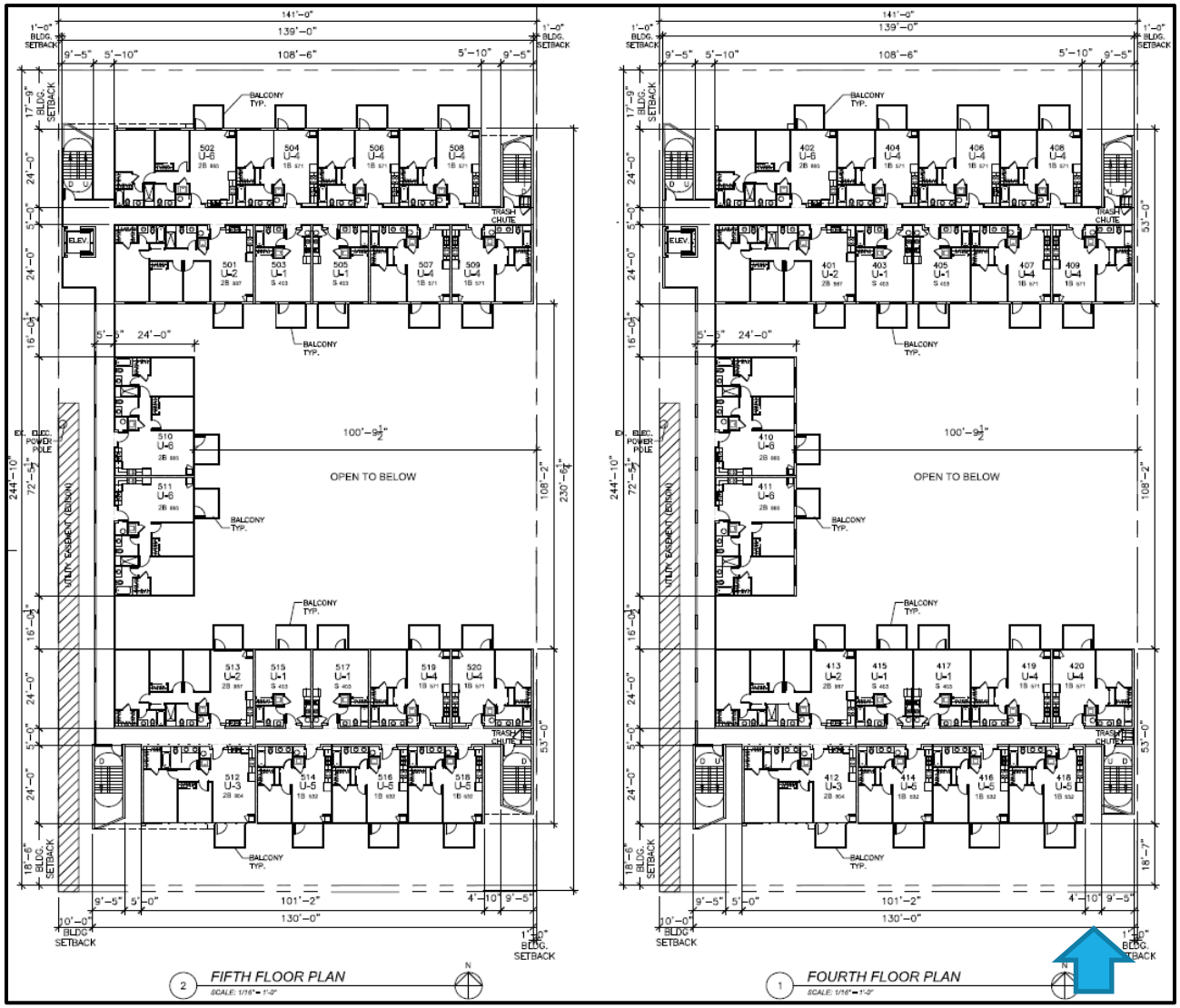


Exhibit E—ELEVATIONS



Font Elevation - Holt Blvd.



Rear Elevation - Brooks Street

Exhibit E—ELEVATIONS (Continued)



West Elevation



East Elevation

Exhibit F— LANDSCAPE PLAN

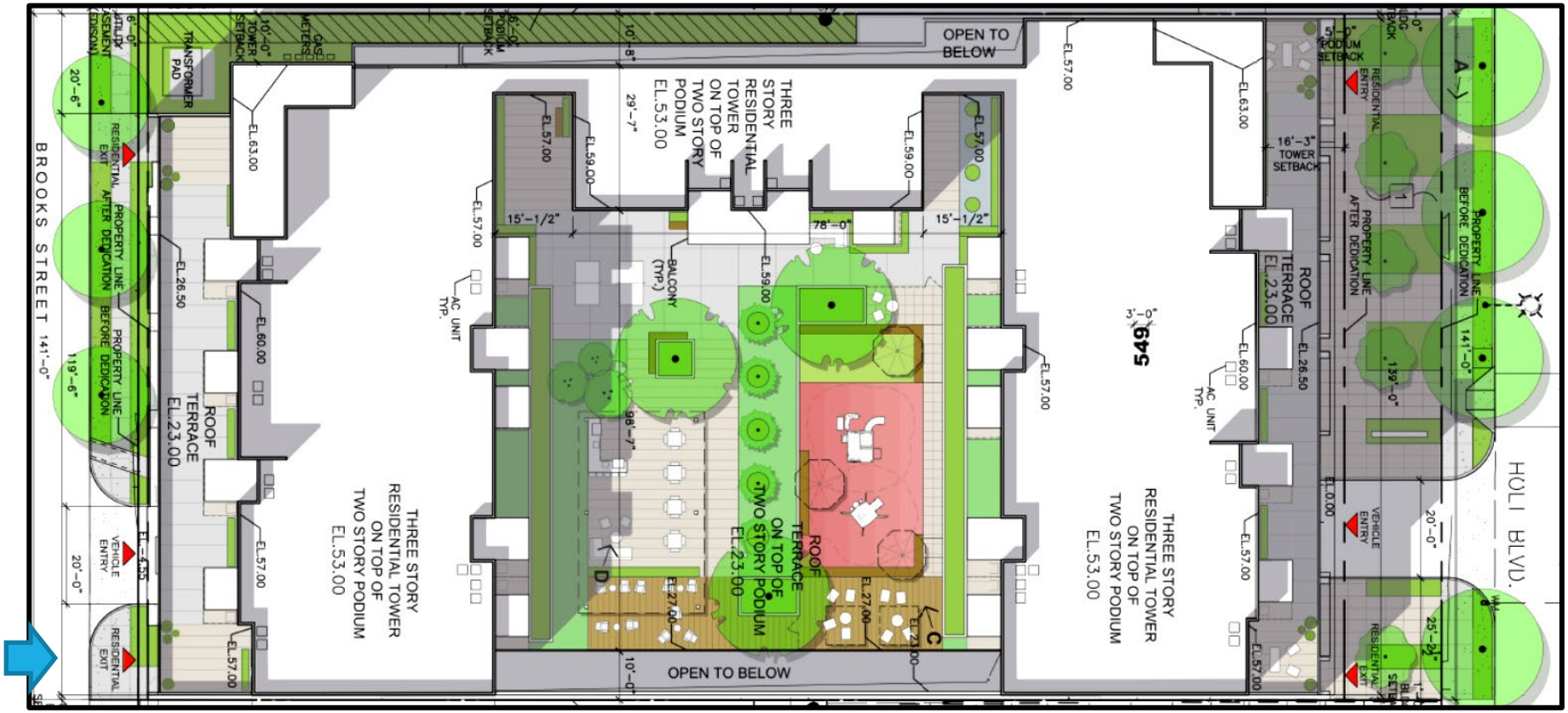
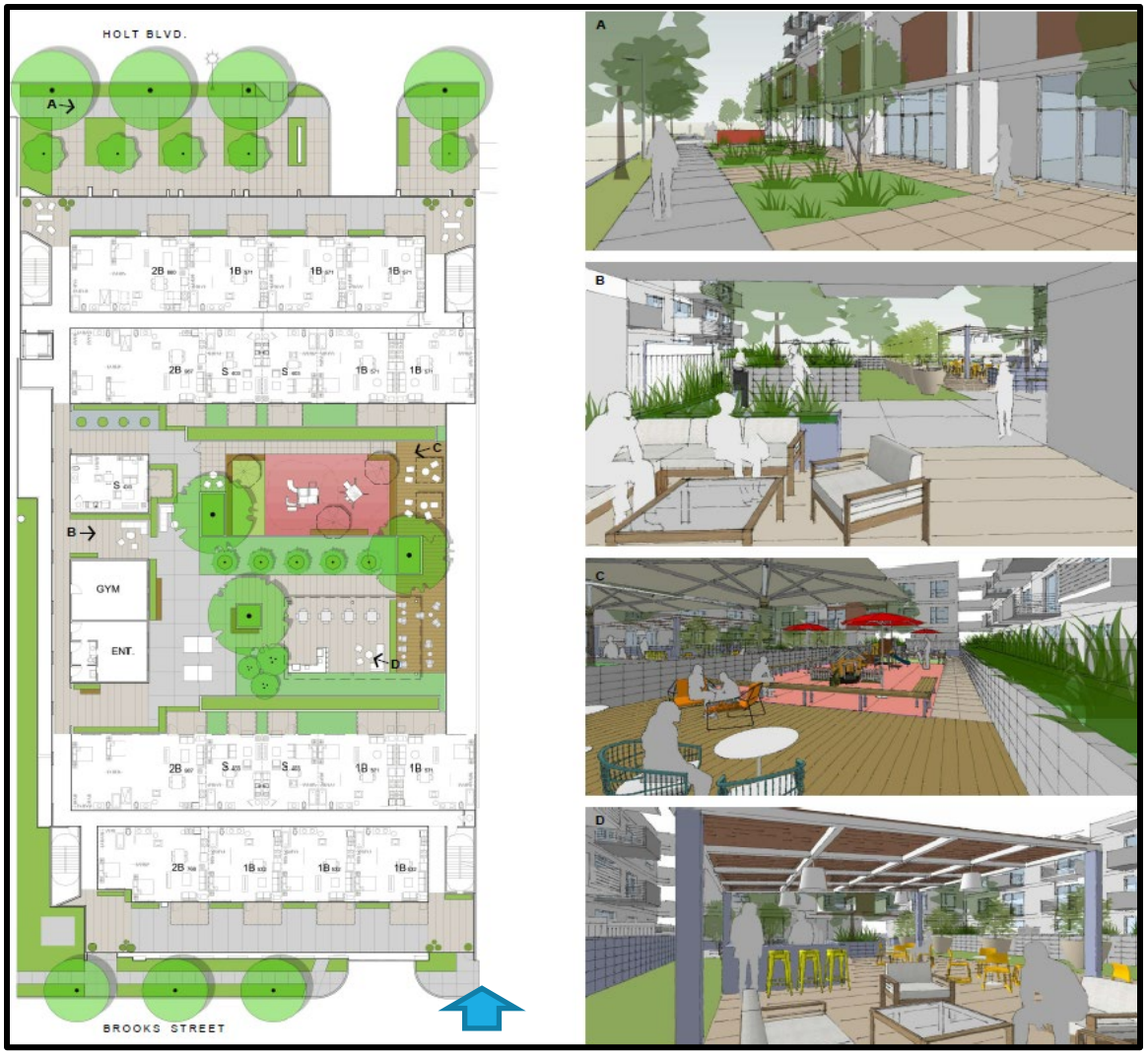


Exhibit G—LANDSCAPE PLAN PERSPECTIVES



RESOLUTION NO. PC22-037

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PUD20-001, A PLANNED UNIT DEVELOPMENT (ROOSEVELT TOWER PLANNED UNIT DEVELOPMENT) TO ESTABLISH DEVELOPMENT STANDARDS, DESIGN GUIDELINES AND INFRASTRUCTURE REQUIRMENTS ON 0.81 ACRES OF LAND LOCATED AT 549 WEST HOLT BOULEVARD, WITHIN THE MU-1/LUA-3 (DOWNTOWN MIXED-USE/HOLT BOULEVARD) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-021-09.

WHEREAS, Kathy Huynh ("Applicant") has filed an Application for the approval of a Planned Unit Development, File No. PUD20-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.81 acres of land located at 549 West Holt Boulevard, within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard) zoning district and the site is presently vacant land; and

WHEREAS, the property to the north of the Project site is within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard) zoning district and is developed adjacent to the Ontario Village Commercial Shopping Center. The property to the south is within the IL (Light Industrial) zoning district and is developed with a mix of industrial uses. The property to the east and west are within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard) zoning district and are developed with multi-tenant commercial uses; and

WHEREAS, in conjunction with the Planned Unit Development (Roosevelt Tower Planned Unit Development) application, the Applicant has submitted a Development Plan Application (File No. PDEV20-009) application to construct a mixed-use project consisting of 59 multiple-family dwellings (three-stories of residential units over two-stories of podium parking and 2,500 square feet of first floor retail space) on the Project site. Approval of the Development Plan application will not be final and complete until the Roosevelt Tower Planned Unit Development, File No. PUD20-001, has been approved by the City Council; and

WHEREAS, the Ontario Plan Policy Plan (general plan) designates the Project area as MU (Mixed-Use). The Ontario Plan describes the Downtown Mixed-Use Area as an intensive vertical and horizontal mixture of retail, office, and residential uses in a pedestrian friendly atmosphere. The most intensive uses are envisioned along Euclid and Holt Avenue. The Downtown Mixed Use is also intended to provide new housing opportunities that will also provide increased demand for retail in more concentrated, strategic locations. The densities and intensities of the mixed-use designation represented within The Ontario Plan (“TOP”) are the intended level of anticipated

development; however, individual projects may vary depending upon an approved master plan, such as an area plan, specific plan, or planned unit development; and

WHEREAS, the Policy Plan specifies that the Downtown Mixed-Use Area is to be implemented through the approval of an Area Plan or Planned Unit Development ("PUD") prior to the development of properties within the area. In compliance with this requirement, the Applicant has submitted the "Roosevelt Tower Planned Unit Development" (included as "Attachment A" to this resolution), which is consistent with this vision and the goals and policies of the Policy Plan; and

WHEREAS, the purpose of the PUD is to secure a fuller realization of the Policy Plan than would result from the strict application of present zoning district regulations and to:

- Promote high standards in urban design;
- Encourage the development of exceptionally high quality, mixed-use, medium to high intensity projects, while establishing regulations and standards for uses with unique regulatory and design needs;
- Ensure harmonious relationships with surrounding land uses; and

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

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

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside,

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

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

WHEREAS, on July 26, 2022, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: ***Environmental Determination and Findings.*** As the recommending authority for the Project, the Planning Commission 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 Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32, In-Fill Development,) of the CEQA Guidelines, which consists of projects characterized as infill developments, meeting the following conditions:

a) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations. The proposed Project is located within the MU (Mixed Use) land use district of the Policy Plan Land Use Map, and the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) 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 Policy Plan (General Plan) component of the Ontario Plan.

b) The proposed development occurs within city limits, on a Project site of no more than five acres and is substantially surrounded by urban uses. The Project site is 0.81-acres of land, located within the incorporated boundaries of the City of Ontario. Furthermore, the site is situated within a fully urbanized area that is characterized by a mix of industrial and multi-tenant commercial developments.

c) The Project site has no value as habitat for endangered, rare, or threatened species. The site is currently vacant land, with no value to endangered, rare or threatened species.

d) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. Conditions of approval have been imposed on the Project, which will mitigate any significant effects relating to traffic, noise, air quality, or water quality.

e) The Project can be adequately served by all required utilities and public services. The site is located within an area that is currently served by all required utilities and public services, including, but not limited to sewer, water, gas, electric and municipal solid waste services; 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 Planning Commission.

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 authority for the Project, the Planning Commission 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as "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 authority for the Project, the Planning Commission 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 Planning Commission, 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 Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed PUD, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the MU (Mixed Use) land use district of the Policy Plan Land Use Map, and the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) 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.

(2) ***The proposed PUD, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The Planning Commission has required certain safeguards, and imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district and the Roosevelt Tower PUD 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 vision, and the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard) zoning district and the Roosevelt Tower PUD.

(3) ***In the case of an application affecting specific property, the proposed PUD, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** A thorough review and analysis of the

proposed Project and its potential to adversely impact properties surrounding the subject site was completed by City staff. As a result of this review, certain design considerations were incorporated into the Project to mitigate identified impacts to an acceptable level, including the use of upgraded materials, the inclusion of certain architectural design elements on building exteriors, intensified landscape elements, and decorative hardscape elements. In addition, conditions of approval have been imposed on the Project, which will mitigate any significant effects relating to traffic, noise, air quality, or water quality.

(4) ***In the case of an application affecting specific property, the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** In preparing the proposed PUD, a thorough review and analysis of the proposed Project and the Project site's physical suitability for the proposed Project was completed, including analysis of the Project size, shape, intensity of development, building height, building setbacks, site access, site landscaping and drainage, fences and walls, vehicle circulation, pedestrian connections, availability of mass transit, necessary street dedication and easements, public right-of-way improvements, availability of utilities and other infrastructure needs, off-street parking and circulation, building orientation and streetscapes, architectural character, building materials and color, and site signage.

(5) ***The proposed PUD is superior to that which could be obtained through the application of the Development Code or a specific plan.*** The proposed PUD addresses aspects of the Project that are specifically related to the proposed Development Plan, File No. PDEV20-009, filed in conjunction with the PUD, including necessary building setbacks, site access points, off-street parking, site circulation, and architectural character.

SECTION 5: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described PUD, attached hereto as "Attachment A," 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.

SECTION 8: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

- - - - - - - - - - - - - -

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 26th day of July 2022, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC22-037, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 26, 2022, by the following roll call vote, to wit:

AYES: Anderson, Dean, DeDiemar, Gage, Lampkin, Ricci, Willoughby

NOES: None

ABSENT: None

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PUD20-001
(Roosevelt Tower Planned Unit Development)

(Document to follow this page)



ROOSEVELT TOWER

HOLT BOULEVARD, ONTARIO, CALIFORNIA



MAY 02, 2022

PLANNED UNIT DEVELOPMENT

The Roosevelt Tower Planned Unit Development

Table of Contents

1 – Introduction 6

2 – Objectives 9
2.1 – The Ontario Plan (TOP) Objectives 9
2.2 – PUD District Purpose And Objectives 19

3 – Allowable Uses 20
3.1 – Residential Use 21
3.2 – Retail Use 21
3.3 – Permitted Use Table/List 21

4 – Development Regulations 26
4.1 – Residential Density 26
4.2 – Building Height 27
4.3 – Setbacks 28
4.4 – Open Space Requirements 31
4.5 – Parking Requirements 34
4.6 – Vehicular Access 36
4.7 – Service Facilities 38
4.8 – Landscaping 40
4.9 – Screening 47

5 – Circulation 48
5.1 – Site Accessibility 48
5.2 – Vehicular Circulation 48
5.3 – Pedestrian Circulation 48
5.4 – Integrated Waste Pickup Circulation 49

6 – Design Guidelines 54
6.1 – Building Orientation 54
6.2 – Architectural Character 57
6.3 – Massing and Scale 57
6.4 – Architectural Details 57
6.5 – Materials and Color 58
6.6 – On-Site Streetscapes and Pedestrian Walkways 58
6.7 – On-Site Lighting 58

6.8 – Signs 59
6.9 – Off-Site Improvements 59

7 – Infrastructures and Utilities 61
7.1 – Infrastructure 61
7.2 – Street Improvements 61
7.3 – Public Utilities 62
7.4 - Street Dedication, Vacation and Easements 62

8 – CEQA Compliance 67
8.1 – Environmental Performance Standard 67

9 – Administration 70
9.1 – Items Not Addressed in PUD 70
9.2 – Development Applications 70
9.3 – Administrative Exceptions 70
9.4 – Severability 70

Exhibits

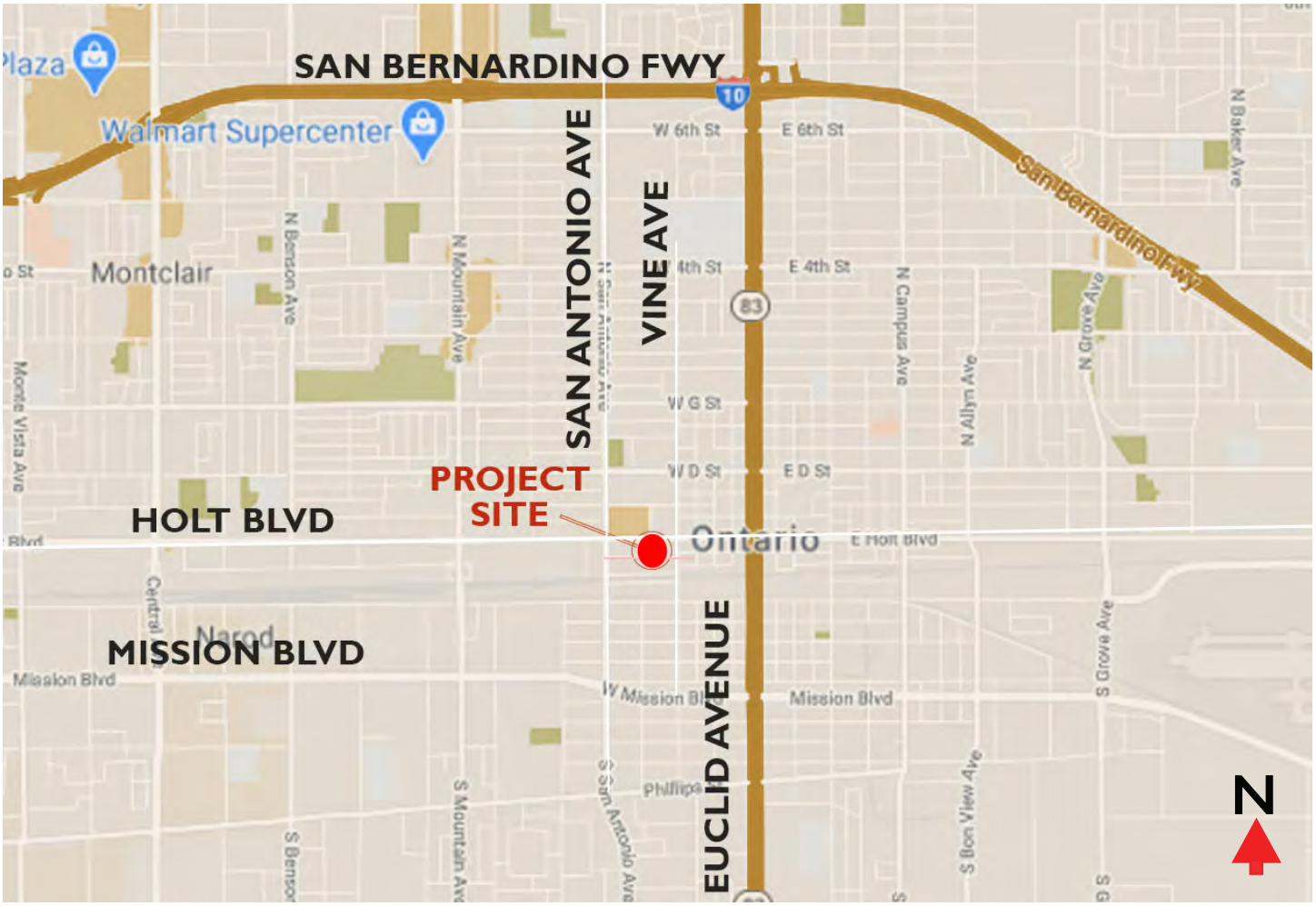
Exhibit 1-1: Vicinity Map 5
Exhibit 1-2: Location Map 6
Exhibit 1-3: Land Use Map 7
Exhibit 1-4: Existing Site Map 8
Exhibit 1-5: Proposed Site Map 8
Exhibit 3-1: Land Use Plan 20
Exhibit 4-1: Podium Diagram 26
Exhibit 4-2: Height Diagram 27
Exhibit 4-3: Setback Diagram 29
Exhibit 4-4: Projection Diagram 30
Exhibit 4-5: Private Open Space Diagram 32
Exhibit 4-6: Common Open Space 33
Exhibit 4-7: On-Street Parking 36
Exhibit 4-8: Trash Enclosures Site Plan 39
Exhibit 4-9: Colored Landscape Plan 42
Exhibit 4-10: Holt Boulevard Planting Palette 43
Exhibit 4-11: Common Space Planting Palette 44
Exhibit 4-12: Brooks Street Planting Palette 45
Exhibit 4-13: Landscaping Rendering..... 46
Exhibit 5-1: Circulation Plan 53
Exhibit 6-1: Architectural Rendering 55
Exhibit 6-2: Architectural Rendering 55
Exhibit 6-3: Architectural Rendering 56

Exhibit 6-4: Architectural Rendering 56
Exhibit 6-5: Streetscape Examples 60
Exhibit 7-1: Civil Plan 63
Exhibit 7-2: Utility Plan 64
Exhibit 7-3: Easement and Dedication Locations 65
Exhibit 7-4: Street Sections 66

Tables

Table 3-1: Permitted Use Table 22
Table 4-1: Minimum Building Setbacks 28
Table 4-2: Maximum Encroachments into Building Setbacks 28
Table 4-3: Private Open Space 31
Table 4-4: Minimum Parking Requirements 35

Exhibit 1-1: Vicinity Map



1 – INTRODUCTION

This document is intended to function as a set of planning and design principles, development regulations and performance standards to guide and govern the development of a 57-Unit Residential and Mixed-use Complex located at 549 W. Holt Boulevard in the City of Ontario. The development is a 5-story residential and retail complex bounded by Holt Avenue on its north side and Brooks Street at its south side (see Exhibit 1-2: Location Map).

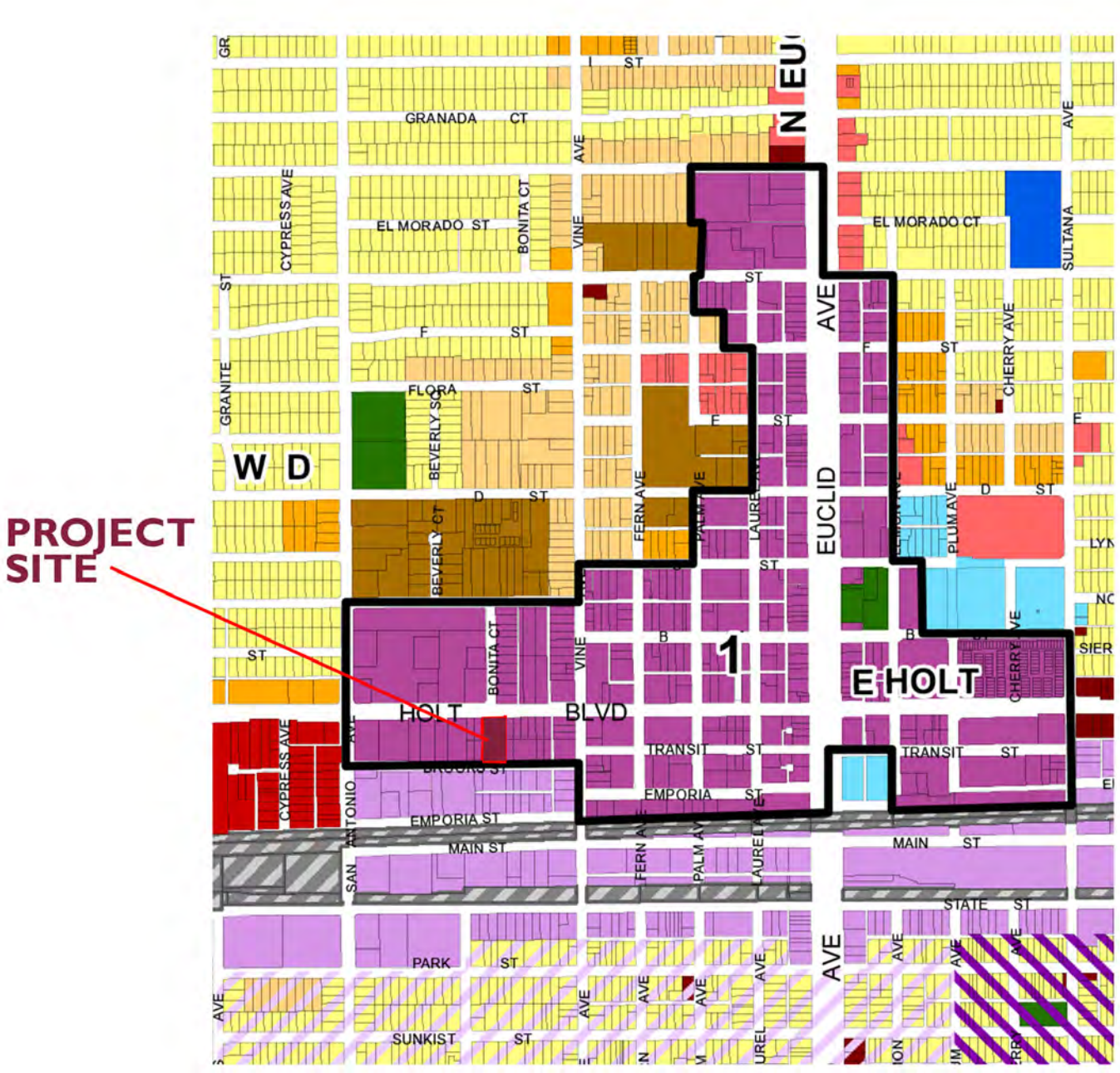
The 35,085 SF project site is located within the Ontario Plan Downtown Mixed-Use District (MU-1) which requires the establishment of a Planned Unit Development (PUD) prior to development. The Planned Unit Development (PUD) is set forth in the Ontario Development code section 4.01.030 (Planned Unit Development (PUD) and Amendments). Upon approval, this PUD will establish the land use and development standards for this particular project site. The Roosevelt Tower on Holt Planned Unit Development (PUD) will replace the existing zone district designations and zoning standards that apply to the affected properties. Unless otherwise defined herein, definitions and interpretations contained in the Development Code shall apply.

City staff and private developers shall rely on this PUD to determine whether precise plans for development will be adequate and will meet the City's land use and design objectives.

Exhibit 1-2: Location Map



Exhibit 1-3: Land Use Map: MU-1 (Mixed-Use Zone 1)



General Plan Land Use Designation: MU (Mixed-Use)
ZONE: MU-1 (Downtown Mixed-Use)

Exhibit 1-4: Existing Site Map



Exhibit 1-5: Proposed Site Map



2 – P.U.D. OBJECTIVES

2.1 – The Ontario Plan (TOP) Objectives

The Ontario Plan, which includes the City's General Plan, designates the project area as part of the Downtown Mixed Use District. The Downtown Mixed Use District designation requires approval of an Area Plan or Planned Unit Development to develop the property. Additionally, the designation specifies a residential density range of 25.0 to 75.0 units per acre and a maximum floor area ratio (FAR) of 2.0 for office and retail uses.

The intent of this designation is to:

1. Create "an intensive vertical and horizontal mixture of residential and retail uses in a pedestrian friendly atmosphere;
2. Ensure the historic character is enhanced when required or appropriate; and
3. Concentrate intensive Land uses on Holt Avenue.

The Holt & Brooks PUD is consistent with the principles, goals and policies contained within the components that make up The Ontario Plan (TOP), including: (1) Vision, (2) Policy Plan (General Plan), and (3) City Council Priorities. The policies furthered by this PUD are as follows:

1. Vision

On February 13, 2007, the Ontario City Council adopted The Ontario Vision. The central theme that motivates the Vision is - "A sustained, community-wide prosperity which continuously adds value and yields benefits. "Everything the City does and every action the City takes is done with the simple yet comprehensive theme in mind, from the design quality of the built environment, to the intent of designing socio-economic programs, to the way in which its leaders govern as a community. In discussing a Vision that would endure for the lifetime of The Ontario Plan (30 years or more), the City Council recognized that there are four components that serve as the basic building blocks that set the foundation for a unified and prosperous community. These foundational blocks must be expressed and widely accepted throughout the Plan's lifetime. They are:

1. A Dynamic Balance that enables our community to confront the continued dynamic growth of the region and technological change with confidence and a sense of opportunity.

2. A Prosperous Economy that sustains the perception and reality of prosperity across our entire community that positively impacts all the people of Ontario and is broadly - though not uniformly - shared.
3. Distinctive Development that integrates our varied and diverse focal points, districts, villages, and neighborhoods to provide a feeling of coherence without sacrificing uniqueness.
4. Recognized Leadership in local governance that stimulates excellence and serves to unify the people of Ontario in support of best practices in conducting public endeavors.

Holt & Brooks PUD will implement the Ontario Vision in several ways that will further the City's desire to be a sustainable and prosperous community.

DISTINCTIVE DEVELOPMENT

Commercial and Residential Development

- The PUD will support new multifamily developments and existing residential neighborhoods by providing the increased demand for retail in more concentrated, strategic location (e.g., at major intersections) as intended for the Downtown Mixed-Use Area.

- The PUD will seek to ensure a mix of retail and commercial uses that will provide a variety of goods and service to the surround community and the future Bus Rapid Transit (BRT) users.

Design Quality

- The PUD will require a well-designed projects that covey a visual interest and character through:

  - Appropriate scale and massing
  - Architectural style and design that are complementary and appropriate to its setting.
  - The use of high quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.

- Appropriate Site Planning to ensure building orientation visibility form the street, adequate number of driveways and sidewalks. Building setbacks, parking lot orientation, adequate refuse storage areas and well designed street frontages.

Public Safety

- The PUD will ensure that proper exterior lighting standards be located and designed to minimize direct glare beyond the projects parking levels and into any future residential developments to the west and east of the project site. In addition, working with the Police Department, to ensure that all lighting standards comply with the one-foot candle illumination to provide a level of security and public safety within the project's retail areas as well as in the existing commercial areas adjacent to the project site.

2. Policy Plan

LAND USE ELEMENT

LU1 Balance

Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

The PUD, through the development of retail and commercial uses, will help provide jobs to help support the existing and new development within the sunounding area.

Polices:

- *LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.*

  The PUD, along with the future development entitlements for the site, will require the necessary infrastructure to serve the site and provide the necessary right-of-ways dedication for street widening and to accommodate the future Bus Rapid Transit (BRT) for the SBX West Valley Connector.

- *LU1-4 Mobility. We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities.*

LU2 Compatibility

Goal LU2: Compatibility between a wide range of uses.

The PUD, through land use regulations for permitted uses, have ensured that those permitted uses allowed within the PUD are compatible with the surrounding area and not allow those uses that may have potential to create adverse impacts to the surrounding area.

Polices:

- *LU2-I: Land Use Decisions: We minimize adverse impacts on adjacent properties when considering land use and zoning requests.*

  The project area is zoned MU-2 (Downtown Mixed Use) and require that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines. The permitted uses within PUD have been established to provide retail and commercial uses to serve the surrounding residential area. Careful consideration has been given to ensure that permitted uses that may have potential to create adverse impacts to the surrounding area are not allowed.

- *LU2-2 Buffers. We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur.*

  The PUD, through site planning, we will require the that future building developed on the site shall be placed along the frontages of Holt Boulevard to keep a buffer between the future residential development.

- *LU2-4 Regulation of Nuisances. We regulate the location, concentration and operations of potential nuisances.*

The permitted uses within PUD have been established to provide retail and commercial uses to serve the surrounding residential area. Careful consideration has been given to ensure that permitted uses that may have potential to create adverse impacts to the surrounding area are not allowed. Those uses with operations that may have potential to create nuisances, will require discretionary approval through the Conditional Use Permit process.

- *LU2-5 Regulation of Uses. We regulate the location, concentration and operations of uses that have impacts on surrounding land uses.*

  The project area is zoned MU-1 (Downtown Mixed Use) and requires that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines. The permitted uses within PUD have been established to provide retail and commercial uses to serve the surrounding residential area. Careful consideration has been given to ensure that permitted uses that may have potential to create adverse impacts to the surrounding area are not allowed.

LU3 Flexibility

Goal LU3 Staff, regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision.

The Ontario Plan describes the Downtown Mixed Use Area as an intensive vertical and horizontal mixture of retail, office, and residential uses in a pedestrian friendly atmosphere. The historic character is enhanced. To provide flexibility the densities and intensities of the mixed use designation represented within TOP are the intended level of anticipated development; however, individual projects may vary depending upon an approved master plan, such as an area plan, specific plan, or planned unit development. The project area is zoned MU-1 (Downtown Mixed Use) and requires that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines.

Policies:

- *LU3-1 Development Standards. We maintain clear development standards which allow flexibility to achieve our Vision.*

  To provide flexibility the densities and intensities of the mixed use designation represented within TOP are the intended level of anticipated development; however, individual projects may vary depending upon an approved master plan, such as an area plan, specific plan, or planned unit development. The project area is zoned MU-1 (Downtown Mixed Use) and requires that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines. The development standards within the PUD are intended to ensure quality and appropriate development to achieve TOP Vision for well-designed projects that covey visual interest.

COMMUNITY ECONOMICS ELEMENT

CE1 Complete Community

Goal CE1: A complete community that provides for all incomes and stages of life. The permitted uses within PUD have been established to provide retail and commercial uses to serve the surrounding residential area and contribute to the City's tax sales base.

CE2 Place-Making

Goal CE2: A City of distinctive neighborhoods, districts, and conidors, where people choose to be.

The PUD will seek to ensure a mix a retail and commercial uses that will provide a variety of goods and service to the surround community and the future Buss Rapid Transit (BRT) users. The PUD area will be distinctive through the requirement of a well-designed projects that covey visual interest and character through:

- Appropriate scale and massing.
- Architectural style and design that are complementary and appropriate to for its setting.
- The use of high quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.

- Appropriate Site Planning that to ensure building orientation visibility form the street, adequate number of driveways and sidewalks. Building setbacks, parking lot orientation, adequate refuse storage areas and well-designed street frontages.

MOBILITY ELEMENT

M3 Public Transit

Goal M3: A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.

The PUD, along with the future development entitlements for the site, will require the necessary infrastructure to serve the site and provide the necessary right-of-ways dedication for street widening and to accommodate the future Bus Rapid Transit (BRT) for the SBX West Valley Connector and bus stop along the frontage of Holt Boulevard.

COMMUNITY DESIGN

CD1 Image & Identity

Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

- To provide flexibility the densities and intensities of the mixed use designation represented within TOP are the intended level of anticipated development; how ever, individual projects may vary depending upon an approved master plan, such as an area plan, specific plan, or planned unit development. The project area is zoned MU-1 (Downtown Mixed Use) and requires that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines. The development standards within the PUD are intended to ensure quality and appropriate development to achieve TOP Vision for well-designed projects that covey visual interest.

Policies:

- *CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.*

The entire project area is covered by the Ontario Plan Policy Plan (General Plan) and has been designated as mixed-use (Holt Boulevard) and as described in the Ontario Plan Downtown Mixed-Use Growth Area. This PUD area will be distinctive through the requirement of a well-designed projects that convey visual interest and character through:

- Appropriate scale and massing.
- Architectural style and design that are complementary and appropriate to its setting.
- The use of high quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.
- Appropriate Site Planning that to ensure building orientation visibility form the street, adequate number of driveways and sidewalks. Building setbacks, parking lot orientation, adequate refuse storage areas and welldesigned street frontages.

- *CD1-4 Transportation Corridors. We will enhance our major transportation corridors within the City through landscape, hardscape, signage and lighting.*

The PUD, along with the future development entitlements for the site, will require the necessary infrastructure to serve the site and provide the necessary rights-of-way dedications for street widening and to accommodate the future Bus Rapid Transit (BRT) for the SBX west Valley Connector and any future bus stop site frontage along Holt Boulevard. In addition, the PUD will require adequate landscaping, hardscape, signage and lighting to the prominent areas along Holt Boulevard as well as the secondary face of the project along Brooks Street to the south of the project site.

CD2 Design Quality

Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

Polices:

- CD2-I *Quality Architecture*. We encourage all development projects to convey visual interest and character through:

  - building volume, massing, and height to provide appropriate scale and proportion;

- a true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

The PUD area will be distinctive through the requirement of a well-designed projects that covey visual interest and character through:

- ▶ Appropriate scale and massing
- ▶ Architectural style and design that are complementary and appropriate to for its setting.
- ▶ The use of high quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.
- ▶ Appropriate Site Planning that to ensure building orientation visibility form the street, adequate number of driveways and sidewalks. Building setbacks, parking lot orientation, adequate refuse storage areas and welldesigned street frontages.

- *CD2-3 Commercial Centers. We desire commercial centers to be distinctive, pedestrian friendly, functional and vibrant with a range of businesses, places to gather, and connectivity to the neighborhoods they serve.*

  The permitted uses within PUD have been established to provide retail and commercial uses to serve the surrounding residential area. These retail and commercial uses will be provided to the area currently lacking close access to a retail center. The PUD will seek to capitalize on the location of the station by ensuring a mix a retail and commercial uses business that will provide a variety of goods and service to the surround community and the future Buss Rapid Transit (BRT) users.

- *CD2-5 Streetscapes. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.*

The PUD, along with the future development entitlements for the site, will require the necessary infrastructure to serve the site and provide the necessary right-of-ways dedication for street widening and to accommodate the future Bus Rapid Transit (BRT) for the SBX West Valley Connector. In addition, the future development entitlements will require site improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.

- *CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.*

The PUD development standards that landscape design, materials and will be used to enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

- *CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.*

The PUD development standards will ensure water conservation be provided through low water using plant materials, hydro zones, water efficient irrigation and weather based controllers. Landscaped areas may be used for storm water infiltration through vegetated swales, retention basins, or dry wells as needed with the use of appropriate planting materials. Broad canopy shade trees will be used to reduce heat gain on buildings, paving and parking areas.

3. City Council Priorities

- Invest in the Growth and Evolution of the City's Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Pursue City's Goals and Objectives by Working with Other Governmental Agencies
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch

2.2 – PUD District Purpose And Objectives

The purpose of The Roosevelt Tower (PUD) is to secure a fuller realization of the general plan than that which would result from the application of present zone district regulations; to promote high standards in urban design; to encourage the development of exceptionally high quality residential and commercial uses, while establishing regulations and standards for uses with special conditions and regulatory needs to ensure harmonious relationships with other land uses.

The intent of the PUD District is to:

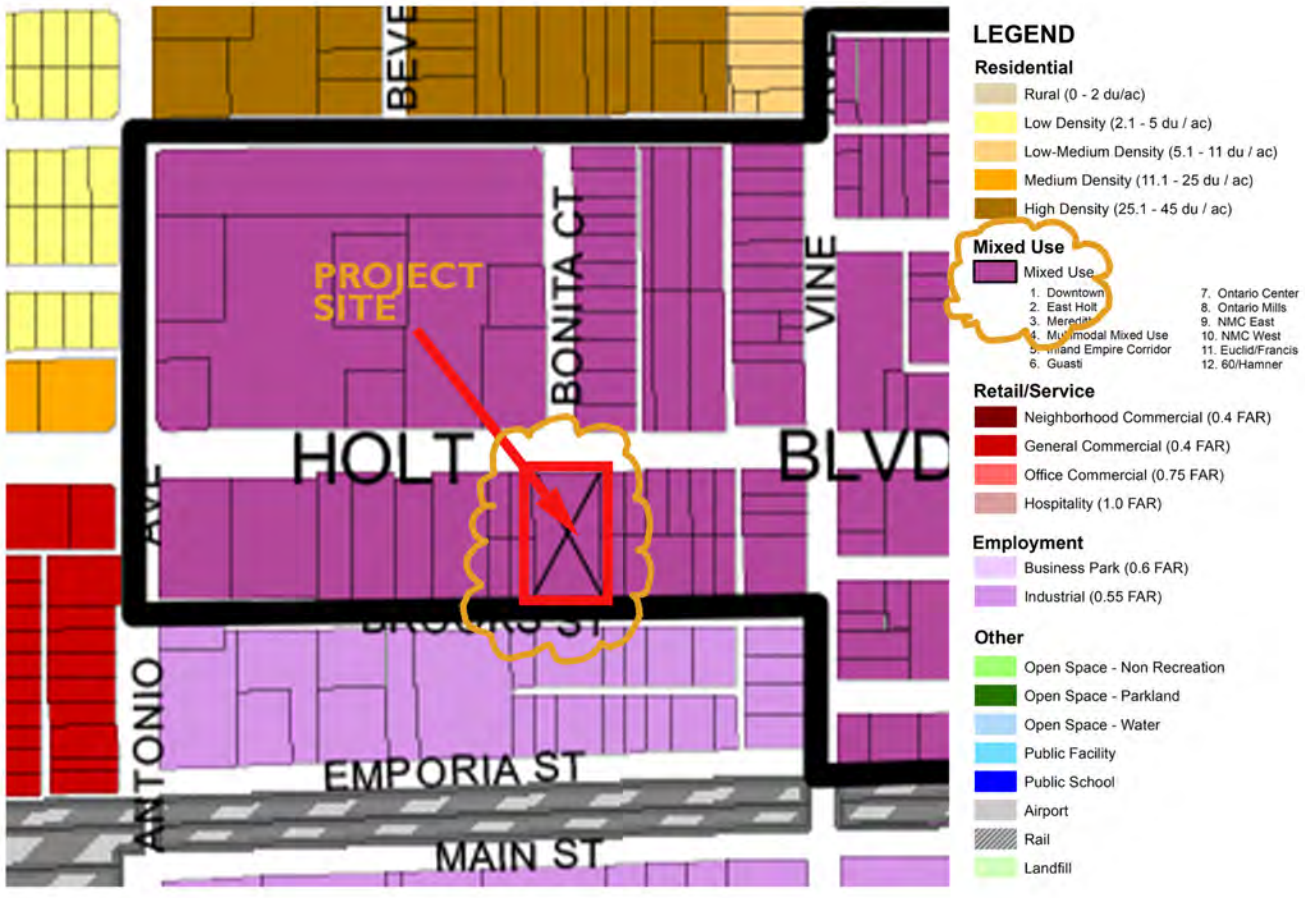
- Promote development projects that are consistent with the land use/downtown revitalization objectives of the City Redevelopment Project area.
- Promote residential and community commercial uses to meet the needs of the projects surroundings residential uses.
- Promote the plaza areas within the commercial center to providing for social interaction.
- Orient buildings to the street, wherever possible to create an accessible urban edge and sense of arrival.
- Incorporate landscaping to enhance the environment.

3 – ALLOWABLE USES

The project site is located within the Downtown Mixed Use Area Policy Plan (General Plan) land use district, and the MU-1 (Downtown Mixed-Use) zoning district, which implements the Downtown Mixed Use Area. The MU-1 zoning district is established to accommodate an intensive mixture of vertical and horizontal retail and office uses at a development intensity of up to 2.0 FAR, and residential uses at a density of 25 to 75 dwelling units per acre. Development projects within the MU-1 zoning district are intended to maintain a pedestrian friendly atmosphere, while at the same time enhancing the historic character of the area. The most intensive uses within this district are envisioned along Euclid Avenue and Holt Boulevard.

Consistent with the intent of the Downtown Mixed Use Area and the MU-1 zoning district, the project site is designated for Multiple-Family Residential (MFR) land uses. Exhibit 3-1 (Land Use Plan), below, depicts the Planned Unit Development boundary and land use designation.

Exhibit 3-1: Land Use Plan



3.1 – Residential Use

The project site is proposed to be developed with high quality, multi-family housing units, either two or three levels over two levels of podium parking. The buildings will be a combination of podium-style stacked flat units, with parking beneath, and townhome style units, with first floor garage access.

3.2 – Retail Use

As part of the mixed-use character of the project, a 2,740 SF retail component will be incorporated on the first level of the podium of the building. This total area is well within the 2.0 FAR allowed by city and is in line with the city's vision for Holt Avenue to be an intensive vertical and horizontal mixture of retail, office, and residential uses, in a pedestrian friendly atmosphere.

3.3 – Permitted Use Table/List

Some of the permitted land uses within The Roosevelt Tower PUD are as follows:

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

Table 3-1: Permitted Use Table	
Land Use	**MU-1 Commercial**
EDUCATIONAL	
Vocational/Trade Schools	**C**
Private Schools	
MEDICAL	**P**
Animal Hospital/Veterinarian	**P**
Ambulance Service (Office Only - No Storage of Vehicles)	**P**
Medical Office	**P**
MEDICAL OFFICE/FAMILY CLINIC	
Pharmacies and Drug Stores w/Drive-thru Facilities	**P**
Industrial Clinic	**P**
PUBLIC FACILITIES	
Police/Fire Station	**P**
Police Storefront/Substation	**P**
RETAIL/COMMERCIAL	
Discount Variety Store	**P**
Hobby, Toy and Game Store	**P**
Home Appliance Store	**P**
Jewelry Store	**P**

Table 3-1: Permitted Use Table	
Land Use	**MU-1 Commercial**
Luggage and Leather Goods	**P**
Music and Video Stores	**P**
Office Supply, Stationery and Gift Stores	**P**
Pet and Pet Supply Store	**P**
FOOD AND BEVERAGE STORES	
Bakery	**P**
Delicatessen	**P**
Convenience Market	**P**
Grocery Store	**P**
Specialty Food Stores	**P**
SERVICES	
Advertising Agency	**P**
Data Processing Services	**P**
Data Processing Services	**P**
Photography Studio	**P**
Photocopying and Duplicating Services	**P**

Table 3-1: Permitted Use Table	
Land Use	**MU-1 Commercial**
FINANCIAL SERVICES	
Banks, Credit Unions and other Despository Institutions	**P**
Banks, Credit Unions and other Despository Institutions with Drive-thru (See Development Ordinance Section 9-101305 D)	**C**
PERSONAL SERVICES	
Barber Shop and Beauty/Nail Salon	**P**
Dry Cleaners	**P**
Laundry - Commercial	**C**
Pet Grooming	**P**
Tailor	**P**
Travel Agency	**P**
REPAIR SERVICES	
Computer, Home Electronics, and Small Home Appliances (when ancillary to another use)	**P**
Electrical Equipment	**P**
Jewelry and Watches/Clocks	**P**
Locksmith/Key Shop	**P**

"P" (permitted) shall mean the land use, activity, or facility within the specified zoning district is permitted by right of being in the proper zoning district.

"C" (conditionally permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of a Conditional Use Permit pursuant to Section 4.02.025 (Conditional Use Permits) of this Development Code.

"NP" (Not Permitted) shall mean the land use, activity, or facility within the specified zoning district is not permitted by right of being in the proper zoning district.

All other uses not listed as Permitted or Conditional are prohibited unless a finding can be made by the Planning Director that the use is similar to, and no more objectionable than, a permitted or conditional use.

4 – DEVELOPMENT REGULATIONS

4.1 – Residential Density

Residential density shall range from a minimum 25.0 to a maximum 75.0 dwelling units per acre.

As part of the mixed-use character of the project, a 2,740 SF retail component will be incorporated on the first level of the podium of the building. This total area is well within the 2.0 FAR allowed by city and is in line with the city's vision for Holt Avenue to be an intensive vertical and horizontal mixture of retail, office, and residential uses in a pedestrian friendly atmosphere.

The small retail component of the project has also been incorporated to add convenience to the residents of the project and adjacent properties, help foster neighborhood cohesion, and reduce the need for vehicular traffic.

Exhibit 4-1: Front Elevation Retail Podium



4.2 – Building Height

No structure shall exceed 67' 6" in height, except that the maximum height may be exceeded by roof mounted equipment, architectural projections, chimneys, elevator towers, parapet walls and any other roof top structures, by up to 10% of the allowed building height or as restricted by the Airport Height Constraints. No rooftop equipment shall be visible from anywhere on the project site, public streets, or adjacent properties, and shall be fully screened with appropriate architectural parapet walls or appropriate roof treatments. Roof- mounted equipment shall not exceed the height of the structures and appurtenances used to screen the equipment.

Exhibit 4-2: Height Diagram



4.3 – Setbacks

Building setbacks shall be as set forth in Table 4-1 (Minimum Building Setbacks), and shall comply with Exhibit 4-3 (Setback Diagram).

Table 4-1: Minimum Building Setbacks

Setbacks	Distance
Minimum Street Setbacks	
Holt Boulevard	2 Feet
Brooks Street	2 Feet
Side Setback (East)	1 foot provided
Side Setback (West)	1 foot provided

Certain types of features and equipment are allowed to encroach into the required setback areas in accordance with Table 4-2 (Encroachments into Setbacks) including but not limited to architectural projections, balconies, and underground utility structures such as electrical transformer vaults. Utility structures may encroach into the public right-of-way and/or public utility easement, subject to the approval of the City.

Table 4-2: Maximum Encroachments Into Building Setbacks

Projection	Encroachment
Architectural Feature	1/2 of Required Setback
Patios/Porches	1/2 of Required Setback
Balconies (Occurs on 3rd and 4th Floors)	1/2 of Required Setback at 1st Floor; 3 Feet or More Allowed at 2nd or Higher Floors

Note: No projections may encroach into the storm drain easement

Exhibit 4-3: Setback Diagram

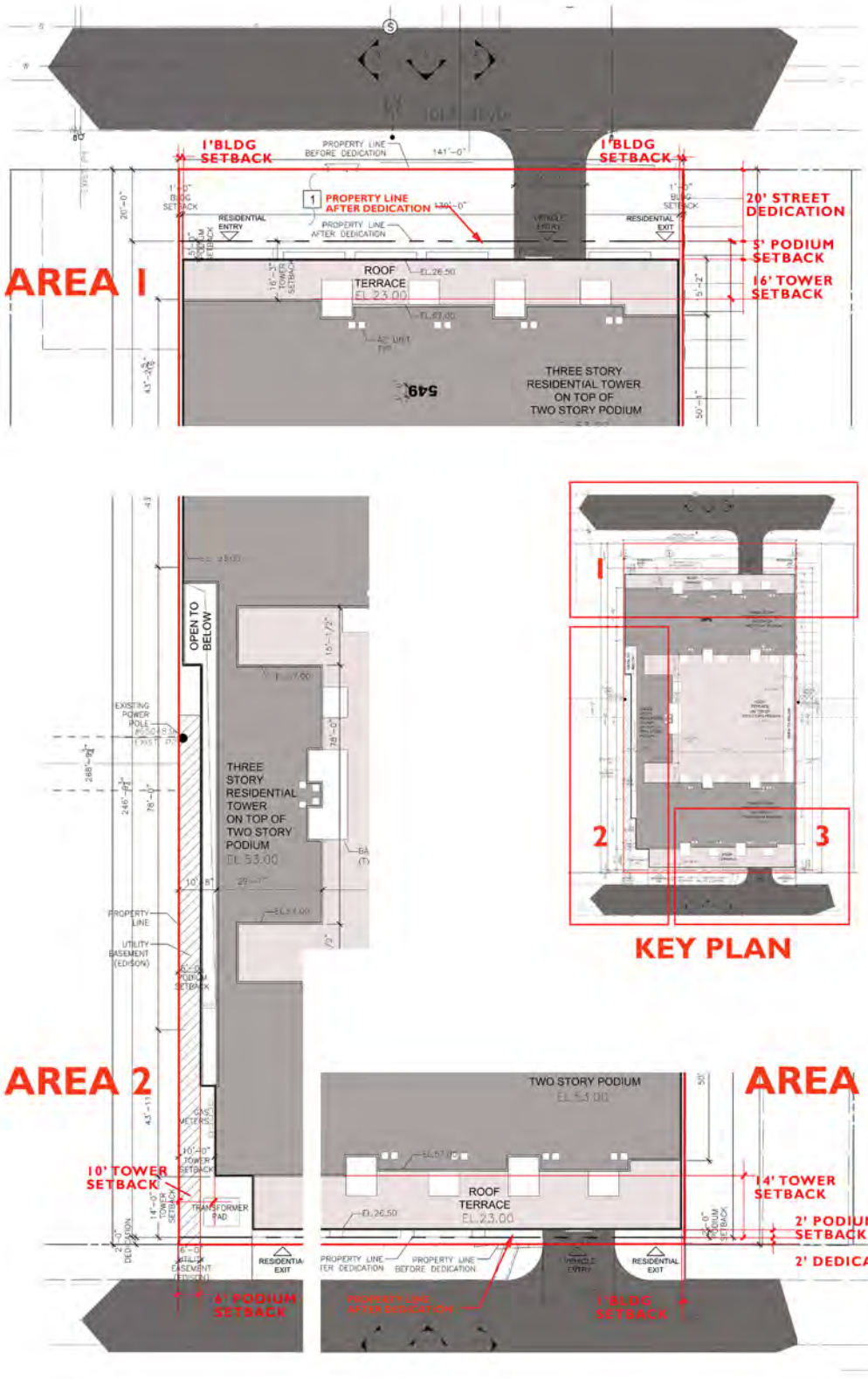
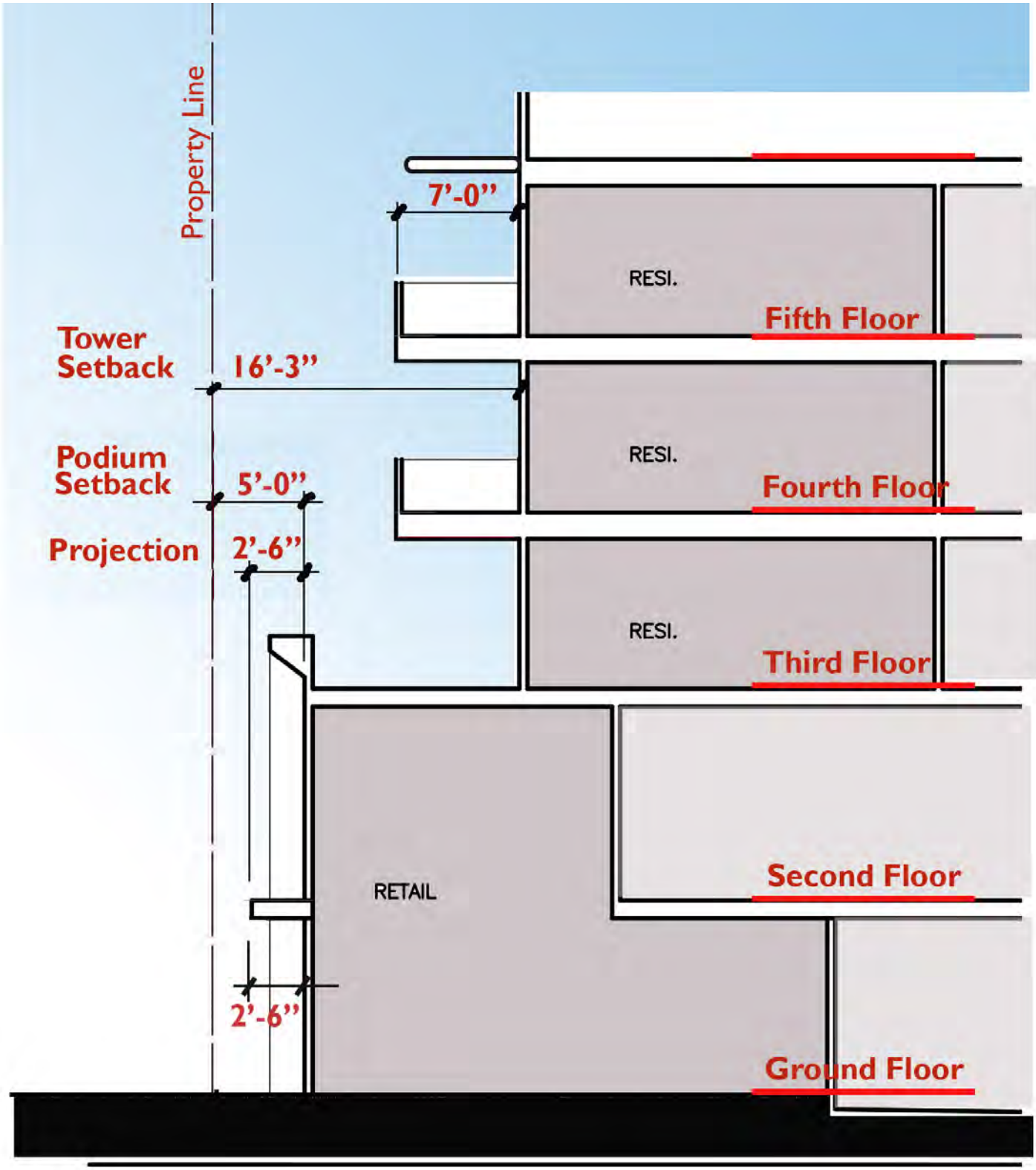


Exhibit 4-4: Projection Diagram



4.4 – Open Space Requirements

Open space shall be provided for passive and active recreation opportunities within the project site. Two types of open space are required, private and common open space. These open space areas are for the use of the on-site residents and their guests. Required street set-back areas are not counted towards common open space requirements.

4.4.1 – Private Open Space

Private open space shall be provided for each residential unit in order to provide private outdoor areas which can be enjoyed for the exclusive use by the occupant of the residential unit and their guests. Types of areas considered private open space include balconies, decks, and enclosed patios and yards.

Private open space shall be provided for all residential units, and shall have direct access from each residential unit. Residential units shall have a minimum size of private open space as defined in Table 4-3 (Private Open Space). The space may be provided in multiple areas (e.g. two balconies, a yard and a balcony, etc.), as long as the total area of the spaces meets the minimum private open space requirement for the unit. The minimum dimension for private open space shall be no less than 6 feet in any direction.

Table 4-3: Private Open Space

Number Of Bedrooms	Open Space
1 Bedroom	60 SF
2 Bedrooms	60 SF
3 Bedrooms	60 SF

For multiple-family dwellings, private open space located at the dwelling's main living level shall have a minimum contiguous clear area of 60 SF, with a minimum clear horizontal dimension of 7 FT and a minimum clear vertical dimension of 8 FT. Other open space areas located on balconies or roof decks shall have a minimum contiguous clear area of 50 SF, with a minimum clear horizontal dimension of 6 FT and a minimum clear vertical dimension of 8 FT.

Exhibit 4-5: Private Open Space Diagram



4.4.2 – Common Open Space

Common open space of 150 square feet min, per unit will be required and shall be provided to allow for both passive and active types of recreation, along with site landscape amenities. These areas are for use by project residents and their guests, and may include indoor recreational facilities. Recreational facilities provided pursuant to Section 4.4.3 shall be provided in common open space areas. The amount of required common open space is based on the number of dwellings developed, and shall be provided at the rate of 235 square feet of common open space for each dwelling unit.

Areas not considered common open space include: [1] parking lots; [2] walkways along or between buildings; [3] parking lot landscaping; [4] street setback areas; and [5] other areas not intended for active or passive recreation.

Exhibit 4-6: Common Open Space



4.4.3 – Recreational Facilities

Access to recreational facilities is important in multiple-family residential projects, as they provide needed facilities for the residents of the community. These facilities shall be centrally located on the site, making the facilities accessible to all project residents A total of at least three recreational facilities (indoor or outdoor) shall be provided on-site. The facilities can be comprised of a combination of both similar and different recreational facilities to meet the recreational facilities requirement (e.g. two pools and one playground or one clubhouse, one pool, and one tot lot, etc.). Recreational facilities may be indoor or outdoor, and may include: [1] clubhouses; [2] pools; [3] community buildings; [4] playgrounds or tot lots; and [5] other indoor or outdoor recreational facilities deemed appropriate by the City. All recreational facilities shall be for the exclusive use of project residents and their guests.

4.5 – Parking Requirements

4.5.1 – On-Site Resident Parking Requirements

The number of parking spaces shall be provided based on the number of bedrooms contained within each dwelling unit, and is subject to the following requirements:

- All required resident parking spaces shall be provided on-site;
- Each dwelling shall have at least one reserved parking space that is clearly marked;
- Reserved parking spaces shall be located within 150 feet of the dwelling it serves;
- At least one covered parking space shall be provided for each dwelling. This can be achieved through use of garages, carports, or tuck-under parking;
- Resident's assigned parking space(s) shall be used for the parking of occupant's operable automobile(s), only;
- Tandem parking is allowed but subject to review;
- Required guest parking spaces shall be provided on-site.
- Parking for dwellings shall be provided on-site, pursuant to the requirements of Table 4-4 (Minimum Parking Requirements), this can be included on the leasing contract.

Table 4-4: Minimum Parking Requirements

Use	Parking Spaces
Multi-Family Dwellings: Studio	1.50 spaces per dwelling (at least one space shall be in a garage, carport, or parking structure)
One-Bedroom Unit	1.75 spaces per dwelling (at least one space shall be in a garage, carport, or parking structure)
Two Bedroom Unit *No Three Bedrooms for this project	2.0 spaces per dwelling (at least one space shall be in a garage, carport, or parking structure)
Guest Parking	1 space per every 5 units
Commercial/Retail	1.0 space per 250 square feet

4.5.2 – On-Street Guest Parking Requirements

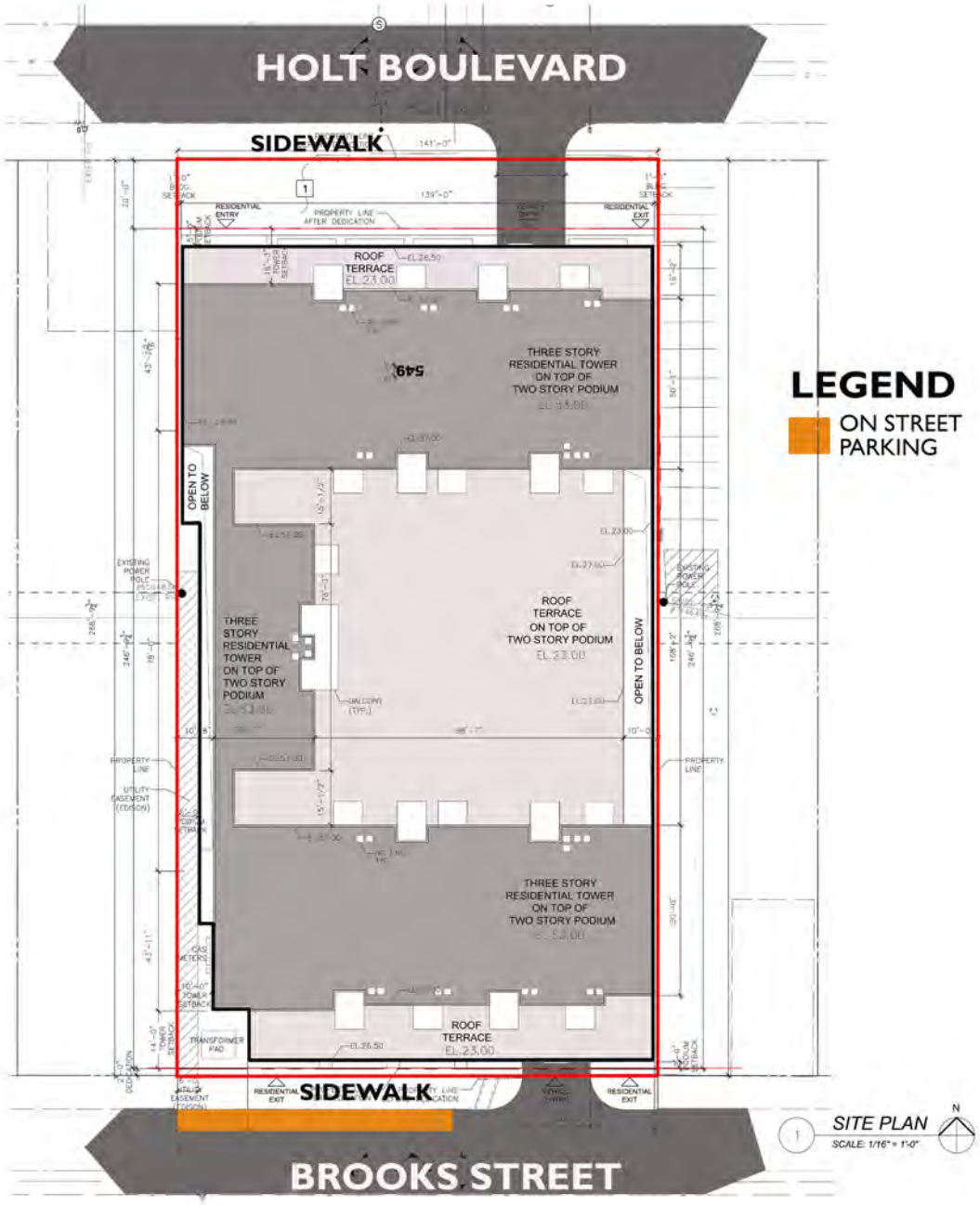
Guest-parking must be provided on-site.

- On-street parking may be allowed to satisfy guest parking requirements only but shall not be counted towards the number of guests parking the code requires.
- On-street parking shall only be designated along Brooks Street, the public street along the south side of the development site. No on-street parking will be allowed along Holt Boulevard and on any other areas deemed by the City Engineer, specially on street corners where sight distance are required.

4.5.3 – Parking Standards

All parking space size and location requirements shall conform to the standards set forth in Section 6.03.045 (Off-Street Parking Standards) of the Ontario Development Code.

Exhibit 4-7: On-Street Parking



4.6 – Vehicular Access

Vehicular access to the site is permitted from Holt Boulevard and Brooks Street. After improvements are made from the West Valley Connector (BRT) Project, vehicular access from Holt Boulevard will be limited to right-in/right-out.

4.6.1 – Vehicle Circulation

The city of Ontario, as part of its intersection widening plan, and the developers of the PUD site shall be responsible to improve Holt Boulevard and Brooks Street to their ultimate widths. These streets will provide vehicular access to the site.

4.6.2 – Pedestrian Connections

Pedestrian connections shall be provided to each building from the public street within the PUD site. The Mixed-Use Commercial land use district shall also provide pedestrian pathways to connect all of the commercial developments.

4.6.3 – Street Dedications and Easements

The developers shall dedicate right-of-way along all street frontages as necessary to increase the right-of-way to ultimate width, including corner cutbacks per City Standard Drawing No. 1301. Additionally, developers shall adhere to the Proposed Holt Blvd and Brooks Street Widening Improvements R/W Requirements. The ultimate widths surrounding the PUD are as follows:

Holt Boulevard - up to 60' half width
Brooks Street - up to 30' half width

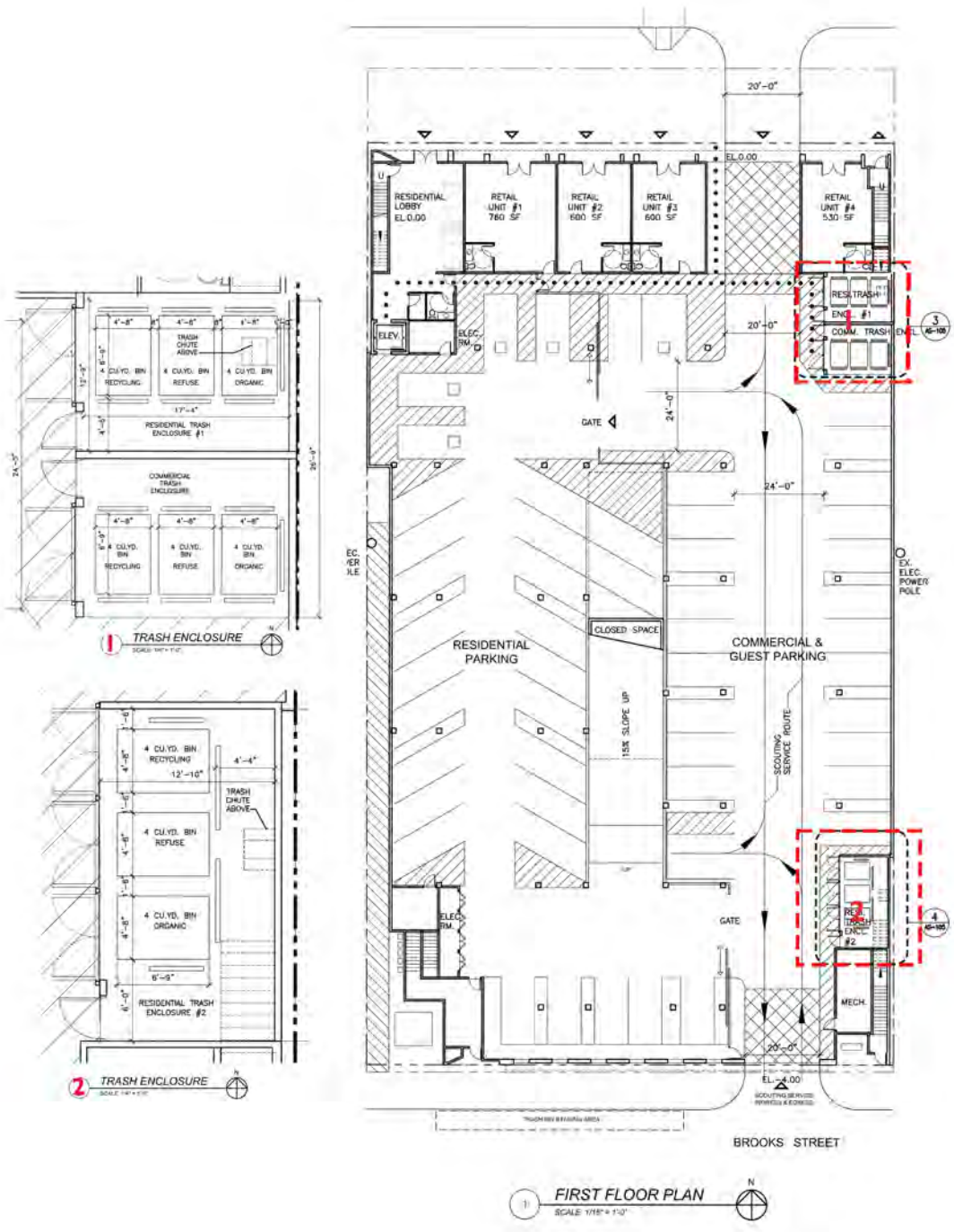
4.6.4 – Public Right-Of-Way Improvements

The public right-of-way shall be improved with each proposed development. The public right-of-way improvements required are to include, but are not limited to the following: street pavement, curb & gutter, parkway landscaping, parkway irrigation, public sidewalk, traffic signing and striping, street lights, bus stop, bus shelter and amenities. The extent of the required improvements shall be determined for each development plan. At a minimum, the improvements shall incorporate all items along the street frontages of the properties to be developed with proper transitioning if the entire block frontage is not being installed with a particular development. The city may do some or all of the improvements as part of its Proposed Holt Blvd and Brooks Street Widening Improvements.

4.7 – Service Facilities

- Loading/unloading for residential and commercial uses and trash pickup service shall be limited to on-site private drive aisles. Location, signage, and any hourly restrictions to be imposed on such areas, shall be subject to approval by the City.
- On-street loading shall be prohibited.
- The number of enclosures, and their precise locations, dimensions, and design shall be provided consistent with City standards.
- Trash enclosures shall be designed to contain separate containers for the collection of refuse and recyclable materials, with an adequate number of containers provided to allow for the collection of both refuse and recyclable materials generated by the development, pursuant to standards established by the Ontario Municipal Utilities Company. (See Exhibit 4.7: Trash Enclosures Site Plan)
- Trash enclosures shall meet the minimum design standards depicted in the standard drawings adopted by the City, which shall include: [1] a minimum 6-FT high decorative masonry wall, with appropriate view-obstructing gates for container access, [2] separate pedestrian access that is designed to screen the interior of the enclosure from view from the exterior and prevent refuse dispersion, and [3] a decorative overhead roof structure to protect bins containing recyclable materials from adverse environmental conditions, which might render the collected materials unusable, and screen trash bins from view of the upper floors of adjacent dwellings. Furthermore, trash enclosures shall be architecturally enhanced, and shall be consistent with the architectural design of adjacent buildings.
- Trash enclosure dimensions shall be of adequate size to accommodate containers consistent with the City's current methods of collection within the area in which the project is located.
- Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling shall be posted adjacent to all points of access to each trash enclosure.
- Trash enclosures shall be located on site within the boundary of the project site.
- Particular care shall be given when placing trash enclosures immediately adjacent to dwelling units; however, no trash enclosure shall be located within 10 feet of the livable portion of a structure.
- Trash enclosures shall be bordered by a minimum 5-foot high concrete wall on all exposed sides, excluding the side with bin access gates.
- All service facilities shall be screened in accordance with Section 4.9 (Screening) of this Planned Unit Development.

Exhibit 4-8: Trash Enclosures Site Plan



Note: "All Priority Land Use(PLU): Land use consisting of high-density residential, defined as a land use with at least ten (10) dwelling units per acre, industrial, commercial, mixed urban, and public transportation station land uses within the project area shall comply with the statewide Trash Provisions adopted by the State Water resources Control Board (SWRCB) and trash requirements in the most current San Bernardino"

4.8 – Landscaping

The site design at Roosevelt Towers includes a diverse palette of drought tolerant native and adapted plants selected to provide a low maintenance and colorful landscape while also meeting the challenging requirements of planting on structure.

The building frontage along Holt Avenue consists of a 4' wide parkway planted with Evergreen Ash trees and a low groundcover of Dwarf Coyote Brush. Setback from the sidewalk are a series of large rectangular planting areas, approximately 150sf each, configured within the building module, allowing views and access to the future retail facades. These large planter areas contain a variety of low water groundcovers with native deciduous Western Redbud trees (triangulated with the Evergreen Ash). The hardscape in this area consists of standard grey concrete along the public sidewalk with integral colored sand finish concrete along the building façade and between planters. **Decorative paving and hardscape within the 20' dedication shall be maintained by the property owner.**

Along Brooks Street the same Baccharis groundcover runs along the parkway with Podocarpus henkelii as the street tree. Larger foundation shrubs such as Sweet Bay and New Zealand Flax soften the façade and provide screening to utilities in this area.

4.8.1 – Site Landscaping

A conceptual landscape and irrigation plan shall be submitted along with the Development Plan for this Planned Unit Development. The plan shall specify all landscaping and hardscape for the entire project site. Detailed Landscape and Irrigation Plans shall be required prior to the issuance of building permits. The detailed plans shall show location of ground mounted utility boxes and equipment, along with the methods of screening for these items from the public right-of-way and adjacent residences where possible. The irrigation system shall be designed to utilize recycled water pursuant to State and local codes, ordinances, and laws, and applicable building and plumbing codes.

The landscape and irrigation plan shall be designed with water conservation in mind, utilizing "California friendly" species and drought tolerant planting materials. The landscaping and irrigation shall comply with AB 1881, and all other laws and regulations related to planting materials. All trees that are to remain on-site shall be properly protected in place during construction to ensure tree health is preserved.

Tree plantings along the Brooks Street storm drain easement shall be restricted to those species allowed by the San Bernardino Flood Control District.

4.8.2 – Planting Palette

The planting palette shall be comprised of "California friendly" drought tolerant planting materials compatible with the overall architectural style of the Planned Unit Development. The following palette has been established to meet the needs of this Planned Unit Development:

4.8.3 – Common and Open Space Landscaping

The 3rd floor contains a variety of spaces, with landscaping acting as an organizing feature while still providing screening, softening, color, beauty, and shade.

As one approaches the main public amenity space through the central corridor a row of potted Dwarf Olives sits in a bed of low green planters which carries the eye through the space and also bisects the space into two smaller zones. At the terminus of this view is one of 3 specimen Ficus trees sitting in an 8' x 12' x 42" high raised planter, providing ample space for root structure. To the north of the olive row is the Children's Play Area, a 26' x 52' semi contained area with two play structures, wood bench seating, umbrellas for shade, and a small turf area for flexible play.

To the south, adjacent to the gymnasium, is a flexible open space for exercise, yoga, or small recreational games such as table tennis. Heading east is a large 26' x 40' shade structure above a flexible dining and lounge space including two BBQ cooking stations. This shade structure partially expands to the east to cover a long wood (or composite) deck seating area.
The planting areas in and around the 3rd floor amenity space can be divided into 3 groups. The first group are the series of "built in" raised planters. These contain the 3 Ficus trees, and also run along the north and south edge of the public amenity space. The longer planters would sit at 42" height, and contain a mix plants including Dwarf Bottlebrush, Sage, and Coast Rosemary. The second category is the series of narrow linear planters that are used for screening the residences while softening the building façade. These would be "off the shelf" rectangular planters, potentially lightweight precast concrete or fiberglass, containing upright plants for screening such as Sweet Bay or Bamboo. Finally, the last group includes low profile green tray plantings. These would be of medium depth, approximately 8", and may be contract grown ahead of time to provide an immediate impact on day one. Species may include sedums, low ornamental grasses, and other small succulents.

All planting areas on the 3rd floor will be connected to the buildings irrigation system, and appropriately plumbed for drainage.

Exhibit 4-9: Colored Landscape Plan



Exhibit 4-10: Holt Boulevard Planting Palette



HARDSCAPE LEGEND

ITEM	DESCRIPTION	REFERENCE IMAGE
1	STANDARD GREY CONCRETE PAVING AT CITY SIDEWALK	
2	DECORATIVE CONCRETE PAVING- MEDIUM SANDBLAST FINISH WITH DAVIS INTERGRAL COLOR #641 'PEBBLE' AND SAWCUT JOINTS	01 / L-105
3	OUTDOOR PORCELAIN PEDESTAL PAVERS, 24" SQ AND 24" X 48", MIX OF FLAT ASH AND FLAT SMOKE COLOR BY TILETECH OR APPROVED EQUAL	02 / L-105
4	WOOD DECKING- 2 x 4 REDWOOD OR COMPOSITE DECKING (TO BE DETERMINED), INSTALLED 4" MINIMUM OVER SLAB WITH COMPOSITE WOOD SLEEPER SYSTEM	03 / L-105
5	DECORATIVE WATERPROOFING COATING- MACOAT BY WESTCOAT OR EQUAL WITH CUSTOM COLOR AND SCORING	04 / L-105
6	42" TALL CONCRETE BLOCK PLANTER WALL- 8 X 12 CMU IN STACKED PATTERN, BURNISHED DARK GREY 250 BY ORCO OR APPROVED EQUAL	05 / L-105
7	5' TALL HORIZONTAL PRIVACY FENCING TO MATCH WOOD DECKING	06 / L-105
8	42" HIGH STEEL GUARDRAIL	07 / L-105
9	42" HIGH SELF CLOSING GATE WITH LATCH	
10	CUSTOM BENCH SEATING TO MATCH WOOD DECKING 18" HIGH X 24" DEEP	
11	BUILT IN BARBECUES AND SERVING COUNTER	
12	RUBBERIZED PLAY SURFACING	08 / L-105
13	OVERHEAD SHADE STRUCTURE WITH CORRUGATED STEEL ROOF	09 / L-105
14	11'-6" WIDE X 4' TALL MONUMENT SIGN AT ENTRY DRIVE	

SITE AMENITY LEGEND (SEE CUTSHEETS FOR ADDITIONAL INFORMATION)

ITEM	DESCRIPTION	ITEM	DESCRIPTION
SA-1	LOUNGE SEATING TYPE A	SA-6	UMBRELLA TYPE B
SA-2	LOUNGE SEATING TYPE B	SA-7	6-23 MONTH OLD PLAY STRUCTURE
SA-3	LOUNGE SEATING TYPE C	SA-8	2-5 YEAR OLD PLAY STRUCTURE
SA-4	DINING SEATING	SA-9	PING PONG TABLES
SA-5	UMBRELLA TYPE A		



KEY PLAN

TREE LEGEND

SYMBOL	BOTANIC NAME / COMMON NAME	SIZE	QTY	WATER USE	CALIFORNIA NATIVE
STREET TREES					
	FRAXINUS UHDEI 'EVERGREEN ASH (HOLT BLVD.)	24" BOX STD.	4	MED	NO
	PODOCARPUS HENKELII LONG LEAFED YELLOWOOD (BROOKS STREET)	24" BOX STD.	4	MED	NO
ON SITE TREES					
	CERCIS OCCIDENTALIS WESTERN REDBUD	36" BOX MULTI	5	LOW	YES
	CHILOPSIS LINEARIS DESERT WILLOW	15 GAL MULTI	3	LOW	YES
	FICUS MICROCARPA 'GREEN GEM' GREEN GEM INDICA FIG LAUREL	48" BOX STD.	3	MED	NO
	OLEA EUROPEA 'MONTRA' LITTLE OLLIE DWARF OLIVE	24" BOX MULTI	5	LOW	NO

SHRUB AND GROUNDCOVER LEGEND

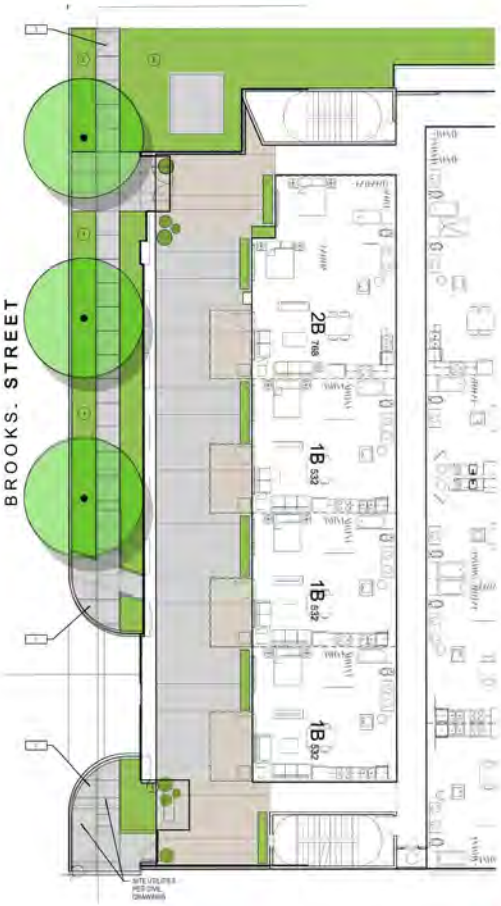
ITEM	DESCRIPTION	REPRESENTATIVE SPECIES	WATER USE	CA NATIVE
1	PARKWAY GROUNDCOVER	BACCHARIS PILULARIS / DWARF COYOTE BRUSH	LOW	YES
2	LOW SHRUB AND GROUND COVER	ACHILLEA MILLEFOLIUM / COMMON YARROW	LOW	YES
		BACCHARIS PILULARIS / DWARF COYOTE BRUSH	LOW	YES
		CAREX DIVULSA / BERKELEY SEDGE	LOW	YES
		DIANELLA REV. 'LITTLE REV' / LITTLE REV FLAX LILY	LOW	NO
		LANTANA 'BELLOWIANA' TRAILING LANTANA	LOW	NO
3	MEDIUM HEIGHT SHRUB AND PERENNIALS	ANIGOZANTHOS SPP. / KANGAROO PAW	LOW	NO
		CALL. 'LITTLE JOHN' / DWARF BOTTLEBRUSH	LOW	NO
		CISTUS SPP. / ROCKROSE	LOW	NO
		FURCRAEA SPP. / FURCRAEA	LOW	NO
		JUNCUS PATENS / CALIFORNIA GREY RUSH	LOW	YES
		LEUCOPHYLLUM SPP. / TEXAS RANGER	LOW	NO
		SALVIA 'ALLEN CHICKERING' / ALLEN CHICK. SAGE	LOW	YES
		WESTRINGIA FRUTICOSA / COAST ROSEMARY	LOW	YES
4	LOW GROUND COVER IN 6"-9" DEEP PREPLANTED TRAYS. LIVEROOF OR EQUAL	CAREX DIVULSA / BERKELEY SEDGE	LOW	YES
		LAMPRANTHUS SPP. / ICE PLANT	LOW	NO
		SEDUM SPP. / STONE CROP	LOW	YES
		SENECIO SPP.	LOW	NO
5	PLANTERS IN SHADE	AUCUBA JAP. 'MR. GOLDSTRIKE' MR. GOLDSTRIKE AUCUBA	MED	NO
		FATSIA JAPONICA / JAPANESE ARALIA	MED	NO
6	SCREENING AT PATIOS AND GROUND FLOOR UTILITIES	BAMBUSA MULT. 'ALPHONSE KARR' ALPHONSE KARR BAMBOO	MED	NO
		BAMBUSA MULT. 'GOLDEN GODDESS' GOLDEN GODDESS BAMBOO	MED	NO
		LAURUS NOBILIS / SWEET BAY	LOW	NO
		PHORMIUM TENAX / NEW ZEALAND FLAX	MED	NO
7	TURF SEATING	MARATHON II SOD WITH SUBSURFACE DRIP IRRIGATION	HIGH	NO

LANDSCAPE ALONG HOLT BOULEVARD

Exhibit 4-11: Common Space 3rd Floor Planting Palette



Exhibit 4-12: Brooks Street Planting Palette



HARDSCAPE LEGEND

ITEM	DESCRIPTION	REFERENCE IMAGE
1	STANDARD GREY CONCRETE PAVING AT CITY SIDEWALK	
2	DECORATIVE CONCRETE PAVING- MEDIUM SANDBLAST FINISH WITH DAVIS INTERGRAL COLOR #641 'PEBBLE' AND SAWCUT JOINTS	01 / L-105
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4	WOOD DECKING- 2 x 4 REDWOOD OR COMPOSITE DECKING (TO BE DETERMINED), INSTALLED 4" MINIMUM OVER SLAB WITH COMPOSITE WOOD SLEEPER SYSTEM	03 / L-105
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7	5' TALL HORIZONTAL PRIVACY FENCING TO MATCH WOOD DECKING	06 / L-105
8	42" HIGH STEEL GUARDRAIL	07 / L-105
9	42" HIGH SELF CLOSING GATE WITH LATCH	
10	CUSTOM BENCH SEATING TO MATCH WOOD DECKING. 18" HIGH X 24" DEEP	
11	BUILT IN BARBECUES AND SERVING COUNTER	
12	RUBBERIZED PLAY SURFACING	08 / L-105
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SITE AMENITY LEGEND (SEE CUTSHEETS FOR ADDITIONAL INFORMATION)

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SA-2	LOUNGE SEATING TYPE B	SA-7	6-23 MONTH OLD PLAY STRUCTURE
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SA-4	DINING SEATING	SA-9	PING PONG TABLES
SA-5	UMBRELLA TYPE A		



KEY PLAN

TREE LEGEND

SYMBOL	BOTANIC NAME COMMON NAME	SIZE	QTY.	WATER USE	CALIFORNIA NATIVE
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	FRAXINUS UHDEI EVERGREEN ASH (HOLT BLVD.)	24" BOX STD.	4	MED	NO
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	FICUS MICROCARPA 'GREEN GEM' GREEN GEM INDICA FIG LAUREL	48" BOX STD.	3	MED	NO
	OLEA EUROPEA 'MONTRA' LITTLE OLLIE DWARF OLIVE	24" BOX MULTI	5	LOW	NO

SHRUB AND GROUNDCOVER LEGEND

ITEM	DESCRIPTION	REPRESENTATIVE SPECIES	WATER USE	CA. NATIVE
1	PARKWAY GROUNDCOVER	BACCHARIS PILULARIS / DWARF COYOTE BRUSH	LOW	YES
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		BACCHARIS PILULARIS / DWARF COYOTE BRUSH	LOW	YES
		CAREX DIVULSA / BERKELEY SEDGE	LOW	YES
		DIANELLA REV. 'LITTLE REV' / LITTLE REV FLAX LILY	LOW	NO
		LANTANA SELLOWIANA/ TRAILING LANTANA	LOW	NO
3	MEDIUM HEIGHT SHRUB AND PERENNIALS	ANIGOZANTHOS SPP. / KANGAROO PAW	LOW	NO
		CALL 'LITTLE JOHN' / DWARF BOTTLEBRUSH	LOW	NO
		CISTUS SPP. / ROCKROSE	LOW	NO
		FURCRAEA SPP. / FURCRAEA	LOW	NO
		JUNCUS PATENS / CALIFORNIA GREY RUSH	LOW	YES
		LEUCOPHYLLUM SPP. / TEXAS RANGER	LOW	NO
		SALVIA 'ALLEN CHICKERING' / ALLEN CHICK SAGE	LOW	YES
		WESTRINGIA FRUTICOSA / COAST ROSEMARY	LOW	YES
4	LOW GROUND COVER IN 6"-9" DEEP PREPLANTED TRAYS, LIVEROOF OR EQUAL	CAREX DIVULSA / BERKELEY SEDGE	LOW	YES
		LAMPRANTHUS SPP. / ICE PLANT	LOW	NO
		SEDUM SPP. / STONE CROP	LOW	YES
		SENECIO SPP.	LOW	NO
5	PLANTERS IN SHADE	AUCUBA JAP. 'MR. GOLDSTRIKE' MR. GOLDSTRIKE AUCUBA	MED	NO
		FATSIA JAPONICA / JAPANESE ARALIA	MED	NO
6	SCREENING AT PATIOS AND GROUND FLOOR UTILITIES	BAMBUSA MULT. 'ALPHONSE KARR' ALPHOSE KARR BAMBOO	MED	NO
		BAMBUSA MULT. 'GOLDEN GOODESS' GOLDEN GODDESS BAMBOO	MED	NO
		LAURUS NOBILIS / SWEET BAY	LOW	NO
		PHORMIUM TENAX / NEW ZEALAND FLAX	MED	NO
7	TURF SEATING	MARATHON II SOD WITH SUBSURFACE DRIP IRRIGATION	HIGH	NO

LANDSCAPING ALONG BROOKS STREET

Exhibit 4-13: Landscape Rendering



4.8.4 – Parking Lot Landscaping

Parking lot landscaping shall be provided pursuant to Subsection D (Landscaping of Off-Street Parking Facilities) of Ontario Development Code Section 6.05.030 (Required Landscape Areas).

4.8.5 – Compliance with State and Federal Laws

Provide landscaping and an irrigation system, which promotes the conservation of water as required by the Water Conservation in Landscaping Act of 2006 (AB 1881), commencing with California Government Code Section 65591.

4.9 – Screening

- All roof and ground mounted mechanical equipment shall be screened pursuant to the requirements of the Ontario Development Code.
- Trash enclosures shall be screened with enclosures that are architecturally compatible with the surrounding buildings.
- Screening shall include plant and building materials compatible with the project design so it is well integrated and hidden within the project area.
- Building and plant materials used for screening shall be compatible with the architectural style and planting palette used on the project area.
- All ground level screening shall comply with the requirements of Ontario Development Code Section 6.02.030 (Protection of Intersection Visibility).

4.9.1 – Fences, Walls, and Hedges

Fences, walls, and hedges shall comply with Section 6.02.030 (Protection of Intersection Visibility) of the Ontario Development Code, Engineering Department corner sight distance standards, and all other applicable city standards. Fences and walls shall be made of decorative materials that are compatible with, or enhance, the overall architectural character of the project. All fences, walls, and hedges shall be in scale with the development, and shall be used for screening, site enhancement, and creating a safer living environment for residents and their guests. All decorative walls, monuments, and/or other similar features, shall not encroach in to the public street right-of-way.

5 – CIRCULATION

5.1 – Site Accessibility

The site shall be designed to promote safety for residents by only allowing limited vehicular and pedestrian access into and across the site. This can be done through building orientation and placement, to minimize the use of gates and fencing; however, amenities shall be properly gated, limiting access to residents and their guests.

5.2 – Vehicular Circulation

The project site shall be designed to reduce the number of dead end aisles in the parking lot areas, and provide all guest parking outside of gated areas (on site) to ensure accessibility. Location of drive aisles and entries shall be approved by the City. Vehicular circulation shall be designed in a way that promotes pedestrian safety and proper access to all parking areas.

5.3 – Pedestrian Circulation

Site design shall provide for safe pedestrian circulation across the project site by separating pedestrian areas from areas with vehicular access. This includes, but is not limited to, accessibility from parking lot areas to unit entries, site amenities, and perimeter sidewalk areas. Fencing and gates may be used to limit public access to resident-only areas.

The 20' street-dedication on Holt Boulevard provides a unique opportunity to create a pedestrian promenade that will connect residential foot traffic between residential units, parking, and community spaces throughout the site. The space shall be welcoming and designed with landscape features that help define the walking path across the project area. Since no vehicular traffic will be allowed on this widened sidewalk, it is expected that pedestrians will be able to walk safely along the exterior area of the development where retail amenity area also located.

Lighting and visibility for enhanced security shall be taken into consideration in designing this area, and shall be compatible with the architectural theme. Buildings shall have windows that look on to this open space area to enhance the views of the residences and help create defensible spaces.

5.4 – Integrated Waste Pickup Circulation

The use of scouting trash pickup service since 32 foot trash pickup truck will not be able to access the site and indicate where the staging of the six bins on the adjacent street, Brooks Street for the two trash enclosures will be on trash pickup day. Integrated Waste Management Report (IWMR) requirements:

The IWMR shall meet the following minimum requirements:

The Integrated Waste Management Report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.) including, but not limited to: types of waste generated, amount of waste expected and the corresponding sizing of receptacles, all waste diversions, all staging and collection operations, any use of private haulers, and the property management regulations and practices for the site.

The IWMR shall demonstrate compliance with the latest version of the City's Integrated Waste Planning Manual (available online at: http://www.ontarioca.gov/government-departments-municipal-utilities-company/integrated-waste) as well as the applicable State regulations and shall contain, at a minimum, the following elements:

1. A discussion on the types of waste generated (refuse, recycling, green waste, organics, etc.) by all uses on the site and the generation rates and total waste for each type. If a final use is not known the applicant shall make a reasonable assumption of the land use expected or proceed as directed by the City.
2. A discussion on pre-treatment if the project will be required to use and install pre-treatment devices or services and an exhibit showing and labeling the location of the pre-treatment devices.
3. A discussion on the types of City Services that will be utilized and the sizing and number of receptacles (Bins, Compactors, etc.)
4. A discussion on waste that is diverted and the diversion services that will be used.
5. A table utilizing the metrics on Page 8 of the Planning Manual and calculating the volume (gallons or cubic yards), quantity, and service schedule for each type of can and bin required for each Service Category (refuse, recycled, etc.). The table shall include all waste that is diverted and the diversion service(s).
6. An exhibit(s) showing layout and architectural details for enclosures, compactors, roll-offs and non-standard containers proposed by the project. Include specification "cut" sheets for non-standard containers.

7. A discussion on the staging and collection operation and an exhibit identifying these locations on the site and any other relevant details. The discussion shall address circulation, accessibility, ingress, egress, pavement type, parking, the role of the property management association, and the role of private haulers or scouting services.
8. A discussion on private haulers describing their services and supplying the names, contact information, and City of Ontario Commercial Recycler Collection Permit numbers for each hauler. The discussion shall include an exhibit showing the staging and collection areas for private haulers.
   Note: All private third party organics and recycling haulers shall be formally approved and permitted by the City of Ontario and shall meet City Code requirements, otherwise the City shall provide the collection services. If the third party haulers do not have a City of Ontario Commercial Recycler Collection Permit, the discussion shall state whether the third party hauler is charging a fee for service or not.
9. A discussion on the proposed property management association, their role in the integrated waste management plan for the site and the by-laws and regulations that relate to integrated waste (no parking, solid waste collection day coordination, enforcement of the SWHP, etc.).
10. A discussion on any variances that are requested and the need for the variance along with any relevant exhibits.
11. Appendix: A copy of the Final Solid Waste Handling Plan (See City SWHP requirements).
12. Appendix: All exhibits and standard plans proposed for the project.
13. Appendix: A copy of the proposed association by-laws and regulations.
14. Appendix: A copy of the final Integrated Waste Variance Form (if a variance is requested).

Solid Waste Handling Plan (SWHP) requirements:

The SWHP shall meet, at a minimum, the following requirements:

1. SWHP Content and Format: The Solid Waste Handling Plan shall demonstrate compliance with the Services Standards in the City's Solid Waste Planning Manual (available online at: http://www.ontarioca.gov/government-departments-municipal-utilities-company/integrated-waste) and shall contain, at a minimum, the following elements:

a. A statement identifying the Service Requirements being used (e.g. Single Family Detached with automated cans, Multi-family/Commercial/Industrial with bins and enclosures, etc.) and describing the solid waste handling operation (for instance, will there be scouting services, etc.).
b. A table utilizing the metrics on Page 8 of the Planning Manual and calculating the volume (gallons or cubic yards), quantity, and service schedule for each type of can and bin required for each Service Category (refuse, recycled, etc.).
c. An Engineering Site Plan drawn to scale that shows:
    i. Minimum plan scale of scale of 1:100. Larger scales are preferred and should be scaled to fill the sheet and show as much detail as clearly as possible on one sheet; multiple sheets may be used if entire project area cannot fit on one sheet at 1:100 scale.
    ii. A detail of the Solid Waste Vehicle with dimensions and annotation that states the minimum turning radii and path of travel widths actually being used on the plan.
    iii. The Solid Waste Vehicle turning movements and paths of travel in each direction of travel and at all intersections. All paths of travel shall be 15 feet wide minimum.
    iv. All parking stalls and parallel parking spaces along all streets, alleys, or aisles.
    v. All proposed curbs and areas designated and striped/signed as "No Parking".
    vi. All proposed trash enclosures and the ADA paths of travel from the buildings.
    vii. A detail for each enclosure footprint delineating the number and size of the bins in order to demonstrate that the enclosure is adequately sized and oriented, if enclosures and bins are proposed.
    viii. All proposed locations of automated cans shown as a 26-inch by 26-inch can pad with 20-inches between can pads and 40-inches between can pads and Parking spaces, mailboxes and other obstructions (Can Collection Area). Can Collection Areas shall be located along designated paths of travel and cannot be located along dead end alleys, motor courts, driveways, or private streets; use multi-family standards for enclosures in these cases.

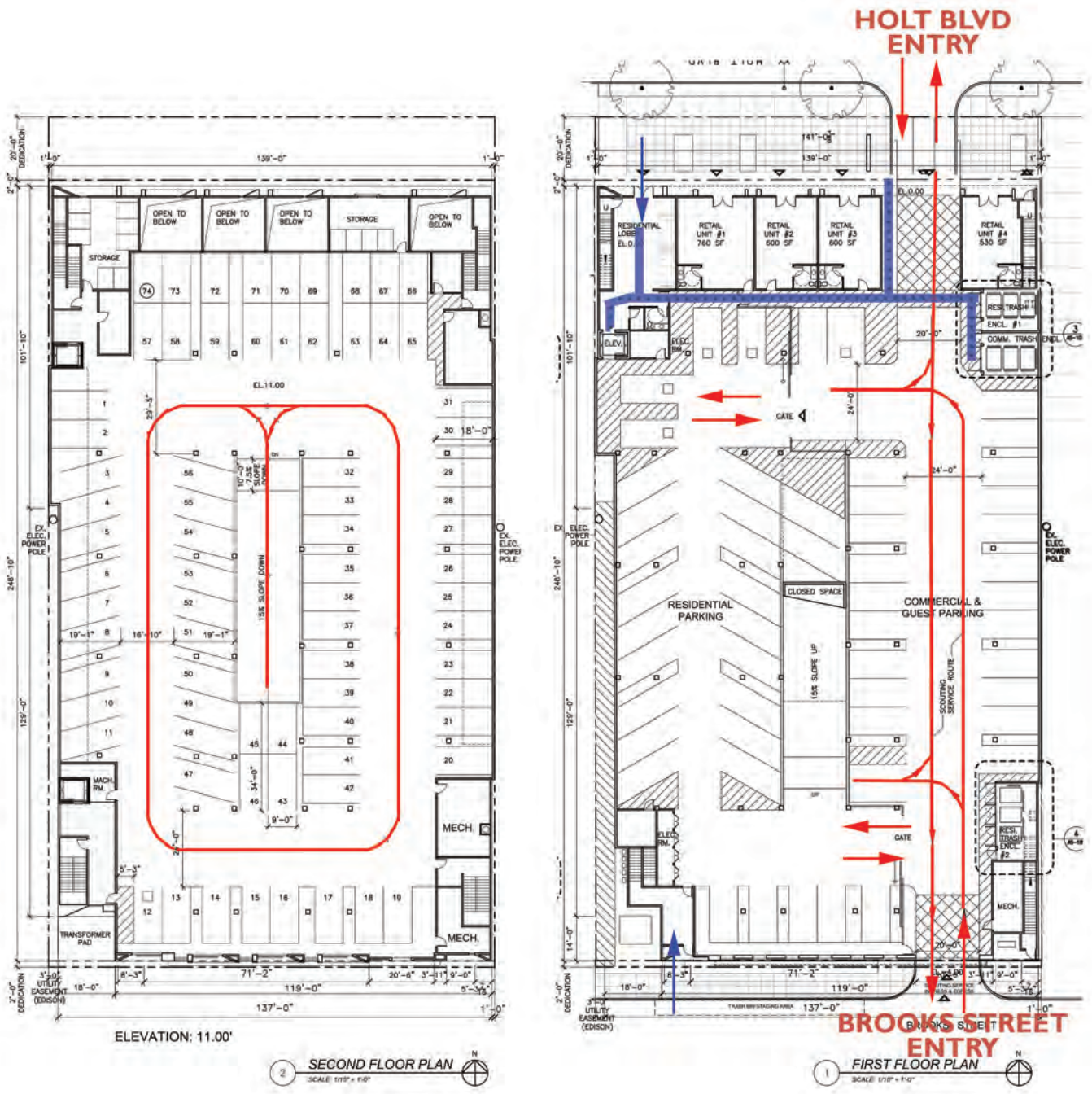
2. Can Collection Area (CCA) Locations: If CCAs are being proposed in lieu of bin enclosures for residential units located along dead end alleys, motor courts, driveways, or private streets, then the SWHP shall comply with the following requirements:

    a. CCAs cannot conflict or compete with potential parking areas. Proposed CCAs must be designated as "no parking" at all times with appropriate striping and signage.
    b. Each residential unit must have a designated CCA and each CCA must delineated with markings so that its location and the unit it is designated for are easily identifiable.
    c. Solid Waste Handling Plan shall include a detail showing how the CCAs will be delineated and identifiable.

3. Private Third Party Hauler: If any Solid Waste Collections are going to be provided by a private third party hauler, include on the SWHP:

    a. A statement describing the service.
    b. The names, contact information, and City of Ontario Commercial Recycler Collection Permit numbers of all private third party haulers. Note: all private third party organics and recycling haulers must be formally approved and permitted by the City of Ontario and meet City Code requirements, otherwise the City must provide the collection services. If the third party haulers do not have a City of Ontario Commercial Recycler Collection Permit, state if the third party hauler is charging a fee for service.
    c. Show & label staging and collection areas for private third party haulers.

Exhibit 5-1: Circulation Plan



6 – DESIGN GUIDELINES

The entire project area is covered by the Ontario Plan Policy Plan (General Plan) and has been designated as mixed-use (Holt Boulevard) and as described in the Ontario Plan Downtown Mixed-Use Growth Area. This PUD area will be distinctive through the requirement of a well-designed projects that convey visual interest and character through:

► Appropriate scale and massing.
► Architectural style and design that are complementary and appropriate to its setting.
► The use of high quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.
► Appropriate Site Planning to ensure building orientation visibility from the street, adequate number of driveways and sidewalks. Building setbacks, parking lot orientation, adequate refuse storage areas and well designed street frontages.

6.1 – Building Orientation

Building orientation shall be designed to minimize noise impacts, aide in providing property site safety, create proper accessibility to site amenities and parking, and to maximize views from residential units. Design should also be done in a way to create defensible spaces improving site safety.

- Orientation towards the exterior of the project area shall be carefully evaluated to ensure a proper relationship.
- Buildings shall be clustered in a way that creates defensible spaces providing views of interior open spaces and amenities. For units without garage spaces buildings shall be oriented to create minimal distances from assigned parking spaces to primary or secondary residential unit entries.

The proposed development units was set-backed 2' on Holt Blvd and 2' on Brooks St both streets to form a strong retail and parking podium development adding a more interesting dimensional form to the architecture. The overall look if the development is to appeal to the younger demographics of the city. A sample rendering shown below:

Exhibit 6-1: Architectural Elevations



North Elevation

Exhibit 6-2: Architectural Elevations



South Elevation

Exhibit 6-3: Architectural Rendering



North Perspective

Exhibit 6-4: Architectural Rendering



South Perspective

6.2 – Architectural Character

The Roosevelt Tower design leans toward Contemporary and Modern Minimalist Style. The design will make use of smooth cement plaster exterior finishes, simple square glazed window and storefront openings and decorative metal canopies throughout the development. Large angular forms, creating a series of 'boxes' are used on both north and south exterior facades to emulate the simple and uncluttered lines - a predominant character of the modernist architectural style used by Nuetra and Schindler popularized in the 1930's. The use of strong accent colors all throughout the exterior elevations were meant to offer fresh and playful character that will differentiate the development from the other similar adjacent development along Holt Boulevard.

6.3 – Massing and Scale

All buildings shall be in scale with the surrounding community, with a majority of the building placement to occur toward the boundary of the project site. The prominent building elevations shall face both Holt Boulevard and Brooks Street. Buildings shall be 2 to 5 stories in height, containing a varied amount of units in each building, with varying façade planes so as not to creat a "monotonous" look. Amenities and site design shall be developed with the pedestrian scale in mind.

6.4 – Architectural Details

Architectural variations should occur between buildings to help distinguish each building and create variety within the proposed development. Architectural details should be consistent with the architectural style proposed. Details shall complement and enhance openings, and accentuate the overall design of each building. Detailing can be achieved through the use of different colors, window and door treatments, and a variety in exterior textures and materials (stone, siding, etc.) to create interesting elevations.

Decorative awnings should be placed where feasible, over south facing windows, and adequate shade should be provided for outdoor spaces. Coverings shall use materials compatible with the architecture style to create a comprehensive building design. Exposed beams shall be integrated into the building design.

6.5 – Materials and Color

Materials and colors shall be compatible with, and complementary to, the overall architectural style of the project. Larger building masses shall use a combination of dark and light colors to break up building planes, and use light colored trim to help accentuate roof features. All colors shall be complementary, and the project shall utilize "warm tone" colors. Materials shall be a mixture of stucco, wood, rich stones and masonry siding, in a variety of complementary colors. A concrete or composite roof material shall be used.

6.6 – On-Site Streetscapes and Pedestrian Walkways

Street furniture and decorative paving should be used throughout the project area to enhance architectural design. The use of complementary materials and textures should be used to create a continuity and consistency that is desired throughout the project area.

A variety of decorative elements should be incorporated into the design of the project area, including, but not limited to, benches, tree grates, bike racks, enhanced paving, trash receptacles, and decorative bollards.

A selection of appropriate elements shall consider sidewalk widths, size and spacing of street trees, importance of the pedestrian path, and the requirement to maintain a minimum 4-foot wide walkway for pedestrian movement in all areas. All streetscape features shall comply with the Americans with Disabilities Act (ADA), along with accessibility requirements for public services, such as police and fire.

6.7 – On-Site Lighting

Decorative light fixtures compatible with the architectural style of the buildings shall be provided on-site.

A minimum of one footcandle of light shall be provided within parking areas and 0.5 footcandles of light within pedestrian pathways, in compliance with the City of Ontario Police Department standards.

6.8 – Signs

Signs within the project area shall comply with the Division 8.01 (Sign Regulations) of the Ontario Development Code. A Sign Program shall be reviewed and approved by the City for this proposed Mixed-Use project.

6.9 – Off-Site Improvements

All off-site improvements shall be installed in accordance with City standards, and to the satisfaction of the City Engineer.

Note: All Priority Land Use (PLU): Land use consisting of high-density residential, defined as a land use with at least ten (10) dwelling units per acre, industrial, commercial, mixed urban, and public transportation station land uses within the project area shall comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB) and trash requirements in the most current San Bernardino.

Exhibit 6-5: Streetscape Examples













7 – INFRASTRUCTURE AND UTILITIES

7.1 – Infrastructure

All improvements and alterations to public infrastructure (sewer, water, recycled water, storm drain, etc.) shall obtain approval from all appropriate agencies.

If infiltration is deemed feasible by a licensed geotechnical engineer, on-site storm water drainage facilities shall be provided for capture and infiltration of a 2-yr, 24-hour storm event, consistent with the San Bernardino County MS4 Program's Water Quality Management Plan (WQMP) requirements for new development. Storm water capture and infiltration facilities include the utilization of not proposed MaxWell Drywells and underground storm water infiltration chambers.

7.2 – Street Improvements

Street improvements (street, sidewalk, parkway, curb, gutter, street lights, etc.) shall be constructed with the development of the project site. Improvements will be required on the streets adjacent to the project area including Holt Boulevard and Brooks Street. Design and construction of street improvements shall be in accordance with the City standards, and to the satisfaction of the City Engineer. Exhibit 7-4 (Street Sections) identifies the improvements for each street adjacent to the project site.

Upon development of the project site, the developer shall construct the right-of-way improvements adjacent to the project site, to the centerline of the street (street, curb, gutter, parkway, sidewalk, etc.). Curb returns at entry and exit driveways to the project site on Holt Boulevard and Brooks Street, shall be designed and constructed with a minimum 10-foot radius. All Priority Land Use (PLU): Land use consisting of high-density residential, defined as a land use with at least ten (10) dwelling units per acre, industrial, commercial, mixed urban, and public transportation station land uses within the project area shall comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB) and trash requirements in the most current San Bernardino. See Exhibit 7-1 (Civil Plan).

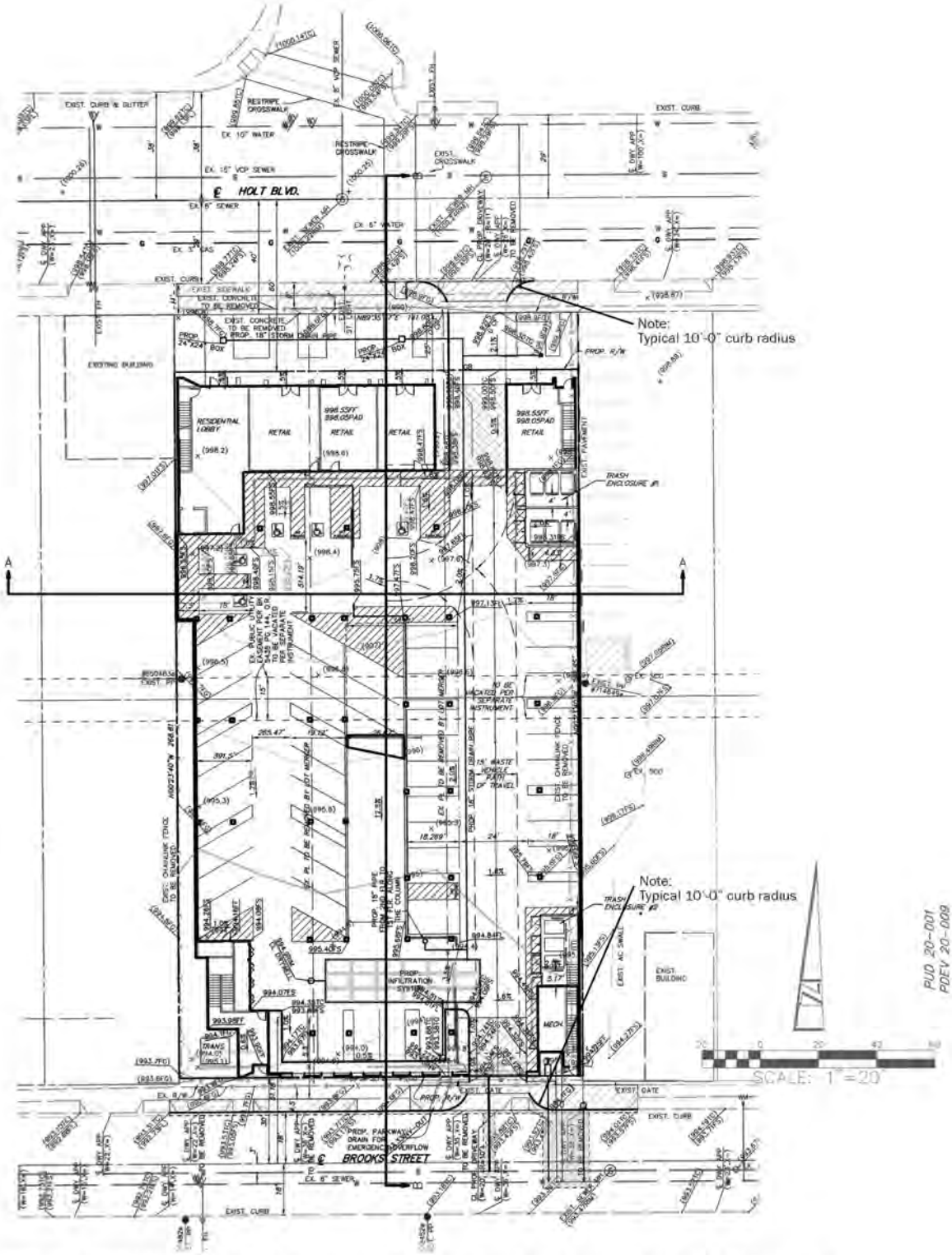
7.3 – Public Utilities

All existing dry utilities (electricity, cable, telephone, gas, etc.) along Holt Boulevard and Brooks Street shall be relocated and re-routed as required and approved by the affected utility agencies/companies.

7.4 – Street Dedication, Vacation and Easements

The ultimate Holt Boulevard right-of-way is 60 feet, measured from centerline, and will require an additional 20 feet of street dedication. The ultimate Brooks Street right-of-way is 30 feet, measured from centerline, and will require an additional 2 feet of street dedication.

Exhibit 7-1: Civil Plan



Note: "All Priority Land Use(PLU): Land use consisting of high-density residential, defined as a land use with at least ten (10) dwelling units per acre, industrial, commercial, mixed urban, and public transportation station land uses within the project area shall comply with the statewide Trash Provisions adopted by the State Water resources Control Board (SWRCB) and trash requirements in the most current San Bernardino"

Exhibit 7-2: Utility Plan

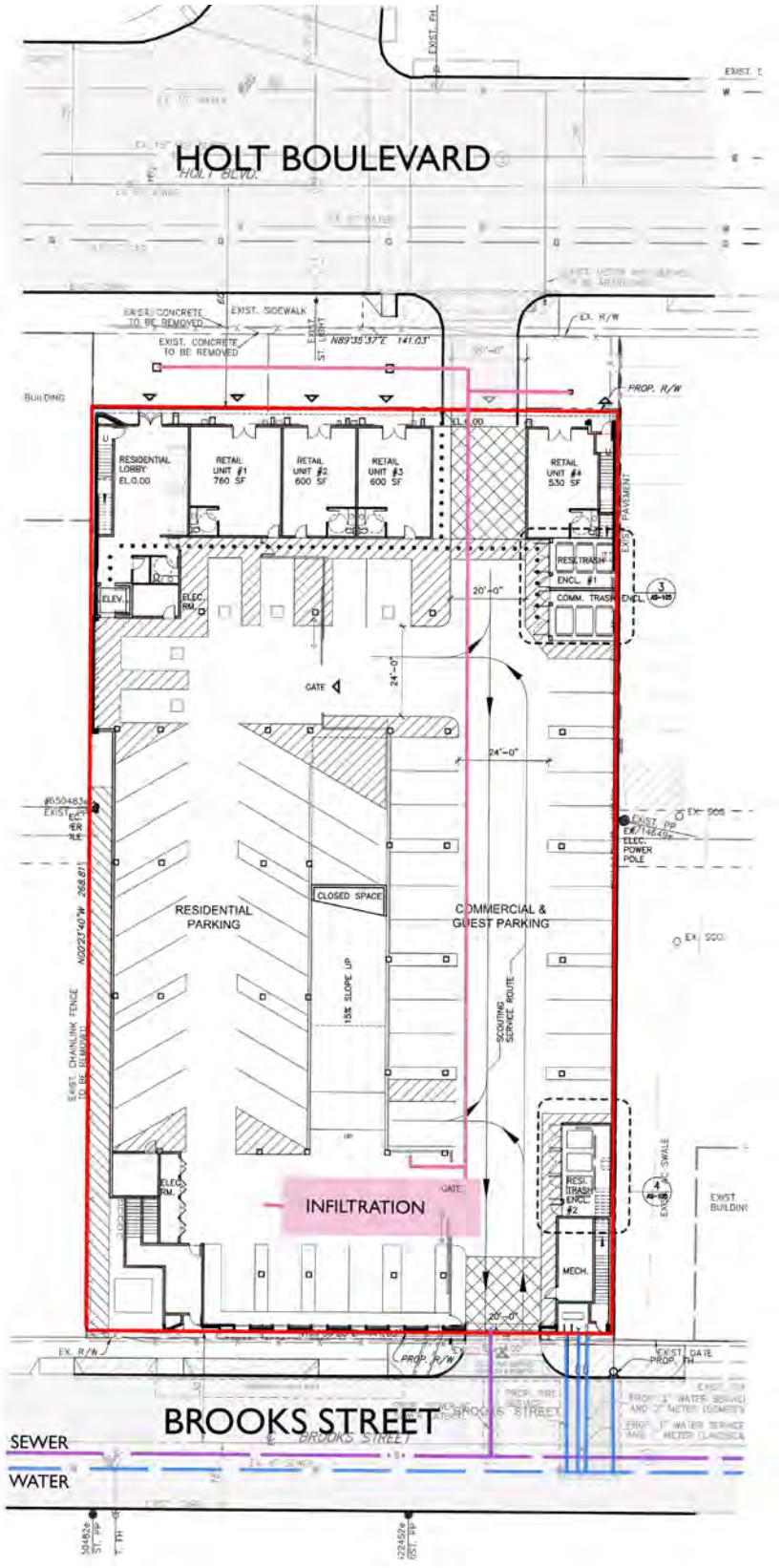


Exhibit 7-3: Easement and Dedication Locations

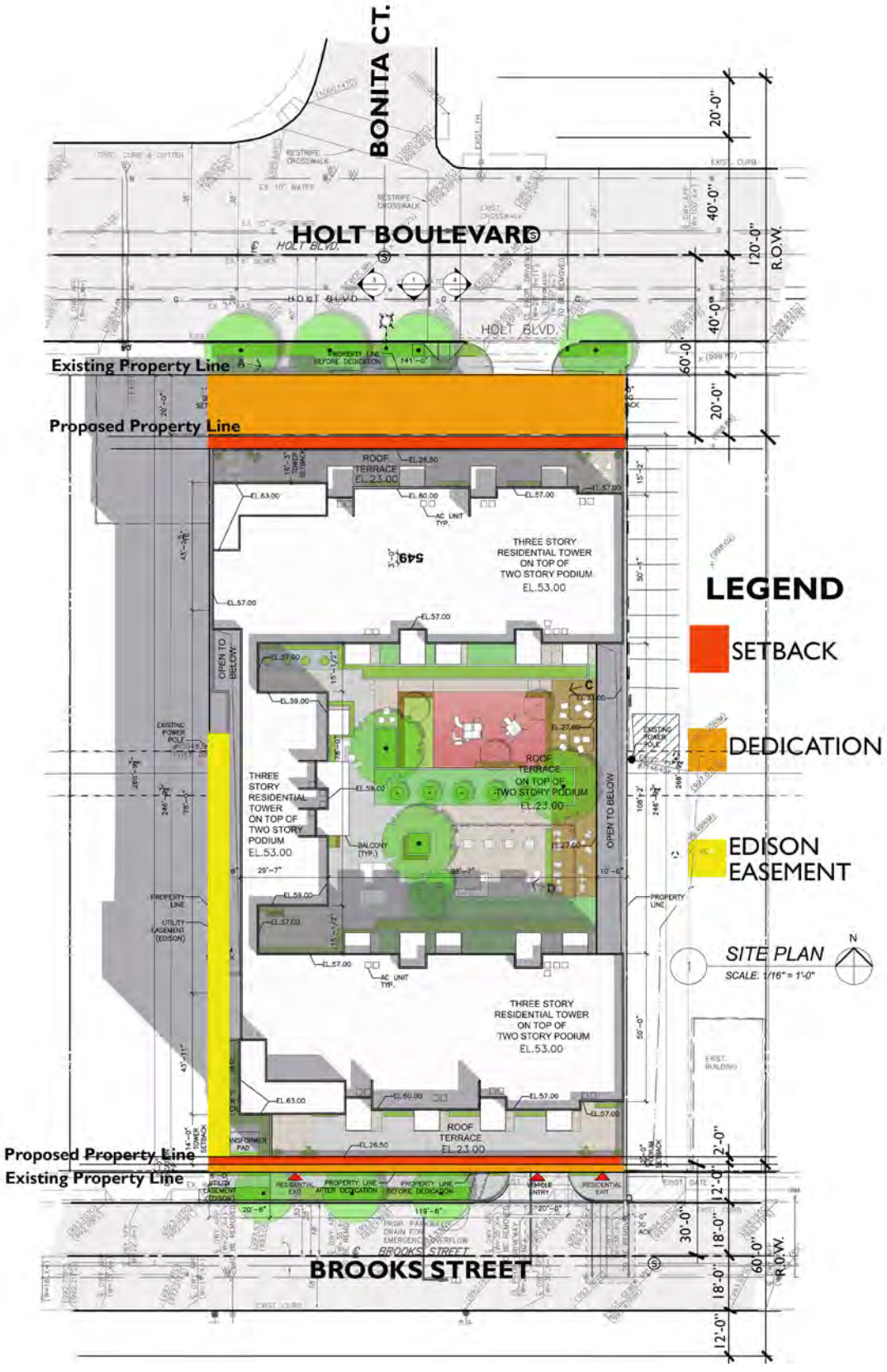
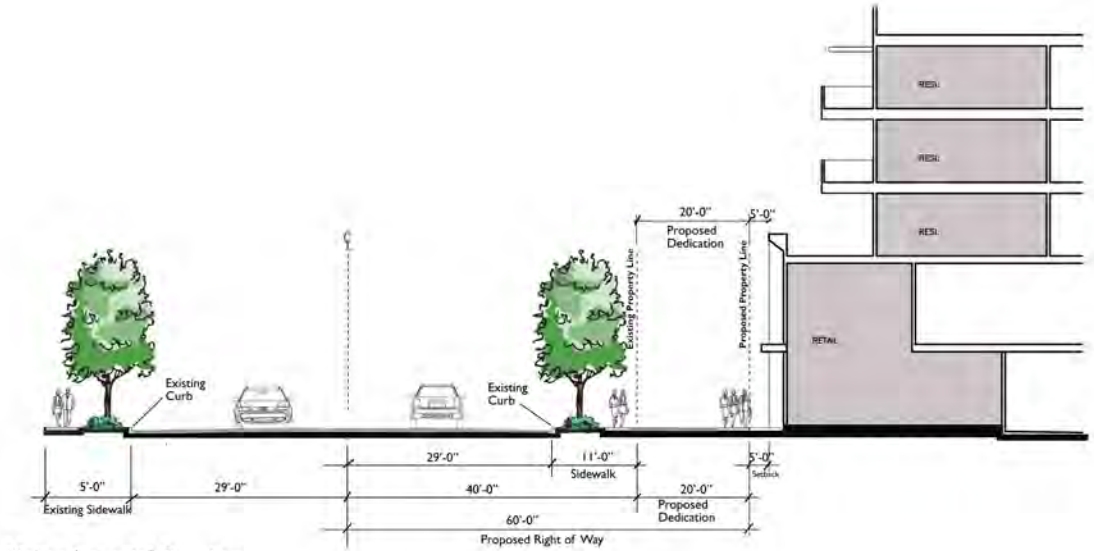
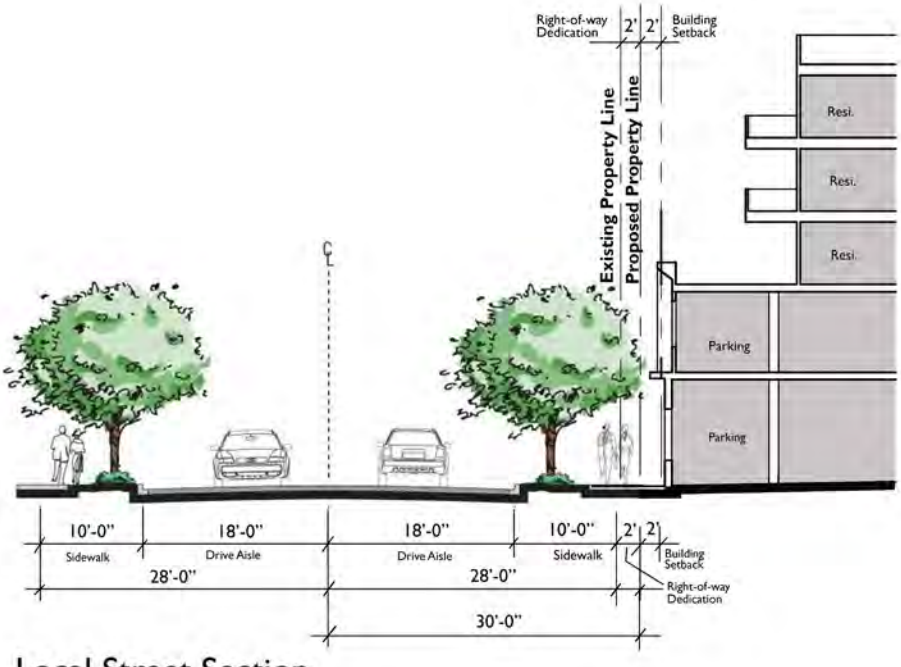


Exhibit 7- 4: Street Sections



Major Arterial Section
Holt Boulevard



Local Street Section
Brooks Street
not to scale

8 – CEQA COMPLIANCE

An Addendum to The Ontario Plan Environmental Impact Report (SCH No. 2008101140), prepared in conjunction with File No. PGPA06-001, and certified by the City of Ontario City Council on January 27, 2010, was prepared for the project. The Approving Authority for the Project reviewed and considered the information contained in the Addendum, the initial study, and the administrative record for the Project, including all submitted written and oral evidence. Based upon the facts and information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence, the Approving Authority found as follows:

- The Addendum and administrative record have been completed in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and
- The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Approving Authority; and
- There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and
- The project will not introduce any new significant environmental impacts beyond those previously analyzed in the Environmental Impact Report, and all mitigation measures previously adopted by the Environmental Impact Report, are incorporated herein by this reference.

8.1 – Environmental Performance Standards

Due to the proximity of the project area to rail lines and Holt Avenue which are both generators of noise and emissions, standards have been established to mitigate these environmental impacts.

8.1.1 – Noise

To ensure a proper standard of living, noise levels shall not exceed 65 dBA for exterior noise levels and 45 dBA for interior noise levels. In order to achieve these noise levels the following mitigations shall be followed:

- Prior to the issuance of building permits, the developer/owner shall retain an acoustic engineer to conduct an acoustic analysis and identify, where appropriate, site design features (e.g., setbacks, berms, or sound walls), and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors and attic baffling), to ensure compliance with the City's Noise Compatibility Criteria, and the California State Building Code and California Noise Insulation Standards (CCR Titles 24 and 21).
- Prior to the issuance of building permits, the developer/owner shall retain an acoustical engineer to evaluate the potential for trains to create perceptible levels of vibration indoors. If vibration-related impacts are found, mitigation measures, such as use of concrete, iron, steel, or masonry materials to ensure that levels of vibration amplification are within acceptable limits to building occupants, shall be implemented. Pursuant to the Federal Transit Administration vibration-annoyance criteria, these acceptable limits are 78 VdB during the daytime and 72 VdB during the nighttime for residential uses.
- Construction activities shall only occur between the hours of 7:00 AM and 6:00 PM on weekdays, and 9:00 AM and 6:00 PM on Saturdays and Sundays;
- Structural noise attenuation requirements contained in Ontario Municipal Code Title 8, Chapter 15, Article 3 (Building Requirements for New Residential Construction in the 65 CNEL to 70 CNEL Noise Zone) are required to be incorporated into exterior façade units located along the eastern, western, and northern project perimeter.
- Structural noise attenuation requirements contained in Ontario Municipal Code Title 8, Chapter 15, Article 2 (Building Requirements for New Residential Construction in the 70 CNEL to 75 CNEL Noise Zone) are required to be incorporated into exterior façade units located along the southern project perimeter;
- Balconies on exterior façade units located along the project's east, south and north frontages shall have a solid balcony barrier of at least 5 feet per study findings. On exterior façade units located along the project's south perimeter street frontage, no balconies or yard areas shall be permitted; and
- If required upon findings of a study, a 6-foot high solid decorative masonry block wall with self-closing, sound insulated gates shall be constructed between the buildings located along the southern edge of the project site. This will ensure exterior noise for outdoor facilities within the project will not exceed 65 dB CNEL.

8.1.2 – Air Quality

- Due to the proximity of the active rail lines to the south of the project area, air quality is a concern for the project site resulting from the diesel emissions from trains.
  Listed below are standards for reducing the air quality impacts of the diesel emissions.
- All residential living areas shall be equipped with air filtration systems operating under a positive pressure rated at MERV 12 or higher;
- The HOA or property management will replace all unit filters on a routine basis, deter mined by industry standards for the filter and air conditioning HVAC systems selected;
- The active outdoor recreation areas should be shifted northward where feasible, to provide the greatest possible distance setback from the closest railroad tracks; and
- A dense tree canopy shall be established along the southern site boundary to act as a living bio-filter for particulate air pollution.

9 – ADMINISTRATION

9.1 – Items Not Addressed in PUD

Any terms or regulations pertaining to design, development, subdivision, administration and interpretation, and nonconforming use, structures and, which are not addressed in this PLANNED UNIT DEVELOPMENT, shall be governed by the City of Ontario Development Code.

9.2 – Development Applications

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

9.3 – Administrative Exceptions

Minor exceptions to the development standards set forth in this document may be granted by the Zoning Administrator in accordance with Section 4.02.020.C (Administrative Exceptions) of the Ontario Development Code, not to exceed 10 percent from minimum residential setback and separation requirements.

9.4 – Severability

If any portion of this Planned Unit Development is held to be invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, the determination shall not affect the validity of the remaining portions of this Planned Unit Development. Moreover, the decision shall not affect, impair, or nullify this Planned Unit Development, either in whole or in part, and the remainder of this Planned Unit Development shall continue in full force and effect.

ORDINANCE NO._____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD20-001, A PLANNED UNIT DEVELOPMENT (THE ROOSEVELT TOWER PLANNED UNIT DEVELOPMENT) TO ESTABLISH DEVELOPMENT STANDARDS, DESIGN GUIDELINES AND INFRASTRUCTURE REQUIRMENTS FOR 0.81 ACRES OF LAND LOCATED AT 549 WEST HOLT BOULEVARD, WITHIN THE MU-1/LUA-3 (DOWNTOWN MIXED-USE/HOLT BOULEVARD DISTRICT) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-021-09.

WHEREAS, Kathy Huynh ("Applicant") has filed an Application for the approval of a Planned Unit Development, File No. PUD20-001, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.81 acres of land located at 549 West Holt Boulevard, within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district and the site is presently vacant land; and

WHEREAS, the property to the north of the Project site is within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district and is developed with the Ontario Village Commercial Shopping Center. The property to the south is within the IL (Light Industrial) zoning district and is developed with a mix of industrial uses. The property to the east and west are within the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district and are developed with multi-tenant commercial uses; and

WHEREAS, in conjunction with the Planned Unit Development (The Roosevelt Tower Planned Unit Development) application, the Applicant has submitted a Development Plan application (File No. PDEV20-009) to construct a mixed-use project consisting of 59 multiple-family dwellings (three-stories of residential units over two-stories of podium parking and 2,500 square feet of first floor retail space) on the Project site. Approval of the Development Plan application will not be final and complete until The Roosevelt Tower Planned Unit Development, File No. PUD20-001, has been approved by the City Council; and

WHEREAS, the Ontario Plan Policy Plan (General Plan) designates the Project area as MU (Mixed-Use). The Ontario Plan describes the Downtown Mixed-Use Area as an intensive vertical and horizontal mixture of retail, office, and residential uses in a pedestrian friendly atmosphere. The most intensive uses are envisioned along Euclid and Holt Avenue. The Downtown Mixed Use is also intended to provide new housing opportunities that will also provide increased demand for commercial/retail in a more urban, concentrated and strategic location. The densities and intensities of the mixed-use designation represented within The Ontario Plan (“TOP”) are the intended level of anticipated development; however, individual projects may vary depending upon an

approved master plan, such as an area plan, specific plan, or planned unit development; and

WHEREAS, the Policy Plan specifies that the Downtown Mixed-Use Area is to be implemented through the approval of an Area Plan or Planned Unit Development ("PUD") prior to the development of properties within the area. In compliance with this requirement, the Applicant has submitted "The Roosevelt Tower Planned Unit Development" (included as "Attachment A" to this Ordinance), which is consistent with this vision and the goals and policies of the Policy Plan; and

WHEREAS, the purpose of the PUD is to secure a fuller realization of the Policy Plan than would result from the strict application of present zoning district regulations and to:

- Promote high standards in urban design;
- Encourage the development of exceptionally high quality, mixed-use, medium to high intensity projects, while establishing regulations and standards for uses with unique regulatory and design needs;
- Ensure harmonious relationships with surrounding land uses; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject Application; and

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

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

WHEREAS, on July 26, 2022, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date,

voting to issue Resolution No. PC22-037 recommending the City Council approve the Application; and

WHEREAS, on September 6, 2022, the City Council of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32, In-Fill Development) of the CEQA Guidelines, which consists of projects characterized as infill developments, meeting the following conditions:

a) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations. The proposed Project is located within the MU (Mixed Use) land use district of the Policy Plan Land Use Map, and the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) 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 Policy Plan (General Plan) component of the Ontario Plan.

b) The proposed development occurs within city limits, on a Project site of no more than five acres and is substantially surrounded by urban uses. The Project site is 0.81-acres of land, located within the incorporated boundaries of the City of Ontario. Furthermore, the site is situated within a fully urbanized area that is characterized by a mix of industrial and multi-tenant commercial developments.

c) The Project site has no value as habitat for endangered, rare, or threatened species. The site is currently vacant land, with no value to endangered, rare or threatened species.

d) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. Conditions of approval have been imposed on the Project, which will mitigate any significant effects relating to traffic, noise, air quality, or water quality.

e) The Project can be adequately served by all required utilities and public services. The site is located within an area that is currently served by all required utilities and public services, including, but not limited to sewer, water, gas, electric and municipal solid waste services; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the City Council.

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the City Council 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 City Council 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 City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the City Council hereby concludes as follows:

(1) The proposed PUD, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council

Priorities components of The Ontario Plan. The proposed Project is located within the MU (Mixed Use) land use district of the Policy Plan Land Use Map, and the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) 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.

(2) The proposed PUD, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. The City Council has required certain safeguards, and imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district and The Roosevelt Tower PUD 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 vision, and the MU-1/LUA-3 (Downtown Mixed-Use/Holt Boulevard District) zoning district and the Roosevelt Tower PUD.

(3) In the case of an application affecting specific property, the proposed PUD, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses. A thorough review and analysis of the proposed Project and its potential to adversely impact properties surrounding the subject site was completed by City staff. As a result of this review, certain design considerations were incorporated into the Project to mitigate identified impacts to an acceptable level, including the use of upgraded materials, the inclusion of certain architectural design elements on building exteriors, intensified landscape elements, and decorative hardscape elements. In addition, conditions of approval have been imposed on the Project, which will mitigate any significant effects relating to traffic, noise, air quality, or water quality.

(4) In the case of an application affecting specific property, the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development. In preparing the proposed PUD, a thorough review and analysis of the proposed Project and the Project site's physical suitability for the proposed Project was completed, including analysis of the Project size, shape, intensity of development, building height, building setbacks, site access, site landscaping and drainage, fences and walls, vehicle circulation, pedestrian connections, availability of mass transit, necessary street dedication and easements, public right-of-way improvements, availability of utilities and other infrastructure needs, off-street parking and circulation, building orientation and streetscapes, architectural character, building materials and color, and site signage.

(5) The proposed PUD is superior to that which could be obtained through the application of the Development Code or a specific plan. The proposed PUD addresses aspects of the Project that are specifically related to the proposed Development Plan, File No. PDEV20-009, filed in conjunction with the PUD, including necessary building setbacks, site access points, off-street parking, site circulation, and architectural character.

SECTION 5: City Council Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the City Council hereby APPROVES the herein described The Roosevelt Tower Planned Unit Development (File No. PUD20-001), attached hereto as "Attachment A," 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.

SECTION 8: Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 9: Effective Date. This Ordinance shall become effective 30 days following its adoption.

SECTION 10: Publication and Posting. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within (15) days following the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this _____ of _____ 2022.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. was duly introduced at a regular meeting of the City Council of the City of Ontario held _____ and adopted at the regular meeting held _____, 2022 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

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

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

File No. PUD20-001;
The Roosevelt Tower Planned Unit Development

(Document follows this page)



ROOSEVELT TOWER

HOLT BOULEVARD, ONTARIO, CALIFORNIA



MAY 02, 2022

PLANNED UNIT DEVELOPMENT

The Roosevelt Tower Planned Unit Development

Table of Contents

1 – Introduction 6

2 – Objectives 9
2.1 – The Ontario Plan (TOP) Objectives 9
2.2 – PUD District Purpose And Objectives 19

3 – Allowable Uses 20
3.1 – Residential Use 21
3.2 – Retail Use 21
3.3 – Permitted Use Table/List 21

4 – Development Regulations 26
4.1 – Residential Density 26
4.2 – Building Height 27
4.3 – Setbacks 28
4.4 – Open Space Requirements 31
4.5 – Parking Requirements 34
4.6 – Vehicular Access 36
4.7 – Service Facilities 38
4.8 – Landscaping 40
4.9 – Screening 47

5 – Circulation 48
5.1 – Site Accessibility 48
5.2 – Vehicular Circulation 48
5.3 – Pedestrian Circulation 48
5.4 – Integrated Waste Pickup Circulation 49

6 – Design Guidelines 54
6.1 – Building Orientation 54
6.2 – Architectural Character 57
6.3 – Massing and Scale 57
6.4 – Architectural Details 57
6.5 – Materials and Color 58
6.6 – On-Site Streetscapes and Pedestrian Walkways 58
6.7 – On-Site Lighting 58

6.8 – Signs 59
6.9 – Off-Site Improvements 59

7 – Infrastructures and Utilities 61
7.1 – Infrastructure 61
7.2 – Street Improvements 61
7.3 – Public Utilities 62
7.4 - Street Dedication, Vacation and Easements 62

8 – CEQA Compliance 67
8.1 – Environmental Performance Standard 67

9 – Administration 70
9.1 – Items Not Addressed in PUD 70
9.2 – Development Applications 70
9.3 – Administrative Exceptions 70
9.4 – Severability 70

Exhibits

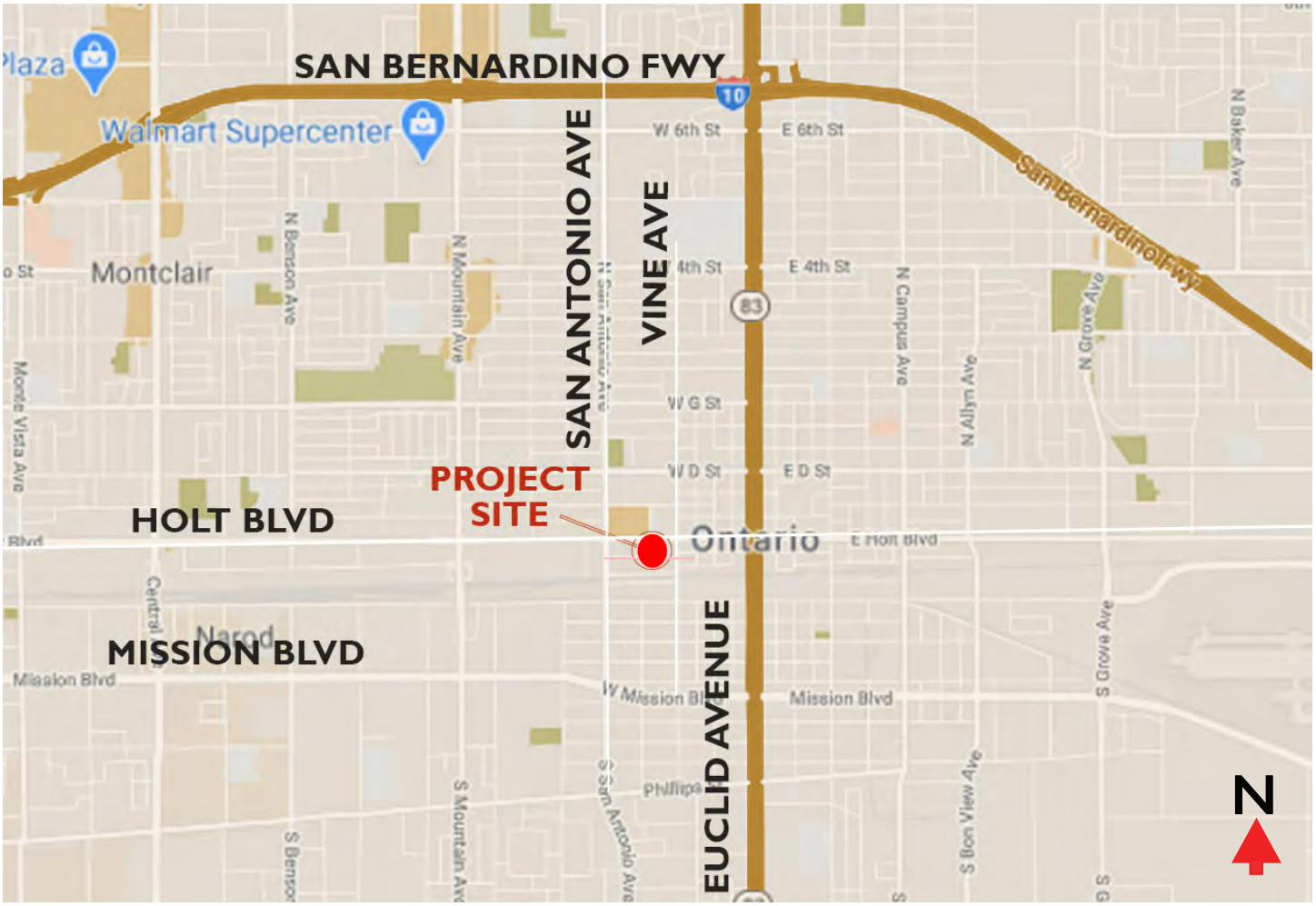
Exhibit 1-1: Vicinity Map 5
Exhibit 1-2: Location Map 6
Exhibit 1-3: Land Use Map 7
Exhibit 1-4: Existing Site Map 8
Exhibit 1-5: Proposed Site Map 8
Exhibit 3-1: Land Use Plan 20
Exhibit 4-1: Podium Diagram 26
Exhibit 4-2: Height Diagram 27
Exhibit 4-3: Setback Diagram 29
Exhibit 4-4: Projection Diagram 30
Exhibit 4-5: Private Open Space Diagram 32
Exhibit 4-6: Common Open Space 33
Exhibit 4-7: On-Street Parking 36
Exhibit 4-8: Trash Enclosures Site Plan 39
Exhibit 4-9: Colored Landscape Plan 42
Exhibit 4-10: Holt Boulevard Planting Palette 43
Exhibit 4-11: Common Space Planting Palette 44
Exhibit 4-12: Brooks Street Planting Palette 45
Exhibit 4-13: Landscaping Rendering..... 46
Exhibit 5-1: Circulation Plan 53
Exhibit 6-1: Architectural Rendering 55
Exhibit 6-2: Architectural Rendering 55
Exhibit 6-3: Architectural Rendering 56

Exhibit 6-4: Architectural Rendering 56
Exhibit 6-5: Streetscape Examples 60
Exhibit 7-1: Civil Plan 63
Exhibit 7-2: Utility Plan 64
Exhibit 7-3: Easement and Dedication Locations 65
Exhibit 7-4: Street Sections 66

Tables

Table 3-1: Permitted Use Table 22
Table 4-1: Minimum Building Setbacks 28
Table 4-2: Maximum Encroachments into Building Setbacks 28
Table 4-3: Private Open Space 31
Table 4-4: Minimum Parking Requirements 35

Exhibit 1-1: Vicinity Map



1 – INTRODUCTION

This document is intended to function as a set of planning and design principles, development regulations and performance standards to guide and govern the development of a 57-Unit Residential and Mixed-use Complex located at 549 W. Holt Boulevard in the City of Ontario. The development is a 5-story residential and retail complex bounded by Holt Avenue on its north side and Brooks Street at its south side (see Exhibit 1-2: Location Map).

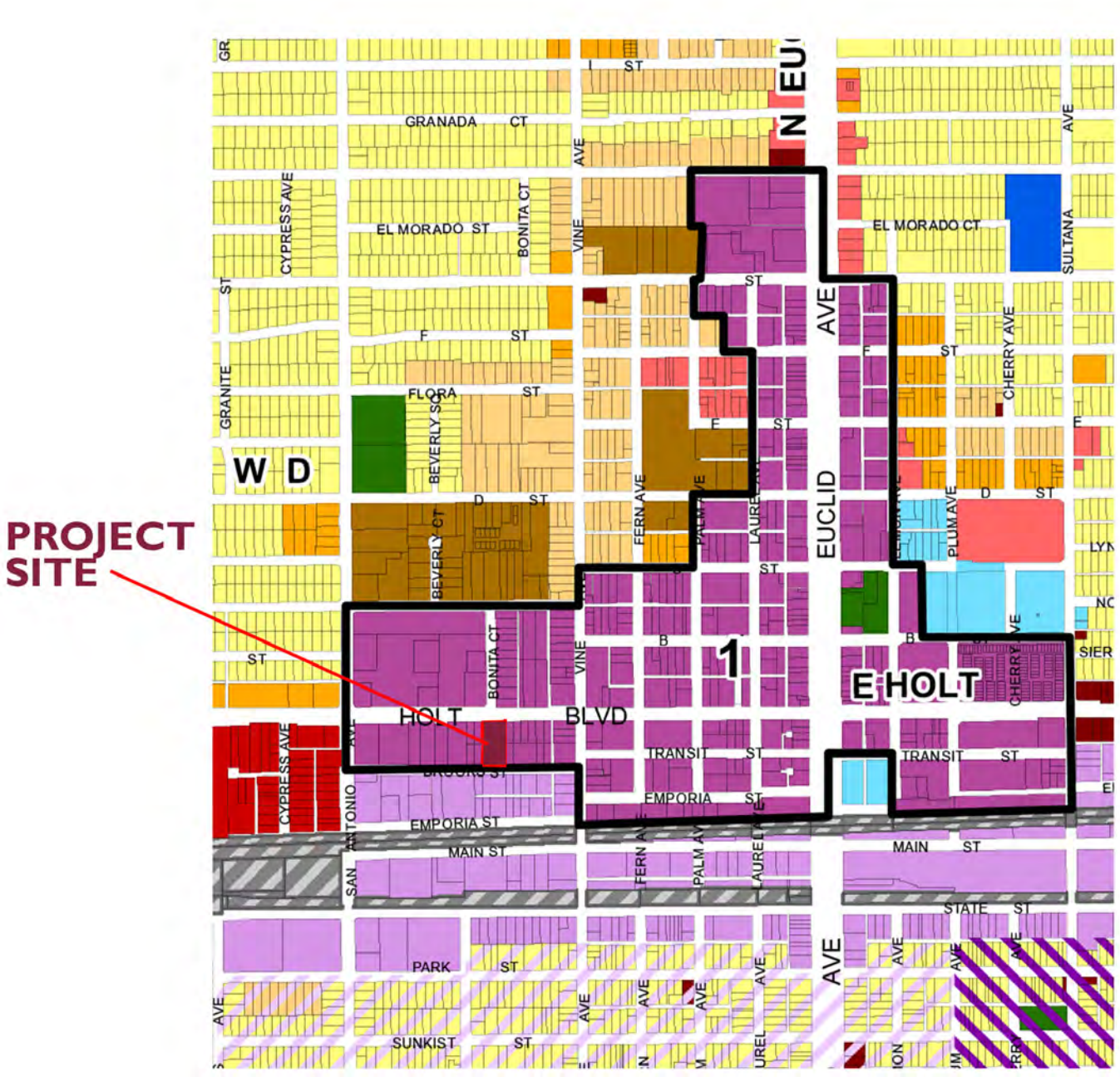
The 35,085 SF project site is located within the Ontario Plan Downtown Mixed-Use District (MU-1) which requires the establishment of a Planned Unit Development (PUD) prior to development. The Planned Unit Development (PUD) is set forth in the Ontario Development code section 4.01.030 (Planned Unit Development (PUD) and Amendments). Upon approval, this PUD will establish the land use and development standards for this particular project site. The Roosevelt Tower on Holt Planned Unit Development (PUD) will replace the existing zone district designations and zoning standards that apply to the affected properties. Unless otherwise defined herein, definitions and interpretations contained in the Development Code shall apply.

City staff and private developers shall rely on this PUD to determine whether precise plans for development will be adequate and will meet the City's land use and design objectives.

Exhibit 1-2: Location Map



Exhibit 1-3: Land Use Map: MU-1 (Mixed-Use Zone 1)



General Plan Land Use Designation: MU (Mixed-Use)
ZONE: MU-1 (Downtown Mixed-Use)

Exhibit 1-4: Existing Site Map



Exhibit 1-5: Proposed Site Map



2 – P.U.D. OBJECTIVES

2.1 – The Ontario Plan (TOP) Objectives

The Ontario Plan, which includes the City's General Plan, designates the project area as part of the Downtown Mixed Use District. The Downtown Mixed Use District designation requires approval of an Area Plan or Planned Unit Development to develop the property. Additionally, the designation specifies a residential density range of 25.0 to 75.0 units per acre and a maximum floor area ratio (FAR) of 2.0 for office and retail uses.

The intent of this designation is to:

1. Create "an intensive vertical and horizontal mixture of residential and retail uses in a pedestrian friendly atmosphere;
2. Ensure the historic character is enhanced when required or appropriate; and
3. Concentrate intensive Land uses on Holt Avenue.

The Holt & Brooks PUD is consistent with the principles, goals and policies contained within the components that make up The Ontario Plan (TOP), including: (1) Vision, (2) Policy Plan (General Plan), and (3) City Council Priorities. The policies furthered by this PUD are as follows:

1. Vision

On February 13, 2007, the Ontario City Council adopted The Ontario Vision. The central theme that motivates the Vision is - "A sustained, community-wide prosperity which continuously adds value and yields benefits. "Everything the City does and every action the City takes is done with the simple yet comprehensive theme in mind, from the design quality of the built environment, to the intent of designing socio-economic programs, to the way in which its leaders govern as a community. In discussing a Vision that would endure for the lifetime of The Ontario Plan (30 years or more), the City Council recognized that there are four components that serve as the basic building blocks that set the foundation for a unified and prosperous community. These foundational blocks must be expressed and widely accepted throughout the Plan's lifetime. They are:

1. A Dynamic Balance that enables our community to confront the continued dynamic growth of the region and technological change with confidence and a sense of opportunity.

2. A Prosperous Economy that sustains the perception and reality of prosperity across our entire community that positively impacts all the people of Ontario and is broadly - though not uniformly - shared.
3. Distinctive Development that integrates our varied and diverse focal points, districts, villages, and neighborhoods to provide a feeling of coherence without sacrificing uniqueness.
4. Recognized Leadership in local governance that stimulates excellence and serves to unify the people of Ontario in support of best practices in conducting public endeavors.

Holt & Brooks PUD will implement the Ontario Vision in several ways that will further the City's desire to be a sustainable and prosperous community.

DISTINCTIVE DEVELOPMENT

Commercial and Residential Development

- The PUD will support new multifamily developments and existing residential neighborhoods by providing the increased demand for retail in more concentrated, strategic location (e.g., at major intersections) as intended for the Downtown Mixed-Use Area.

- The PUD will seek to ensure a mix of retail and commercial uses that will provide a variety of goods and service to the surround community and the future Bus Rapid Transit (BRT) users.

Design Quality

- The PUD will require a well-designed projects that covey a visual interest and character through:

  - Appropriate scale and massing
  - Architectural style and design that are complementary and appropriate to its setting.
  - The use of high quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.

- Appropriate Site Planning to ensure building orientation visibility form the street, adequate number of driveways and sidewalks. Building setbacks, parking lot orientation, adequate refuse storage areas and well designed street frontages.

Public Safety

- The PUD will ensure that proper exterior lighting standards be located and designed to minimize direct glare beyond the projects parking levels and into any future residential developments to the west and east of the project site. In addition, working with the Police Department, to ensure that all lighting standards comply with the one-foot candle illumination to provide a level of security and public safety within the project's retail areas as well as in the existing commercial areas adjacent to the project site.

2. Policy Plan

LAND USE ELEMENT

LU1 Balance

Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

The PUD, through the development of retail and commercial uses, will help provide jobs to help support the existing and new development within the sunounding area.

Polices:

- *LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.*

  The PUD, along with the future development entitlements for the site, will require the necessary infrastructure to serve the site and provide the necessary right-of-ways dedication for street widening and to accommodate the future Bus Rapid Transit (BRT) for the SBX West Valley Connector.

- *LU1-4 Mobility. We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities.*

LU2 Compatibility

Goal LU2: Compatibility between a wide range of uses.

The PUD, through land use regulations for permitted uses, have ensured that those permitted uses allowed within the PUD are compatible with the surrounding area and not allow those uses that may have potential to create adverse impacts to the surrounding area.

Polices:

- *LU2-I: Land Use Decisions: We minimize adverse impacts on adjacent properties when considering land use and zoning requests.*

  The project area is zoned MU-2 (Downtown Mixed Use) and require that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines. The permitted uses within PUD have been established to provide retail and commercial uses to serve the surrounding residential area. Careful consideration has been given to ensure that permitted uses that may have potential to create adverse impacts to the surrounding area are not allowed.

- *LU2-2 Buffers. We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur.*

  The PUD, through site planning, we will require the that future building developed on the site shall be placed along the frontages of Holt Boulevard to keep a buffer between the future residential development.

- *LU2-4 Regulation of Nuisances. We regulate the location, concentration and operations of potential nuisances.*

The permitted uses within PUD have been established to provide retail and commercial uses to serve the surrounding residential area. Careful consideration has been given to ensure that permitted uses that may have potential to create adverse impacts to the surrounding area are not allowed. Those uses with operations that may have potential to create nuisances, will require discretionary approval through the Conditional Use Permit process.

- *LU2-5 Regulation of Uses. We regulate the location, concentration and operations of uses that have impacts on surrounding land uses.*

  The project area is zoned MU-1 (Downtown Mixed Use) and requires that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines. The permitted uses within PUD have been established to provide retail and commercial uses to serve the surrounding residential area. Careful consideration has been given to ensure that permitted uses that may have potential to create adverse impacts to the surrounding area are not allowed.

LU3 Flexibility

Goal LU3 Staff, regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision.

The Ontario Plan describes the Downtown Mixed Use Area as an intensive vertical and horizontal mixture of retail, office, and residential uses in a pedestrian friendly atmosphere. The historic character is enhanced. To provide flexibility the densities and intensities of the mixed use designation represented within TOP are the intended level of anticipated development; however, individual projects may vary depending upon an approved master plan, such as an area plan, specific plan, or planned unit development. The project area is zoned MU-1 (Downtown Mixed Use) and requires that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines.

Policies:

- *LU3-1 Development Standards. We maintain clear development standards which allow flexibility to achieve our Vision.*

  To provide flexibility the densities and intensities of the mixed use designation represented within TOP are the intended level of anticipated development; however, individual projects may vary depending upon an approved master plan, such as an area plan, specific plan, or planned unit development. The project area is zoned MU-1 (Downtown Mixed Use) and requires that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines. The development standards within the PUD are intended to ensure quality and appropriate development to achieve TOP Vision for well-designed projects that covey visual interest.

COMMUNITY ECONOMICS ELEMENT

CE1 Complete Community

Goal CE1: A complete community that provides for all incomes and stages of life. The permitted uses within PUD have been established to provide retail and commercial uses to serve the surrounding residential area and contribute to the City's tax sales base.

CE2 Place-Making

Goal CE2: A City of distinctive neighborhoods, districts, and conidors, where people choose to be.

The PUD will seek to ensure a mix a retail and commercial uses that will provide a variety of goods and service to the surround community and the future Buss Rapid Transit (BRT) users. The PUD area will be distinctive through the requirement of a well-designed projects that covey visual interest and character through:

- Appropriate scale and massing.
- Architectural style and design that are complementary and appropriate to for its setting.
- The use of high quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.

- Appropriate Site Planning that to ensure building orientation visibility form the street, adequate number of driveways and sidewalks. Building setbacks, parking lot orientation, adequate refuse storage areas and well-designed street frontages.

MOBILITY ELEMENT

M3 Public Transit

Goal M3: A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.

The PUD, along with the future development entitlements for the site, will require the necessary infrastructure to serve the site and provide the necessary right-of-ways dedication for street widening and to accommodate the future Bus Rapid Transit (BRT) for the SBX West Valley Connector and bus stop along the frontage of Holt Boulevard.

COMMUNITY DESIGN

CD1 Image & Identity

Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

- To provide flexibility the densities and intensities of the mixed use designation represented within TOP are the intended level of anticipated development; how ever, individual projects may vary depending upon an approved master plan, such as an area plan, specific plan, or planned unit development. The project area is zoned MU-1 (Downtown Mixed Use) and requires that a PUD be implemented for the project area to establish the development standards, land use regulations and design guidelines. The development standards within the PUD are intended to ensure quality and appropriate development to achieve TOP Vision for well-designed projects that covey visual interest.

Policies:

- *CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.*

The entire project area is covered by the Ontario Plan Policy Plan (General Plan) and has been designated as mixed-use (Holt Boulevard) and as described in the Ontario Plan Downtown Mixed-Use Growth Area. This PUD area will be distinctive through the requirement of a well-designed projects that convey visual interest and character through:

- Appropriate scale and massing.
- Architectural style and design that are complementary and appropriate to its setting.
- The use of high quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.
- Appropriate Site Planning that to ensure building orientation visibility form the street, adequate number of driveways and sidewalks. Building setbacks, parking lot orientation, adequate refuse storage areas and welldesigned street frontages.

• *CD1-4 Transportation Corridors. We will enhance our major transportation corridors within the City through landscape, hardscape, signage and lighting.*

The PUD, along with the future development entitlements for the site, will require the necessary infrastructure to serve the site and provide the necessary rights-of-way dedications for street widening and to accommodate the future Bus Rapid Transit (BRT) for the SBX west Valley Connector and any future bus stop site frontage along Holt Boulevard. In addition, the PUD will require adequate landscaping, hardscape, signage and lighting to the prominent areas along Holt Boulevard as well as the secondary face of the project along Brooks Street to the south of the project site.

CD2 Design Quality

Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

Polices:

• CD2-I *Quality Architecture*. We encourage all development projects to convey visual interest and character through:

  • building volume, massing, and height to provide appropriate scale and proportion;

- a true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

The PUD area will be distinctive through the requirement of a well-designed projects that covey visual interest and character through:

- ▶ Appropriate scale and massing
- ▶ Architectural style and design that are complementary and appropriate to for its setting.
- ▶ The use of high quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.
- ▶ Appropriate Site Planning that to ensure building orientation visibility form the street, adequate number of driveways and sidewalks. Building setbacks, parking lot orientation, adequate refuse storage areas and welldesigned street frontages.

- *CD2-3 Commercial Centers. We desire commercial centers to be distinctive, pedestrian friendly, functional and vibrant with a range of businesses, places to gather, and connectivity to the neighborhoods they serve.*

  The permitted uses within PUD have been established to provide retail and commercial uses to serve the surrounding residential area. These retail and commercial uses will be provided to the area currently lacking close access to a retail center. The PUD will seek to capitalize on the location of the station by ensuring a mix a retail and commercial uses business that will provide a variety of goods and service to the surround community and the future Buss Rapid Transit (BRT) users.

- *CD2-5 Streetscapes. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.*

The PUD, along with the future development entitlements for the site, will require the necessary infrastructure to serve the site and provide the necessary right-of-ways dedication for street widening and to accommodate the future Bus Rapid Transit (BRT) for the SBX West Valley Connector. In addition, the future development entitlements will require site improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.

- *CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.*

The PUD development standards that landscape design, materials and will be used to enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

- *CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.*

The PUD development standards will ensure water conservation be provided through low water using plant materials, hydro zones, water efficient irrigation and weather based controllers. Landscaped areas may be used for storm water infiltration through vegetated swales, retention basins, or dry wells as needed with the use of appropriate planting materials. Broad canopy shade trees will be used to reduce heat gain on buildings, paving and parking areas.

3. City Council Priorities

- Invest in the Growth and Evolution of the City's Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Pursue City's Goals and Objectives by Working with Other Governmental Agencies
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch

2.2 – PUD District Purpose And Objectives

The purpose of The Roosevelt Tower (PUD) is to secure a fuller realization of the general plan than that which would result from the application of present zone district regulations; to promote high standards in urban design; to encourage the development of exceptionally high quality residential and commercial uses, while establishing regulations and standards for uses with special conditions and regulatory needs to ensure harmonious relationships with other land uses.

The intent of the PUD District is to:

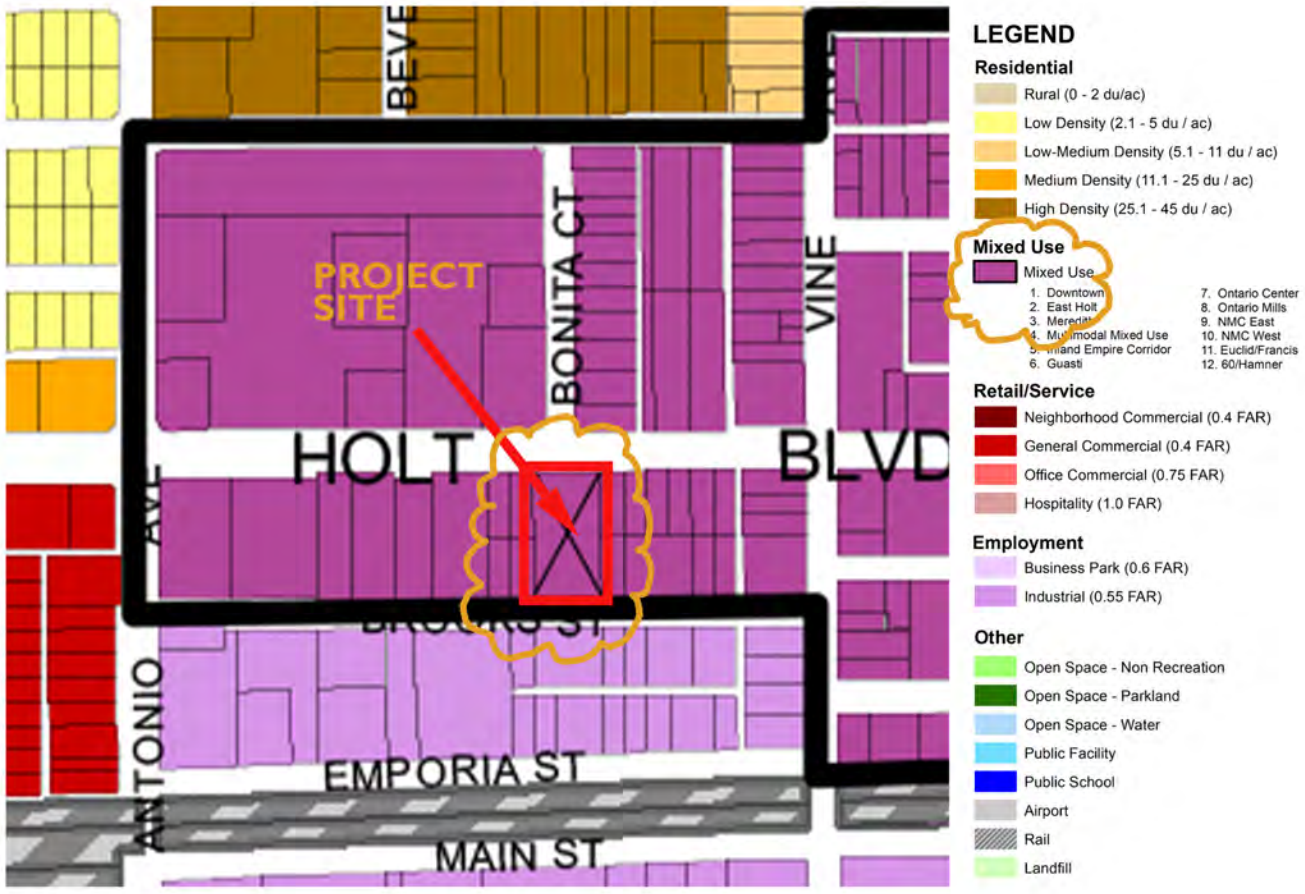
- Promote development projects that are consistent with the land use/downtown revitalization objectives of the City Redevelopment Project area.
- Promote residential and community commercial uses to meet the needs of the projects surroundings residential uses.
- Promote the plaza areas within the commercial center to providing for social interaction.
- Orient buildings to the street, wherever possible to create an accessible urban edge and sense of arrival.
- Incorporate landscaping to enhance the environment.

3 – ALLOWABLE USES

The project site is located within the Downtown Mixed Use Area Policy Plan (General Plan) land use district, and the MU-1 (Downtown Mixed-Use) zoning district, which implements the Downtown Mixed Use Area. The MU-1 zoning district is established to accommodate an intensive mixture of vertical and horizontal retail and office uses at a development intensity of up to 2.0 FAR, and residential uses at a density of 25 to 75 dwelling units per acre. Development projects within the MU-1 zoning district are intended to maintain a pedestrian friendly atmosphere, while at the same time enhancing the historic character of the area. The most intensive uses within this district are envisioned along Euclid Avenue and Holt Boulevard.

Consistent with the intent of the Downtown Mixed Use Area and the MU-1 zoning district, the project site is designated for Multiple-Family Residential (MFR) land uses. Exhibit 3-1 (Land Use Plan), below, depicts the Planned Unit Development boundary and land use designation.

Exhibit 3-1: Land Use Plan



3.1 – Residential Use

The project site is proposed to be developed with high quality, multi-family housing units, either two or three levels over two levels of podium parking. The buildings will be a combination of podium-style stacked flat units, with parking beneath, and townhome style units, with first floor garage access.

3.2 – Retail Use

As part of the mixed-use character of the project, a 2,740 SF retail component will be incorporated on the first level of the podium of the building. This total area is well within the 2.0 FAR allowed by city and is in line with the city's vision for Holt Avenue to be an intensive vertical and horizontal mixture of retail, office, and residential uses, in a pedestrian friendly atmosphere.

3.3 – Permitted Use Table/List

Some of the permitted land uses within The Roosevelt Tower PUD are as follows:

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

Table 3-1: Permitted Use Table	
Land Use	**MU-1 Commercial**
EDUCATIONAL	
Vocational/Trade Schools	**C**
Private Schools	
MEDICAL	**P**
Animal Hospital/Veterinarian	**P**
Ambulance Service (Office Only - No Storage of Vehicles)	**P**
Medical Office	**P**
MEDICAL OFFICE/FAMILY CLINIC	
Pharmacies and Drug Stores w/Drive-thru Facilities	**P**
Industrial Clinic	**P**
PUBLIC FACILITIES	
Police/Fire Station	**P**
Police Storefront/Substation	**P**
RETAIL/COMMERCIAL	
Discount Variety Store	**P**
Hobby, Toy and Game Store	**P**
Home Appliance Store	**P**
Jewelry Store	**P**

Table 3-1: Permitted Use Table	
Land Use	**MU-1 Commercial**
Luggage and Leather Goods	**P**
Music and Video Stores	**P**
Office Supply, Stationery and Gift Stores	**P**
Pet and Pet Supply Store	**P**
FOOD AND BEVERAGE STORES	
Bakery	**P**
Delicatessen	**P**
Convenience Market	**P**
Grocery Store	**P**
Specialty Food Stores	**P**
SERVICES	
Advertising Agency	**P**
Data Processing Services	**P**
Data Processing Services	**P**
Photography Studio	**P**
Photocopying and Duplicating Services	**P**

Table 3-1: Permitted Use Table	
Land Use	**MU-1 Commercial**
FINANCIAL SERVICES	
Banks, Credit Unions and other Despository Institutions	**P**
Banks, Credit Unions and other Despository Institutions with Drive-thru (See Development Ordinance Section 9-101305 D)	**C**
PERSONAL SERVICES	
Barber Shop and Beauty/Nail Salon	**P**
Dry Cleaners	**P**
Laundry - Commercial	**C**
Pet Grooming	**P**
Tailor	**P**
Travel Agency	**P**
REPAIR SERVICES	
Computer, Home Electronics, and Small Home Appliances (when ancillary to another use)	**P**
Electrical Equipment	**P**
Jewelry and Watches/Clocks	**P**
Locksmith/Key Shop	**P**

"P" (permitted) shall mean the land use, activity, or facility within the specified zoning district is permitted by right of being in the proper zoning district.

"C" (conditionally permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of a Conditional Use Permit pursuant to Section 4.02.025 (Conditional Use Permits) of this Development Code.

"NP" (Not Permitted) shall mean the land use, activity, or facility within the specified zoning district is not permitted by right of being in the proper zoning district.

All other uses not listed as Permitted or Conditional are prohibited unless a finding can be made by the Planning Director that the use is similar to, and no more objectionable than, a permitted or conditional use.

4 – DEVELOPMENT REGULATIONS

4.1 – Residential Density

Residential density shall range from a minimum 25.0 to a maximum 75.0 dwelling units per acre.

As part of the mixed-use character of the project, a 2,740 SF retail component will be incorporated on the first level of the podium of the building. This total area is well within the 2.0 FAR allowed by city and is in line with the city's vision for Holt Avenue to be an intensive vertical and horizontal mixture of retail, office, and residential uses in a pedestrian friendly atmosphere.

The small retail component of the project has also been incorporated to add convenience to the residents of the project and adjacent properties, help foster neighborhood cohesion, and reduce the need for vehicular traffic.

Exhibit 4-1: Front Elevation Retail Podium



4.2 – Building Height

No structure shall exceed 67' 6" in height, except that the maximum height may be exceeded by roof mounted equipment, architectural projections, chimneys, elevator towers, parapet walls and any other roof top structures, by up to 10% of the allowed building height or as restricted by the Airport Height Constraints. No rooftop equipment shall be visible from anywhere on the project site, public streets, or adjacent properties, and shall be fully screened with appropriate architectural parapet walls or appropriate roof treatments. Roof- mounted equipment shall not exceed the height of the structures and appurtenances used to screen the equipment.

Exhibit 4-2: Height Diagram



4.3 – Setbacks

Building setbacks shall be as set forth in Table 4-1 (Minimum Building Setbacks), and shall comply with Exhibit 4-3 (Setback Diagram).

Table 4-1: Minimum Building Setbacks

Setbacks	Distance
Minimum Street Setbacks	
Holt Boulevard	2 Feet
Brooks Street	2 Feet
Side Setback (East)	1 foot provided
Side Setback (West)	1 foot provided

Certain types of features and equipment are allowed to encroach into the required setback areas in accordance with Table 4-2 (Encroachments into Setbacks) including but not limited to architectural projections, balconies, and underground utility structures such as electrical transformer vaults. Utility structures may encroach into the public right-of-way and/or public utility easement, subject to the approval of the City.

Table 4-2: Maximum Encroachments Into Building Setbacks

Projection	Encroachment
Architectural Feature	1/2 of Required Setback
Patios/Porches	1/2 of Required Setback
Balconies (Occurs on 3rd and 4th Floors)	1/2 of Required Setback at 1st Floor; 3 Feet or More Allowed at 2nd or Higher Floors

Note: No projections may encroach into the storm drain easement

Exhibit 4-3: Setback Diagram

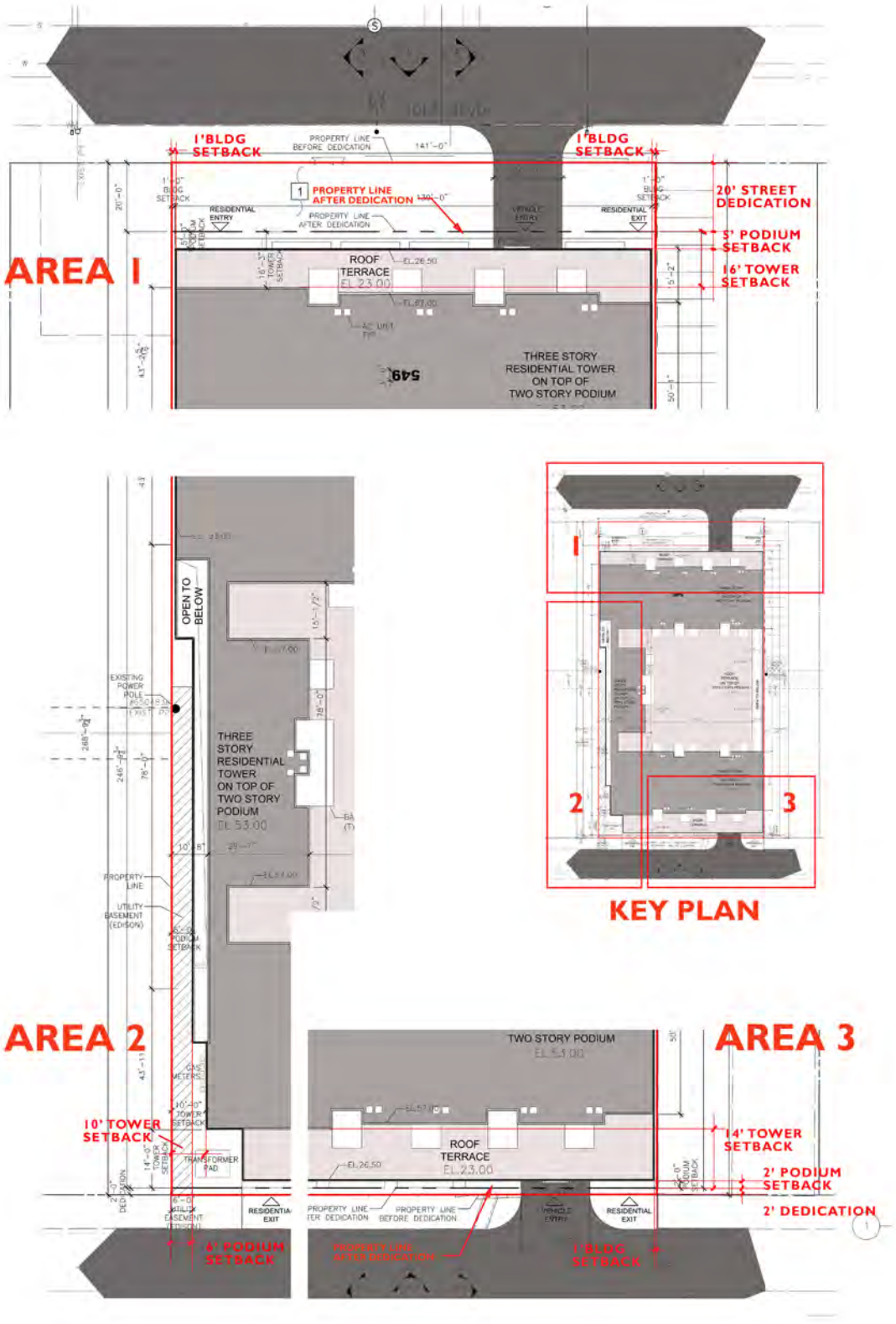
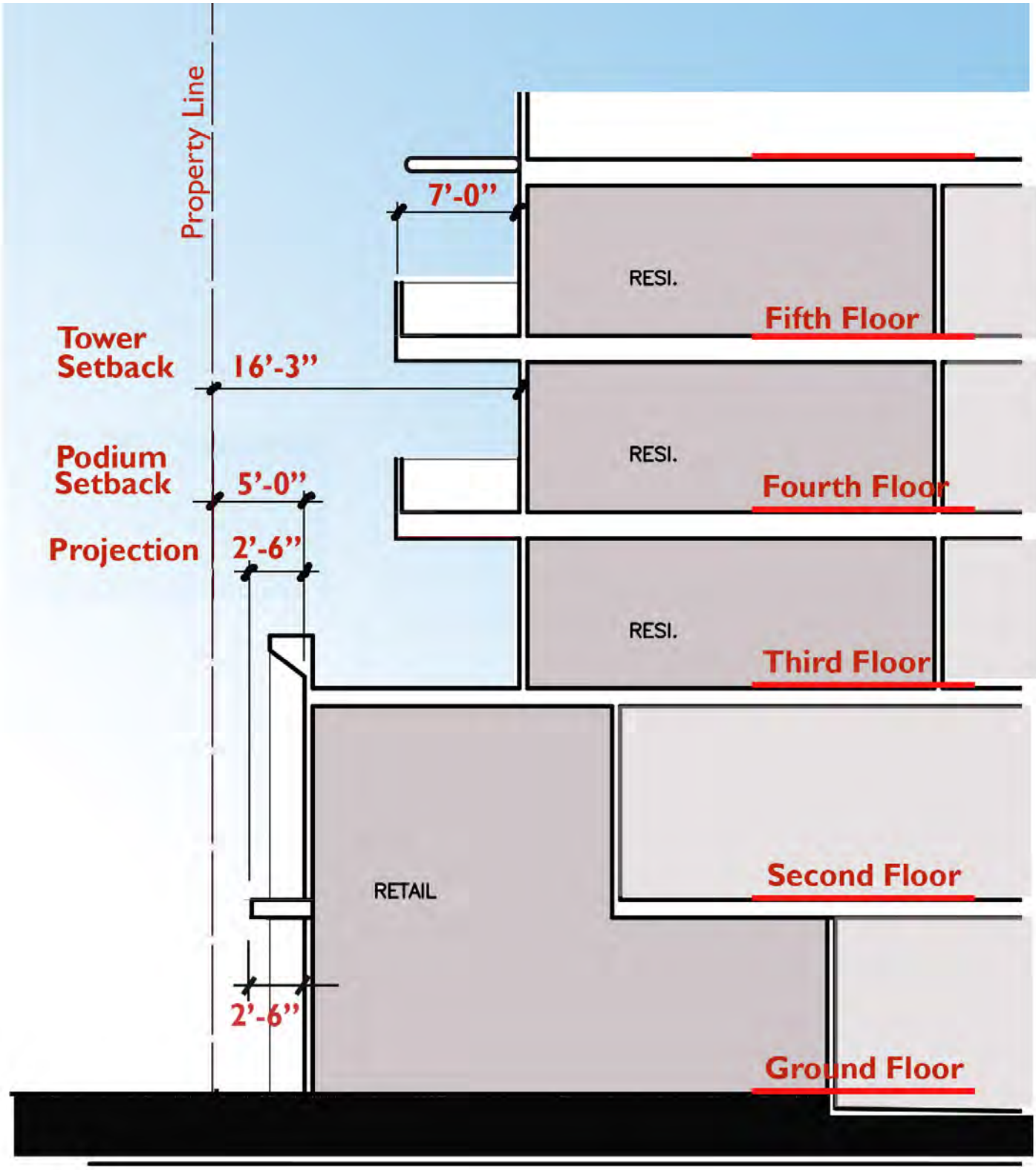


Exhibit 4-4: Projection Diagram



4.4 – Open Space Requirements

Open space shall be provided for passive and active recreation opportunities within the project site. Two types of open space are required, private and common open space. These open space areas are for the use of the on-site residents and their guests. Required street set-back areas are not counted towards common open space requirements.

4.4.1 – Private Open Space

Private open space shall be provided for each residential unit in order to provide private outdoor areas which can be enjoyed for the exclusive use by the occupant of the residential unit and their guests. Types of areas considered private open space include balconies, decks, and enclosed patios and yards.

Private open space shall be provided for all residential units, and shall have direct access from each residential unit. Residential units shall have a minimum size of private open space as defined in Table 4-3 (Private Open Space). The space may be provided in multiple areas (e.g. two balconies, a yard and a balcony, etc.), as long as the total area of the spaces meets the minimum private open space requirement for the unit. The minimum dimension for private open space shall be no less than 6 feet in any direction.

Table 4-3: Private Open Space

Number Of Bedrooms	Open Space
1 Bedroom	60 SF
2 Bedrooms	60 SF
3 Bedrooms	60 SF

For multiple-family dwellings, private open space located at the dwelling's main living level shall have a minimum contiguous clear area of 60 SF, with a minimum clear horizontal dimension of 7 FT and a minimum clear vertical dimension of 8 FT. Other open space areas located on balconies or roof decks shall have a minimum contiguous clear area of 50 SF, with a minimum clear horizontal dimension of 6 FT and a minimum clear vertical dimension of 8 FT.

Exhibit 4-5: Private Open Space Diagram



4.4.2 – Common Open Space

Common open space of 150 square feet min, per unit will be required and shall be provided to allow for both passive and active types of recreation, along with site landscape amenities. These areas are for use by project residents and their guests, and may include indoor recreational facilities. Recreational facilities provided pursuant to Section 4.4.3 shall be provided in common open space areas. The amount of required common open space is based on the number of dwellings developed, and shall be provided at the rate of 235 square feet of common open space for each dwelling unit.

Areas not considered common open space include: [1] parking lots; [2] walkways along or between buildings; [3] parking lot landscaping; [4] street setback areas; and [5] other areas not intended for active or passive recreation.

Exhibit 4-6: Common Open Space



4.4.3 – Recreational Facilities

Access to recreational facilities is important in multiple-family residential projects, as they provide needed facilities for the residents of the community. These facilities shall be centrally located on the site, making the facilities accessible to all project residents A total of at least three recreational facilities (indoor or outdoor) shall be provided on-site. The facilities can be comprised of a combination of both similar and different recreational facilities to meet the recreational facilities requirement (e.g. two pools and one playground or one clubhouse, one pool, and one tot lot, etc.). Recreational facilities may be indoor or outdoor, and may include: [1] clubhouses; [2] pools; [3] community buildings; [4] playgrounds or tot lots; and [5] other indoor or outdoor recreational facilities deemed appropriate by the City. All recreational facilities shall be for the exclusive use of project residents and their guests.

4.5 – Parking Requirements

4.5.1 – On-Site Resident Parking Requirements

The number of parking spaces shall be provided based on the number of bedrooms contained within each dwelling unit, and is subject to the following requirements:

- All required resident parking spaces shall be provided on-site;
- Each dwelling shall have at least one reserved parking space that is clearly marked;
- Reserved parking spaces shall be located within 150 feet of the dwelling it serves;
- At least one covered parking space shall be provided for each dwelling. This can be achieved through use of garages, carports, or tuck-under parking;
- Resident's assigned parking space(s) shall be used for the parking of occupant's operable automobile(s), only;
- Tandem parking is allowed but subject to review;
- Required guest parking spaces shall be provided on-site.
- Parking for dwellings shall be provided on-site, pursuant to the requirements of Table 4-4 (Minimum Parking Requirements), this can be included on the leasing contract.

Table 4-4: Minimum Parking Requirements

Use	Parking Spaces
Multi-Family Dwellings: Studio	1.50 spaces per dwelling (at least one space shall be in a garage, carport, or parking structure)
One-Bedroom Unit	1.75 spaces per dwelling (at least one space shall be in a garage, carport, or parking structure)
Two Bedroom Unit *No Three Bedrooms for this project	2.0 spaces per dwelling (at least one space shall be in a garage, carport, or parking structure)
Guest Parking	1 space per every 5 units
Commercial/Retail	1.0 space per 250 square feet

4.5.2 – On-Street Guest Parking Requirements

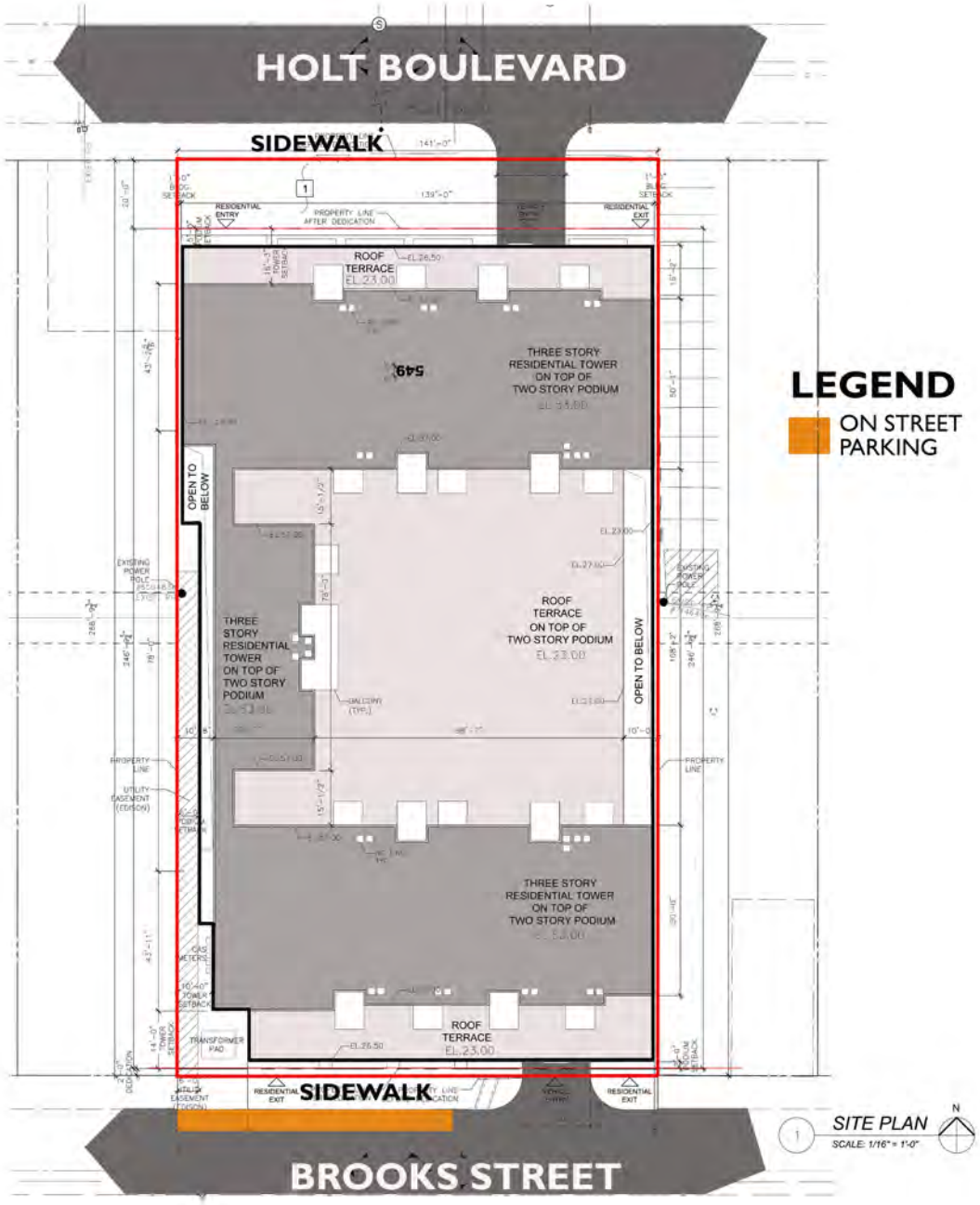
Guest-parking must be provided on-site.

- On-street parking may be allowed to satisfy guest parking requirements only but shall not be counted towards the number of guests parking the code requires.
- On-street parking shall only be designated along Brooks Street, the public street along the south side of the development site. No on-street parking will be allowed along Holt Boulevard and on any other areas deemed by the City Engineer, specially on street corners where sight distance are required.

4.5.3 – Parking Standards

All parking space size and location requirements shall conform to the standards set forth in Section 6.03.045 (Off-Street Parking Standards) of the Ontario Development Code.

Exhibit 4-7: On-Street Parking



4.6 – Vehicular Access

Vehicular access to the site is permitted from Holt Boulevard and Brooks Street. After improvements are made from the West Valley Connector (BRT) Project, vehicular access from Holt Boulevard will be limited to right-in/right-out.

4.6.1 – Vehicle Circulation

The city of Ontario, as part of its intersection widening plan, and the developers of the PUD site shall be responsible to improve Holt Boulevard and Brooks Street to their ultimate widths. These streets will provide vehicular access to the site.

4.6.2 – Pedestrian Connections

Pedestrian connections shall be provided to each building from the public street within the PUD site. The Mixed-Use Commercial land use district shall also provide pedestrian pathways to connect all of the commercial developments.

4.6.3 – Street Dedications and Easements

The developers shall dedicate right-of-way along all street frontages as necessary to increase the right-of-way to ultimate width, including corner cutbacks per City Standard Drawing No. 1301. Additionally, developers shall adhere to the Proposed Holt Blvd and Brooks Street Widening Improvements R/W Requirements. The ultimate widths surrounding the PUD are as follows:

Holt Boulevard - up to 60' half width
Brooks Street - up to 30' half width

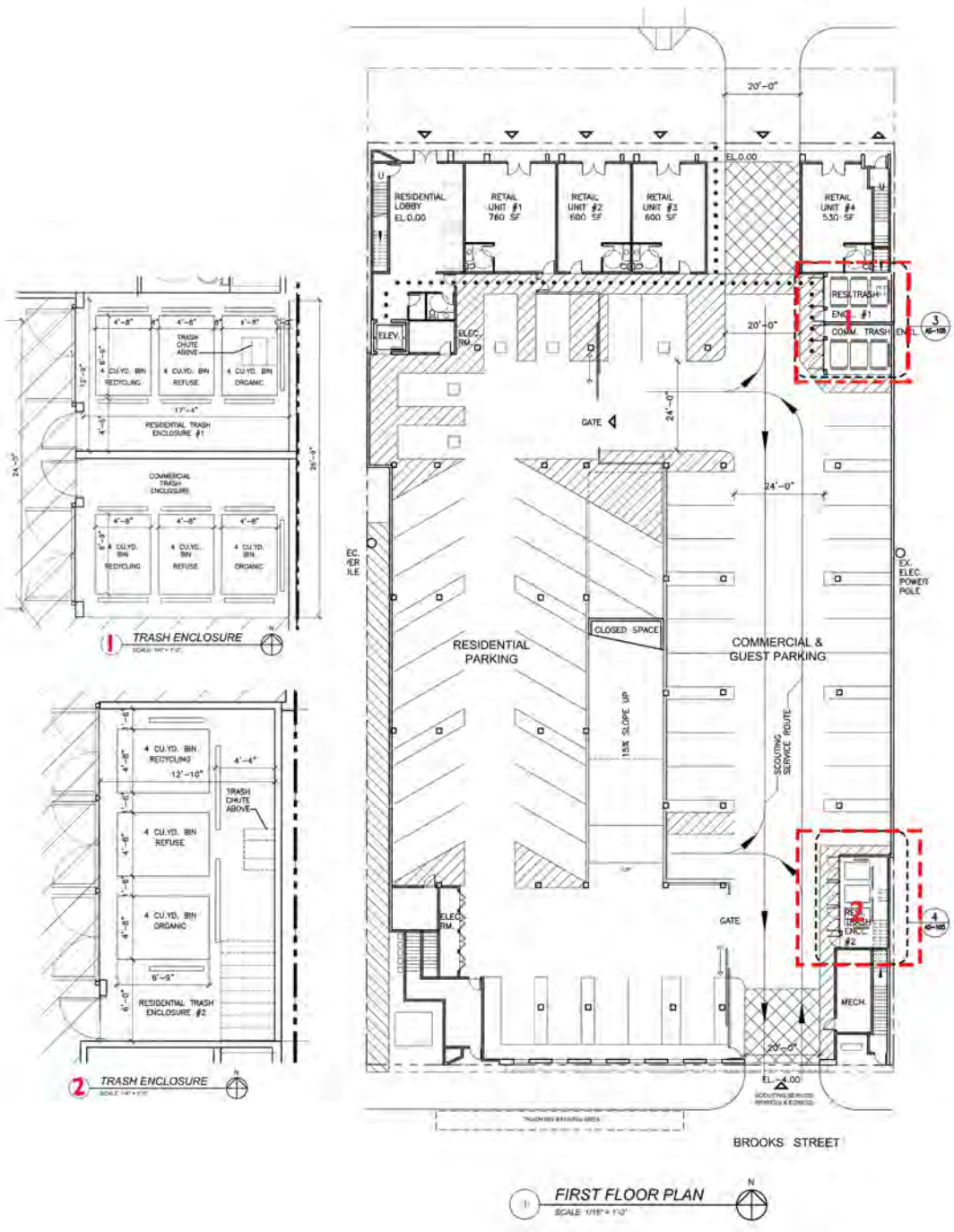
4.6.4 – Public Right-Of-Way Improvements

The public right-of-way shall be improved with each proposed development. The public right-of-way improvements required are to include, but are not limited to the following: street pavement, curb & gutter, parkway landscaping, parkway irrigation, public sidewalk, traffic signing and striping, street lights, bus stop, bus shelter and amenities. The extent of the required improvements shall be determined for each development plan. At a minimum, the improvements shall incorporate all items along the street frontages of the properties to be developed with proper transitioning if the entire block frontage is not being installed with a particular development. The city may do some or all of the improvements as part of its Proposed Holt Blvd and Brooks Street Widening Improvements.

4.7 – Service Facilities

- Loading/unloading for residential and commercial uses and trash pickup service shall be limited to on-site private drive aisles. Location, signage, and any hourly restrictions to be imposed on such areas, shall be subject to approval by the City.
- On-street loading shall be prohibited.
- The number of enclosures, and their precise locations, dimensions, and design shall be provided consistent with City standards.
- Trash enclosures shall be designed to contain separate containers for the collection of refuse and recyclable materials, with an adequate number of containers provided to allow for the collection of both refuse and recyclable materials generated by the development, pursuant to standards established by the Ontario Municipal Utilities Company. (See Exhibit 4.7: Trash Enclosures Site Plan)
- Trash enclosures shall meet the minimum design standards depicted in the standard drawings adopted by the City, which shall include: [1] a minimum 6-FT high decorative masonry wall, with appropriate view-obstructing gates for container access, [2] separate pedestrian access that is designed to screen the interior of the enclosure from view from the exterior and prevent refuse dispersion, and [3] a decorative overhead roof structure to protect bins containing recyclable materials from adverse environmental conditions, which might render the collected materials unusable, and screen trash bins from view of the upper floors of adjacent dwellings. Furthermore, trash enclosures shall be architecturally enhanced, and shall be consistent with the architectural design of adjacent buildings.
- Trash enclosure dimensions shall be of adequate size to accommodate containers consistent with the City's current methods of collection within the area in which the project is located.
- Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling shall be posted adjacent to all points of access to each trash enclosure.
- Trash enclosures shall be located on site within the boundary of the project site.
- Particular care shall be given when placing trash enclosures immediately adjacent to dwelling units; however, no trash enclosure shall be located within 10 feet of the livable portion of a structure.
- Trash enclosures shall be bordered by a minimum 5-foot high concrete wall on all exposed sides, excluding the side with bin access gates.
- All service facilities shall be screened in accordance with Section 4.9 (Screening) of this Planned Unit Development.

Exhibit 4-8: Trash Enclosures Site Plan



Note: "All Priority Land Use(PLU): Land use consisting of high-density residential, defined as a land use with at least ten (10) dwelling units per acre, industrial, commercial, mixed urban, and public transportation station land uses within the project area shall comply with the statewide Trash Provisions adopted by the State Water resources Control Board (SWRCB) and trash requirements in the most current San Bernardino"

4.8 – Landscaping

The site design at Roosevelt Towers includes a diverse palette of drought tolerant native and adapted plants selected to provide a low maintenance and colorful landscape while also meeting the challenging requirements of planting on structure.

The building frontage along Holt Avenue consists of a 4' wide parkway planted with Evergreen Ash trees and a low groundcover of Dwarf Coyote Brush. Setback from the sidewalk are a series of large rectangular planting areas, approximately 150sf each, configured within the building module, allowing views and access to the future retail facades. These large planter areas contain a variety of low water groundcovers with native deciduous Western Redbud trees (triangulated with the Evergreen Ash). The hardscape in this area consists of standard grey concrete along the public sidewalk with integral colored sand finish concrete along the building façade and between planters. **Decorative paving and hardscape within the 20' dedication shall be maintained by the property owner.**

Along Brooks Street the same Baccharis groundcover runs along the parkway with Podocarpus henkelii as the street tree. Larger foundation shrubs such as Sweet Bay and New Zealand Flax soften the façade and provide screening to utilities in this area.

4.8.1 – Site Landscaping

A conceptual landscape and irrigation plan shall be submitted along with the Development Plan for this Planned Unit Development. The plan shall specify all landscaping and hardscape for the entire project site. Detailed Landscape and Irrigation Plans shall be required prior to the issuance of building permits. The detailed plans shall show location of ground mounted utility boxes and equipment, along with the methods of screening for these items from the public right-of-way and adjacent residences where possible. The irrigation system shall be designed to utilize recycled water pursuant to State and local codes, ordinances, and laws, and applicable building and plumbing codes.

The landscape and irrigation plan shall be designed with water conservation in mind, utilizing "California friendly" species and drought tolerant planting materials. The landscaping and irrigation shall comply with AB 1881, and all other laws and regulations related to planting materials. All trees that are to remain on-site shall be properly protected in place during construction to ensure tree health is preserved.

Tree plantings along the Brooks Street storm drain easement shall be restricted to those species allowed by the San Bernardino Flood Control District.

4.8.2 – Planting Palette

The planting palette shall be comprised of "California friendly" drought tolerant planting materials compatible with the overall architectural style of the Planned Unit Development. The following palette has been established to meet the needs of this Planned Unit Development:

4.8.3 – Common and Open Space Landscaping

The 3rd floor contains a variety of spaces, with landscaping acting as an organizing feature while still providing screening, softening, color, beauty, and shade.

As one approaches the main public amenity space through the central corridor a row of potted Dwarf Olives sits in a bed of low green planters which carries the eye through the space and also bisects the space into two smaller zones. At the terminus of this view is one of 3 specimen Ficus trees sitting in an 8' x 12' x 42" high raised planter, providing ample space for root structure. To the north of the olive row is the Children's Play Area, a 26' x 52' semi contained area with two play structures, wood bench seating, umbrellas for shade, and a small turf area for flexible play.

To the south, adjacent to the gymnasium, is a flexible open space for exercise, yoga, or small recreational games such as table tennis. Heading east is a large 26' x 40' shade structure above a flexible dining and lounge space including two BBQ cooking stations. This shade structure partially expands to the east to cover a long wood (or composite) deck seating area.
The planting areas in and around the 3rd floor amenity space can be divided into 3 groups. The first group are the series of "built in" raised planters. These contain the 3 Ficus trees, and also run along the north and south edge of the public amenity space. The longer planters would sit at 42" height, and contain a mix plants including Dwarf Bottlebrush, Sage, and Coast Rosemary. The second category is the series of narrow linear planters that are used for screening the residences while softening the building façade. These would be "off the shelf" rectangular planters, potentially lightweight precast concrete or fiberglass, containing upright plants for screening such as Sweet Bay or Bamboo. Finally, the last group includes low profile green tray plantings. These would be of medium depth, approximately 8", and may be contract grown ahead of time to provide an immediate impact on day one. Species may include sedums, low ornamental grasses, and other small succulents.

All planting areas on the 3rd floor will be connected to the buildings irrigation system, and appropriately plumbed for drainage.

Exhibit 4-9: Colored Landscape Plan



Exhibit 4-10: Holt Boulevard Planting Palette



HARDSCAPE LEGEND

ITEM	DESCRIPTION	REFERENCE IMAGE
1	STANDARD GREY CONCRETE PAVING AT CITY SIDEWALK	
2	DECORATIVE CONCRETE PAVING- MEDIUM SANDBLAST FINISH WITH DAVIS INTERGRAL COLOR #641 'PEBBLE' AND SAWCUT JOINTS	01 / L-105
3	OUTDOOR PORCELAIN PEDESTAL PAVERS, 24" SQ AND 24" X 48", MIX OF FLAT ASH AND FLAT SMOKE COLOR BY TILETECH OR APPROVED EQUAL	02 / L-105
4	WOOD DECKING- 2 x 4 REDWOOD OR COMPOSITE DECKING (TO BE DETERMINED), INSTALLED 4" MINIMUM OVER SLAB WITH COMPOSITE WOOD SLEEPER SYSTEM	03 / L-105
5	DECORATIVE WATERPROOFING COATING- MACOAT BY WESTCOAT OR EQUAL WITH CUSTOM COLOR AND SCORING	04 / L-105
6	42" TALL CONCRETE BLOCK PLANTER WALL- 8 X 12 CMU IN STACKED PATTERN, BURNISHED DARK GREY 250 BY ORCO OR APPROVED EQUAL	05 / L-105
7	5' TALL HORIZONTAL PRIVACY FENCING TO MATCH WOOD DECKING	06 / L-105
8	42" HIGH STEEL GUARDRAIL	07 / L-105
9	42" HIGH SELF CLOSING GATE WITH LATCH	
10	CUSTOM BENCH SEATING TO MATCH WOOD DECKING 18" HIGH X 24" DEEP	
11	BUILT IN BARBECUES AND SERVING COUNTER	
12	RUBBERIZED PLAY SURFACING	08 / L-105
13	OVERHEAD SHADE STRUCTURE WITH CORRUGATED STEEL ROOF	09 / L-105
14	11'-6" WIDE X 4' TALL MONUMENT SIGN AT ENTRY DRIVE	

SITE AMENITY LEGEND (SEE CUTSHEETS FOR ADDITIONAL INFORMATION)

ITEM	DESCRIPTION	ITEM	DESCRIPTION
SA-1	LOUNGE SEATING TYPE A	SA-6	UMBRELLA TYPE B
SA-2	LOUNGE SEATING TYPE B	SA-7	6-23 MONTH OLD PLAY STRUCTURE
SA-3	LOUNGE SEATING TYPE C	SA-8	2-5 YEAR OLD PLAY STRUCTURE
SA-4	DINING SEATING	SA-9	PING PONG TABLES
SA-5	UMBRELLA TYPE A		



KEY PLAN

TREE LEGEND

SYMBOL	BOTANIC NAME / COMMON NAME	SIZE	QTY	WATER USE	CALIFORNIA NATIVE
STREET TREES					
	FRAXINUS UHDEI 'EVERGREEN ASH' (HOLT BLVD.)	24" BOX STD.	4	MED	NO
	PODOCARPUS HENKELII LONG LEAFED YELLOWOOD (BROOKS STREET)	24" BOX STD.	4	MED	NO
ON SITE TREES					
	CERCIS OCCIDENTALIS WESTERN REDBUD	36" BOX MULTI	5	LOW	YES
	CHILOPSIS LINEARIS DESERT WILLOW	15 GAL MULTI	3	LOW	YES
	FICUS MICROCARPA 'GREEN GEM' GREEN GEM INDICA FIG LAUREL	48" BOX STD.	3	MED	NO
	OLEA EUROPEA 'MONTRA' LITTLE OLLIE DWARF OLIVE	24" BOX MULTI	5	LOW	NO

SHRUB AND GROUNDCOVER LEGEND

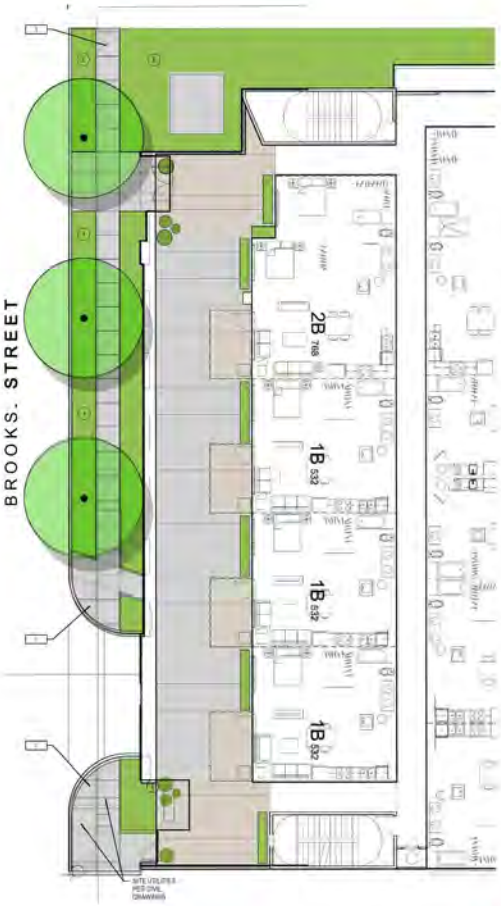
ITEM	DESCRIPTION	REPRESENTATIVE SPECIES	WATER USE	CA NATIVE
1	PARKWAY GROUNDCOVER	BACCHARIS PILULARIS / DWARF COYOTE BRUSH	LOW	YES
2	LOW SHRUB AND GROUND COVER	ACHILLEA MILLEFOLIUM / COMMON YARROW	LOW	YES
		BACCHARIS PILULARIS / DWARF COYOTE BRUSH	LOW	YES
		CAREX DIVULSA / BERKELEY SEDGE	LOW	YES
		DIANELLA REV. 'LITTLE REV' / LITTLE REV FLAX LILY	LOW	NO
		LANTANA 'BELLOWIANA' TRAILING LANTANA	LOW	NO
3	MEDIUM HEIGHT SHRUB AND PERENNIALS	ANIGOZANTHOS SPP. / KANGAROO PAW	LOW	NO
		CALL. 'LITTLE JOHN' / DWARF BOTTLEBRUSH	LOW	NO
		CISTUS SPP. / ROCKROSE	LOW	NO
		FURCRAEA SPP. / FURCRAEA	LOW	NO
		JUNCUS PATENS / CALIFORNIA GREY RUSH	LOW	YES
		LEUCOPHYLLUM SPP. / TEXAS RANGER	LOW	NO
		SALVIA 'ALLEN CHICKERING' / ALLEN CHICK. SAGE	LOW	YES
		WESTRINGIA FRUTICOSA / COAST ROSEMARY	LOW	YES
4	LOW GROUND COVER IN 6"-9" DEEP PREPLANTED TRAYS. LIVEROOF OR EQUAL	CAREX DIVULSA / BERKELEY SEDGE	LOW	YES
		LAMPRANTHUS SPP. / ICE PLANT	LOW	NO
		SEDUM SPP. / STONE CROP	LOW	YES
		SENECIO SPP.	LOW	NO
5	PLANTERS IN 'SHADE'	AUCUBA JAP. 'MR. GOLDSTRIKE' MR. GOLDSTRIKE AUCUBA	MED	NO
		FATSIA JAPONICA / JAPANESE ARALIA	MED	NO
6	SCREENING AT PATIOS AND GROUND FLOOR UTILITIES	BAMBUSA MULT. 'ALPHONSE KARR' ALPHONSE KARR BAMBOO	MED	NO
		BAMBUSA MULT. 'GOLDEN GODDESS' GOLDEN GODDESS BAMBOO	MED	NO
		LAURUS NOBILIS / SWEET BAY	LOW	NO
		PHORMIUM TENAX / NEW ZEALAND FLAX	MED	NO
7	TURF SEATING	MARATHON II SOD WITH SUBSURFACE DRIP IRRIGATION	HIGH	NO

LANDSCAPE ALONG HOLT BOULEVARD

Exhibit 4-11: Common Space 3rd Floor Planting Palette



Exhibit 4-12: Brooks Street Planting Palette



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6	42" TALL CONCRETE BLOCK PLANTER WALL - 8 X 12 CMU IN STACKED PATTERN, BURNISHED DARK GREY 250 BY ORCO OR APPROVED EQUAL	05 / L-105
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9	42" HIGH SELF CLOSING GATE WITH LATCH	
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12	RUBBERIZED PLAY SURFACING	08 / L-105
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SA-4	DINING SEATING	SA-9	PING PONG TABLES
SA-5	UMBRELLA TYPE A		



KEY PLAN

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	OLEA EUROPEA 'MONTRA' LITTLE OLLIE DWARF OLIVE	24" BOX MULTI	5	LOW	NO

SHRUB AND GROUNDCOVER LEGEND

ITEM	DESCRIPTION	REPRESENTATIVE SPECIES	WATER USE	CA. NATIVE
1	PARKWAY GROUNDCOVER	BACCHARIS PILULARIS / DWARF COYOTE BRUSH	LOW	YES
2	LOW SHRUB AND GROUND COVER	ACHILLEA MILLEFOLIUM / COMMON YARROW	LOW	YES
		BACCHARIS PILULARIS / DWARF COYOTE BRUSH	LOW	YES
		CAREX DIVULSA / BERKELEY SEDGE	LOW	YES
		DIANELLA REV. 'LITTLE REV' / LITTLE REV FLAX LILY	LOW	NO
		LANTANA SELLOWIANA/ TRAILING LANTANA	LOW	NO
3	MEDIUM HEIGHT SHRUB AND PERENNIALS	ANIGOZANTHOS SPP. / KANGAROO PAW	LOW	NO
		CALL 'LITTLE JOHN' / DWARF BOTTLEBRUSH	LOW	NO
		CISTUS SPP. / ROCKROSE	LOW	NO
		FURCRAEA SPP. / FURCRAEA	LOW	NO
		JUNCUS PATENS / CALIFORNIA GREY RUSH	LOW	YES
		LEUCOPHYLLUM SPP. / TEXAS RANGER	LOW	NO
		SALVIA 'ALLEN CHICKERING' / ALLEN CHICK SAGE	LOW	YES
		WESTRINGIA FRUTICOSA / COAST ROSEMARY	LOW	YES
4	LOW GROUND COVER IN 6"-9" DEEP PREPLANTED TRAYS, LIVEROOF OR EQUAL	CAREX DIVULSA / BERKELEY SEDGE	LOW	YES
		LAMPRANTHUS SPP. / ICE PLANT	LOW	NO
		SEDUM SPP. / STONE CROP	LOW	YES
		SENECIO SPP.	LOW	NO
5	PLANTERS IN SHADE	AUCUBA JAP. 'MR. GOLDSTRIKE' MR. GOLDSTRIKE AUCUBA	MED	NO
		FATSIA JAPONICA / JAPANESE ARALIA	MED	NO
6	SCREENING AT PATIOS AND GROUND FLOOR UTILITIES	BAMBUSA MULT. 'ALPHONSE KARR' ALPHOSE KARR BAMBOO	MED	NO
		BAMBUSA MULT. 'GOLDEN GOODESS' GOLDEN GODDESS BAMBOO	MED	NO
		LAURUS NOBILIS / SWEET BAY	LOW	NO
		PHORMIUM TENAX / NEW ZEALAND FLAX	MED	NO
7	TURF SEATING	MARATHON II SOD WITH SUBSURFACE DRIP IRRIGATION	HIGH	NO

LANDSCAPING ALONG BROOKS STREET

Exhibit 4-13: Landscape Rendering



4.8.4 – Parking Lot Landscaping

Parking lot landscaping shall be provided pursuant to Subsection D (Landscaping of Off-Street Parking Facilities) of Ontario Development Code Section 6.05.030 (Required Landscape Areas).

4.8.5 – Compliance with State and Federal Laws

Provide landscaping and an irrigation system, which promotes the conservation of water as required by the Water Conservation in Landscaping Act of 2006 (AB 1881), commencing with California Government Code Section 65591.

4.9 – Screening

- All roof and ground mounted mechanical equipment shall be screened pursuant to the requirements of the Ontario Development Code.
- Trash enclosures shall be screened with enclosures that are architecturally compatible with the surrounding buildings.
- Screening shall include plant and building materials compatible with the project design so it is well integrated and hidden within the project area.
- Building and plant materials used for screening shall be compatible with the architectural style and planting palette used on the project area.
- All ground level screening shall comply with the requirements of Ontario Development Code Section 6.02.030 (Protection of Intersection Visibility).

4.9.1 – Fences, Walls, and Hedges

Fences, walls, and hedges shall comply with Section 6.02.030 (Protection of Intersection Visibility) of the Ontario Development Code, Engineering Department corner sight distance standards, and all other applicable city standards. Fences and walls shall be made of decorative materials that are compatible with, or enhance, the overall architectural character of the project. All fences, walls, and hedges shall be in scale with the development, and shall be used for screening, site enhancement, and creating a safer living environment for residents and their guests. All decorative walls, monuments, and/or other similar features, shall not encroach in to the public street right-of-way.

5 – CIRCULATION

5.1 – Site Accessibility

The site shall be designed to promote safety for residents by only allowing limited vehicular and pedestrian access into and across the site. This can be done through building orientation and placement, to minimize the use of gates and fencing; however, amenities shall be properly gated, limiting access to residents and their guests.

5.2 – Vehicular Circulation

The project site shall be designed to reduce the number of dead end aisles in the parking lot areas, and provide all guest parking outside of gated areas (on site) to ensure accessibility. Location of drive aisles and entries shall be approved by the City. Vehicular circulation shall be designed in a way that promotes pedestrian safety and proper access to all parking areas.

5.3 – Pedestrian Circulation

Site design shall provide for safe pedestrian circulation across the project site by separating pedestrian areas from areas with vehicular access. This includes, but is not limited to, accessibility from parking lot areas to unit entries, site amenities, and perimeter sidewalk areas. Fencing and gates may be used to limit public access to resident-only areas.

The 20' street-dedication on Holt Boulevard provides a unique opportunity to create a pedestrian promenade that will connect residential foot traffic between residential units, parking, and community spaces throughout the site. The space shall be welcoming and designed with landscape features that help define the walking path across the project area. Since no vehicular traffic will be allowed on this widened sidewalk, it is expected that pedestrians will be able to walk safely along the exterior area of the development where retail amenity area also located.

Lighting and visibility for enhanced security shall be taken into consideration in designing this area, and shall be compatible with the architectural theme. Buildings shall have windows that look on to this open space area to enhance the views of the residences and help create defensible spaces.

5.4 – Integrated Waste Pickup Circulation

The use of scouting trash pickup service since 32 foot trash pickup truck will not be able to access the site and indicate where the staging of the six bins on the adjacent street, Brooks Street for the two trash enclosures will be on trash pickup day. Integrated Waste Management Report (IWMR) requirements:

The IWMR shall meet the following minimum requirements:

The Integrated Waste Management Report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.) including, but not limited to: types of waste generated, amount of waste expected and the corresponding sizing of receptacles, all waste diversions, all staging and collection operations, any use of private haulers, and the property management regulations and practices for the site.

The IWMR shall demonstrate compliance with the latest version of the City's Integrated Waste Planning Manual (available online at: http://www.ontarioca.gov/government-departments-municipal-utilities-company/integrated-waste) as well as the applicable State regulations and shall contain, at a minimum, the following elements:

1. A discussion on the types of waste generated (refuse, recycling, green waste, organics, etc.) by all uses on the site and the generation rates and total waste for each type. If a final use is not known the applicant shall make a reasonable assumption of the land use expected or proceed as directed by the City.
2. A discussion on pre-treatment if the project will be required to use and install pre-treatment devices or services and an exhibit showing and labeling the location of the pre-treatment devices.
3. A discussion on the types of City Services that will be utilized and the sizing and number of receptacles (Bins, Compactors, etc.)
4. A discussion on waste that is diverted and the diversion services that will be used.
5. A table utilizing the metrics on Page 8 of the Planning Manual and calculating the volume (gallons or cubic yards), quantity, and service schedule for each type of can and bin required for each Service Category (refuse, recycled, etc.). The table shall include all waste that is diverted and the diversion service(s).
6. An exhibit(s) showing layout and architectural details for enclosures, compactors, roll-offs and non-standard containers proposed by the project. Include specification "cut" sheets for non-standard containers.

7. A discussion on the staging and collection operation and an exhibit identifying these locations on the site and any other relevant details. The discussion shall address circulation, accessibility, ingress, egress, pavement type, parking, the role of the property management association, and the role of private haulers or scouting services.
8. A discussion on private haulers describing their services and supplying the names, contact information, and City of Ontario Commercial Recycler Collection Permit numbers for each hauler. The discussion shall include an exhibit showing the staging and collection areas for private haulers.
   Note: All private third party organics and recycling haulers shall be formally approved and permitted by the City of Ontario and shall meet City Code requirements, otherwise the City shall provide the collection services. If the third party haulers do not have a City of Ontario Commercial Recycler Collection Permit, the discussion shall state whether the third party hauler is charging a fee for service or not.
9. A discussion on the proposed property management association, their role in the integrated waste management plan for the site and the by-laws and regulations that relate to integrated waste (no parking, solid waste collection day coordination, enforcement of the SWHP, etc.).
10. A discussion on any variances that are requested and the need for the variance along with any relevant exhibits.
11. Appendix: A copy of the Final Solid Waste Handling Plan (See City SWHP requirements).
12. Appendix: All exhibits and standard plans proposed for the project.
13. Appendix: A copy of the proposed association by-laws and regulations.
14. Appendix: A copy of the final Integrated Waste Variance Form (if a variance is requested).

Solid Waste Handling Plan (SWHP) requirements:

The SWHP shall meet, at a minimum, the following requirements:

1. SWHP Content and Format: The Solid Waste Handling Plan shall demonstrate compliance with the Services Standards in the City's Solid Waste Planning Manual (available online at: http://www.ontarioca.gov/government-departments-municipal-utilities-company/integrated-waste) and shall contain, at a minimum, the following elements:

a. A statement identifying the Service Requirements being used (e.g. Single Family Detached with automated cans, Multi-family/Commercial/Industrial with bins and enclosures, etc.) and describing the solid waste handling operation (for instance, will there be scouting services, etc.).
b. A table utilizing the metrics on Page 8 of the Planning Manual and calculating the volume (gallons or cubic yards), quantity, and service schedule for each type of can and bin required for each Service Category (refuse, recycled, etc.).
c. An Engineering Site Plan drawn to scale that shows:
    i. Minimum plan scale of scale of 1:100. Larger scales are preferred and should be scaled to fill the sheet and show as much detail as clearly as possible on one sheet; multiple sheets may be used if entire project area cannot fit on one sheet at 1:100 scale.
    ii. A detail of the Solid Waste Vehicle with dimensions and annotation that states the minimum turning radii and path of travel widths actually being used on the plan.
    iii. The Solid Waste Vehicle turning movements and paths of travel in each direction of travel and at all intersections. All paths of travel shall be 15 feet wide minimum.
    iv. All parking stalls and parallel parking spaces along all streets, alleys, or aisles.
    v. All proposed curbs and areas designated and striped/signed as "No Parking".
    vi. All proposed trash enclosures and the ADA paths of travel from the buildings.
    vii. A detail for each enclosure footprint delineating the number and size of the bins in order to demonstrate that the enclosure is adequately sized and oriented, if enclosures and bins are proposed.
    viii. All proposed locations of automated cans shown as a 26-inch by 26-inch can pad with 20-inches between can pads and 40-inches between can pads and Parking spaces, mailboxes and other obstructions (Can Collection Area). Can Collection Areas shall be located along designated paths of travel and cannot be located along dead end alleys, motor courts, driveways, or private streets; use multi-family standards for enclosures in these cases.

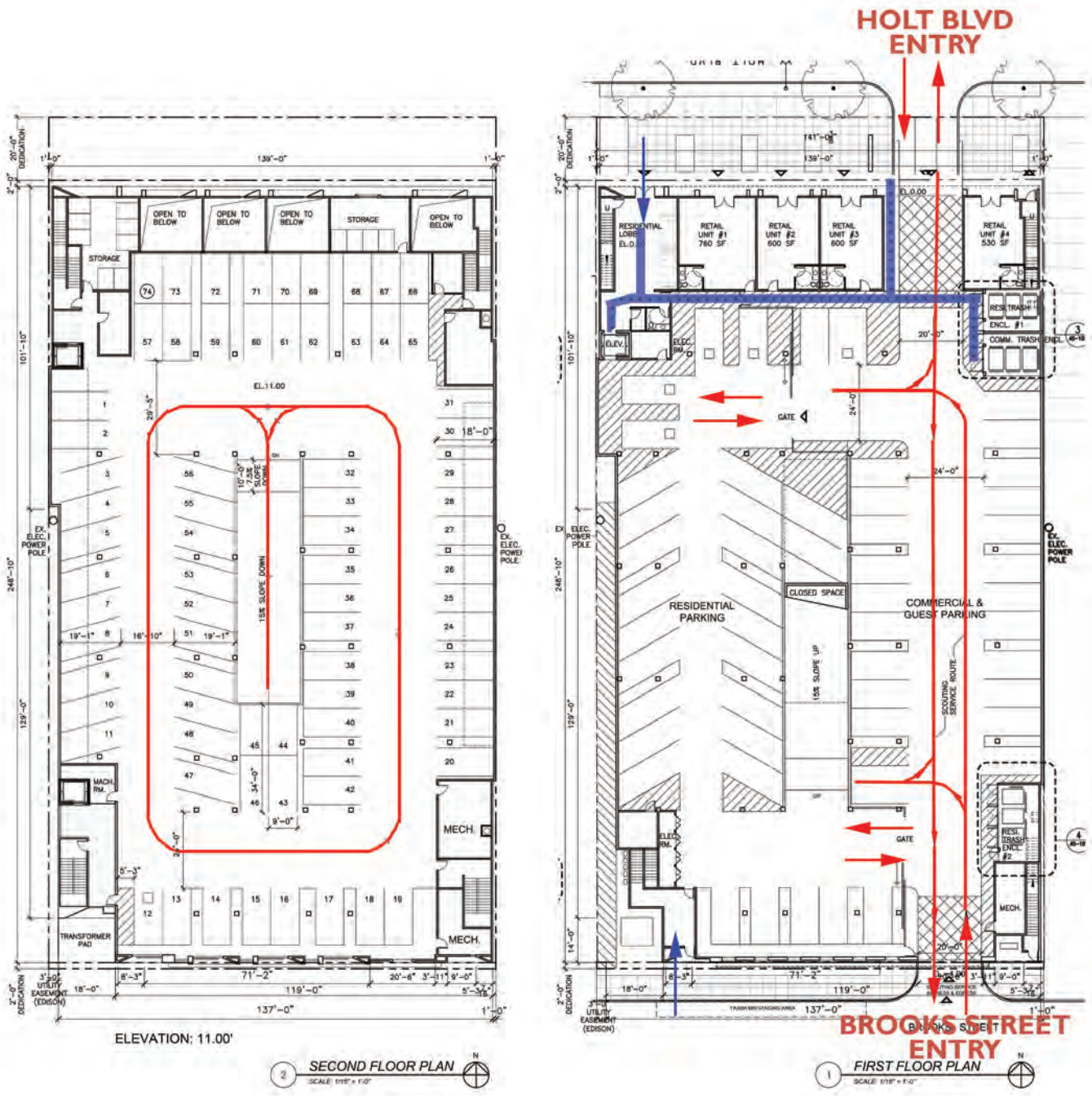
2. Can Collection Area (CCA) Locations: If CCAs are being proposed in lieu of bin enclosures for residential units located along dead end alleys, motor courts, driveways, or private streets, then the SWHP shall comply with the following requirements:

    a. CCAs cannot conflict or compete with potential parking areas. Proposed CCAs must be designated as "no parking" at all times with appropriate striping and signage.
    b. Each residential unit must have a designated CCA and each CCA must delineated with markings so that its location and the unit it is designated for are easily identifiable.
    c. Solid Waste Handling Plan shall include a detail showing how the CCAs will be delineated and identifiable.

3. Private Third Party Hauler: If any Solid Waste Collections are going to be provided by a private third party hauler, include on the SWHP:

    a. A statement describing the service.
    b. The names, contact information, and City of Ontario Commercial Recycler Collection Permit numbers of all private third party haulers. Note: all private third party organics and recycling haulers must be formally approved and permitted by the City of Ontario and meet City Code requirements, otherwise the City must provide the collection services. If the third party haulers do not have a City of Ontario Commercial Recycler Collection Permit, state if the third party hauler is charging a fee for service.
    c. Show & label staging and collection areas for private third party haulers.

Exhibit 5-1: Circulation Plan



6 – DESIGN GUIDELINES

The entire project area is covered by the Ontario Plan Policy Plan (General Plan) and has been designated as mixed-use (Holt Boulevard) and as described in the Ontario Plan Downtown Mixed-Use Growth Area. This PUD area will be distinctive through the requirement of a well-designed projects that convey visual interest and character through:

► Appropriate scale and massing.
► Architectural style and design that are complementary and appropriate to its setting.
► The use of high quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.
► Appropriate Site Planning to ensure building orientation visibility from the street, adequate number of driveways and sidewalks. Building setbacks, parking lot orientation, adequate refuse storage areas and well designed street frontages.

6.1 – Building Orientation

Building orientation shall be designed to minimize noise impacts, aide in providing property site safety, create proper accessibility to site amenities and parking, and to maximize views from residential units. Design should also be done in a way to create defensible spaces improving site safety.

- Orientation towards the exterior of the project area shall be carefully evaluated to ensure a proper relationship.
- Buildings shall be clustered in a way that creates defensible spaces providing views of interior open spaces and amenities. For units without garage spaces buildings shall be oriented to create minimal distances from assigned parking spaces to primary or secondary residential unit entries.

The proposed development units was set-backed 2' on Holt Blvd and 2' on Brooks St both streets to form a strong retail and parking podium development adding a more interesting dimensional form to the architecture. The overall look if the development is to appeal to the younger demographics of the city. A sample rendering shown below:

Exhibit 6-1: Architectural Elevations



North Elevation

Exhibit 6-2: Architectural Elevations



South Elevation

Exhibit 6-3: Architectural Rendering



North Perspective

Exhibit 6-4: Architectural Rendering



South Perspective

6.2 – Architectural Character

The Roosevelt Tower design leans toward Contemporary and Modern Minimalist Style. The design will make use of smooth cement plaster exterior finishes, simple square glazed window and storefront openings and decorative metal canopies throughout the development. Large angular forms, creating a series of 'boxes' are used on both north and south exterior facades to emulate the simple and uncluttered lines - a predominant character of the modernist architectural style used by Nuetra and Schindler popularized in the 1930's. The use of strong accent colors all throughout the exterior elevations were meant to offer fresh and playful character that will differentiate the development from the other similar adjacent development along Holt Boulevard.

6.3 – Massing and Scale

All buildings shall be in scale with the surrounding community, with a majority of the building placement to occur toward the boundary of the project site. The prominent building elevations shall face both Holt Boulevard and Brooks Street. Buildings shall be 2 to 5 stories in height, containing a varied amount of units in each building, with varying façade planes so as not to creat a "monotonous" look. Amenities and site design shall be developed with the pedestrian scale in mind.

6.4 – Architectural Details

Architectural variations should occur between buildings to help distinguish each building and create variety within the proposed development. Architectural details should be consistent with the architectural style proposed. Details shall complement and enhance openings, and accentuate the overall design of each building. Detailing can be achieved through the use of different colors, window and door treatments, and a variety in exterior textures and materials (stone, siding, etc.) to create interesting elevations.

Decorative awnings should be placed where feasible, over south facing windows, and adequate shade should be provided for outdoor spaces. Coverings shall use materials compatible with the architecture style to create a comprehensive building design. Exposed beams shall be integrated into the building design.

6.5 – Materials and Color

Materials and colors shall be compatible with, and complementary to, the overall architectural style of the project. Larger building masses shall use a combination of dark and light colors to break up building planes, and use light colored trim to help accentuate roof features. All colors shall be complementary, and the project shall utilize "warm tone" colors. Materials shall be a mixture of stucco, wood, rich stones and masonry siding, in a variety of complementary colors. A concrete or composite roof material shall be used.

6.6 – On-Site Streetscapes and Pedestrian Walkways

Street furniture and decorative paving should be used throughout the project area to enhance architectural design. The use of complementary materials and textures should be used to create a continuity and consistency that is desired throughout the project area.

A variety of decorative elements should be incorporated into the design of the project area, including, but not limited to, benches, tree grates, bike racks, enhanced paving, trash receptacles, and decorative bollards.

A selection of appropriate elements shall consider sidewalk widths, size and spacing of street trees, importance of the pedestrian path, and the requirement to maintain a minimum 4-foot wide walkway for pedestrian movement in all areas. All streetscape features shall comply with the Americans with Disabilities Act (ADA), along with accessibility requirements for public services, such as police and fire.

6.7 – On-Site Lighting

Decorative light fixtures compatible with the architectural style of the buildings shall be provided on-site.

A minimum of one footcandle of light shall be provided within parking areas and 0.5 footcandles of light within pedestrian pathways, in compliance with the City of Ontario Police Department standards.

6.8 – Signs

Signs within the project area shall comply with the Division 8.01 (Sign Regulations) of the Ontario Development Code. A Sign Program shall be reviewed and approved by the City for this proposed Mixed-Use project.

6.9 – Off-Site Improvements

All off-site improvements shall be installed in accordance with City standards, and to the satisfaction of the City Engineer.

Note: All Priority Land Use (PLU): Land use consisting of high-density residential, defined as a land use with at least ten (10) dwelling units per acre, industrial, commercial, mixed urban, and public transportation station land uses within the project area shall comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB) and trash requirements in the most current San Bernardino.

Exhibit 6-5: Streetscape Examples









7 – INFRASTRUCTURE AND UTILITIES

7.1 – Infrastructure

All improvements and alterations to public infrastructure (sewer, water, recycled water, storm drain, etc.) shall obtain approval from all appropriate agencies.

If infiltration is deemed feasible by a licensed geotechnical engineer, on-site storm water drainage facilities shall be provided for capture and infiltration of a 2-yr, 24-hour storm event, consistent with the San Bernardino County MS4 Program's Water Quality Management Plan (WQMP) requirements for new development. Storm water capture and infiltration facilities include the utilization of not proposed MaxWell Drywells and underground storm water infiltration chambers.

7.2 – Street Improvements

Street improvements (street, sidewalk, parkway, curb, gutter, street lights, etc.) shall be constructed with the development of the project site. Improvements will be required on the streets adjacent to the project area including Holt Boulevard and Brooks Street. Design and construction of street improvements shall be in accordance with the City standards, and to the satisfaction of the City Engineer. Exhibit 7-4 (Street Sections) identifies the improvements for each street adjacent to the project site.

Upon development of the project site, the developer shall construct the right-of-way improvements adjacent to the project site, to the centerline of the street (street, curb, gutter, parkway, sidewalk, etc.). Curb returns at entry and exit driveways to the project site on Holt Boulevard and Brooks Street, shall be designed and constructed with a minimum 10-foot radius. All Priority Land Use (PLU): Land use consisting of high-density residential, defined as a land use with at least ten (10) dwelling units per acre, industrial, commercial, mixed urban, and public transportation station land uses within the project area shall comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB) and trash requirements in the most current San Bernardino. See Exhibit 7-1 (Civil Plan).

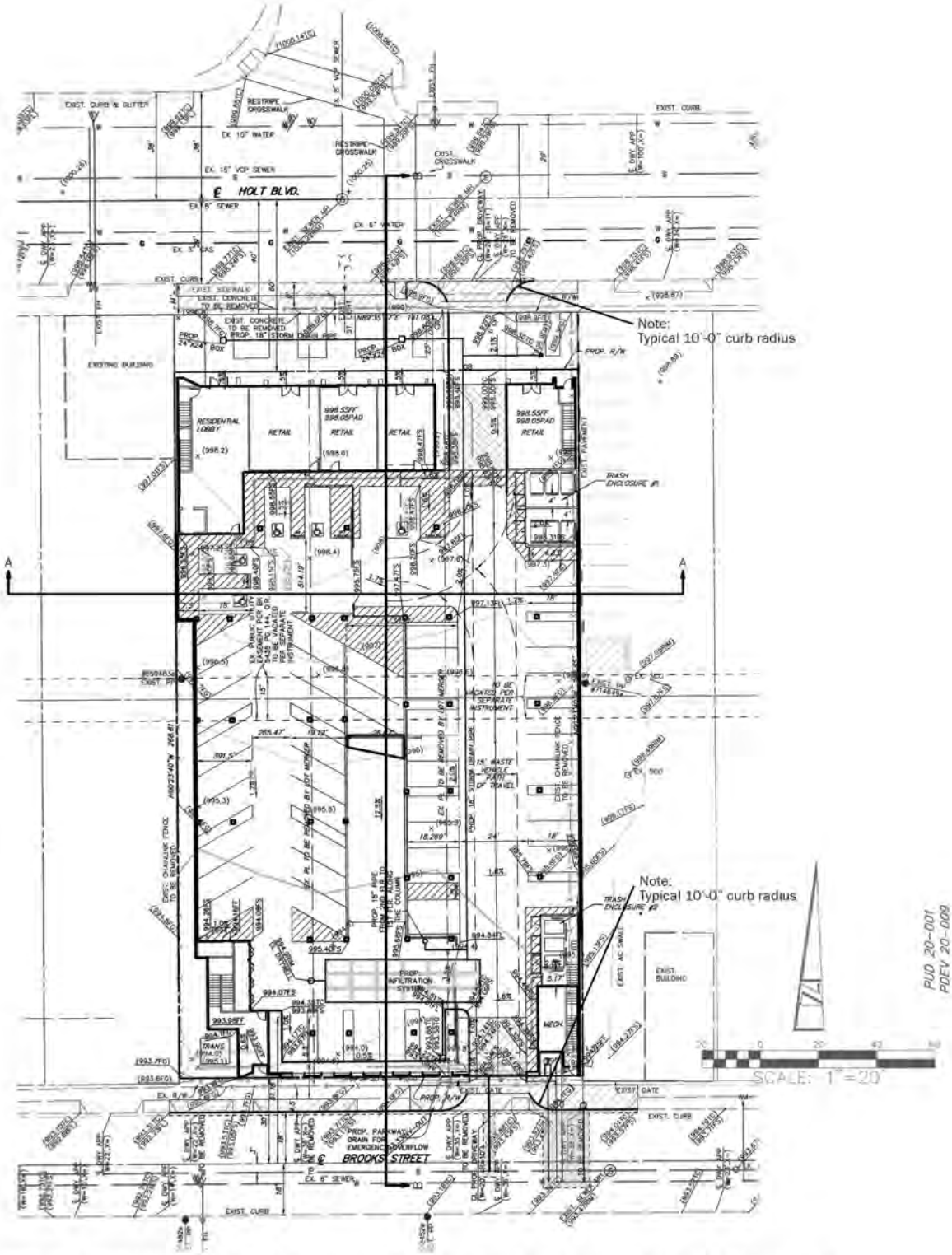
7.3 – Public Utilities

All existing dry utilities (electricity, cable, telephone, gas, etc.) along Holt Boulevard and Brooks Street shall be relocated and re-routed as required and approved by the affected utility agencies/companies.

7.4 – Street Dedication, Vacation and Easements

The ultimate Holt Boulevard right-of-way is 60 feet, measured from centerline, and will require an additional 20 feet of street dedication. The ultimate Brooks Street right-of-way is 30 feet, measured from centerline, and will require an additional 2 feet of street dedication.

Exhibit 7-1: Civil Plan



Note: "All Priority Land Use(PLU): Land use consisting of high-density residential, defined as a land use with at least ten (10) dwelling units per acre, industrial, commercial, mixed urban, and public transportation station land uses within the project area shall comply with the statewide Trash Provisions adopted by the State Water resources Control Board (SWRCB) and trash requirements in the most current San Bernardino"

Exhibit 7-2: Utility Plan

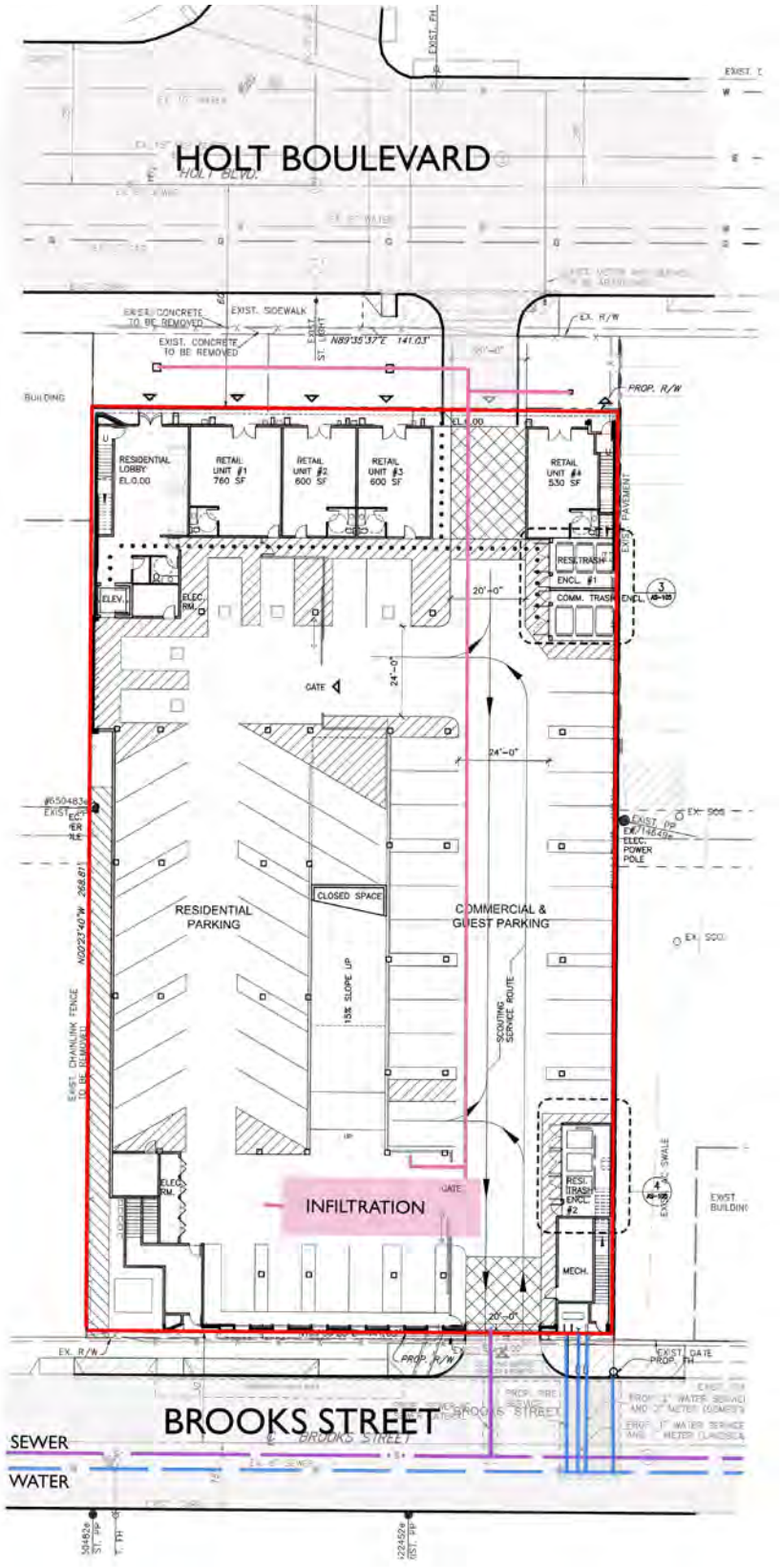


Exhibit 7-3: Easement and Dedication Locations

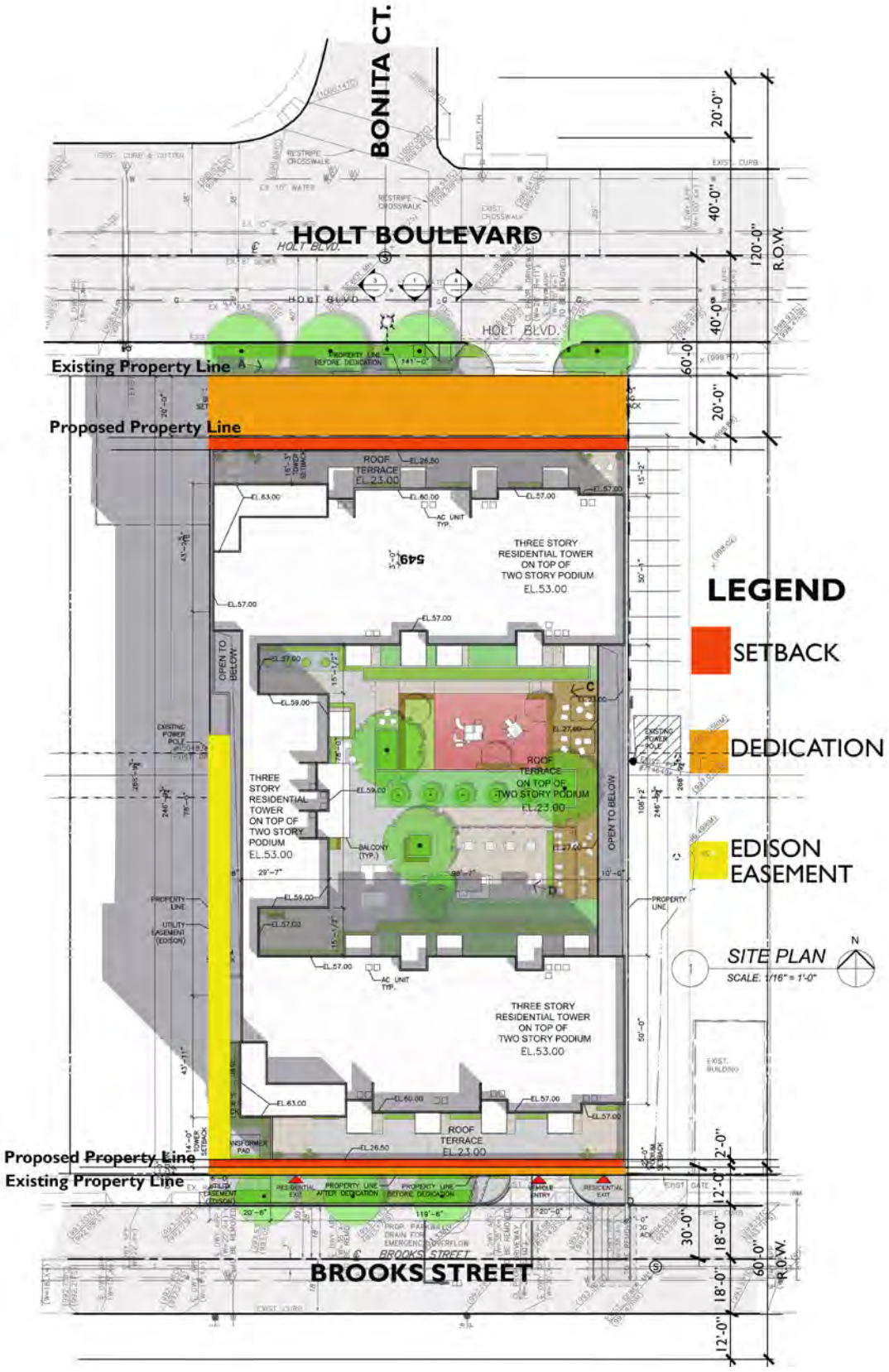
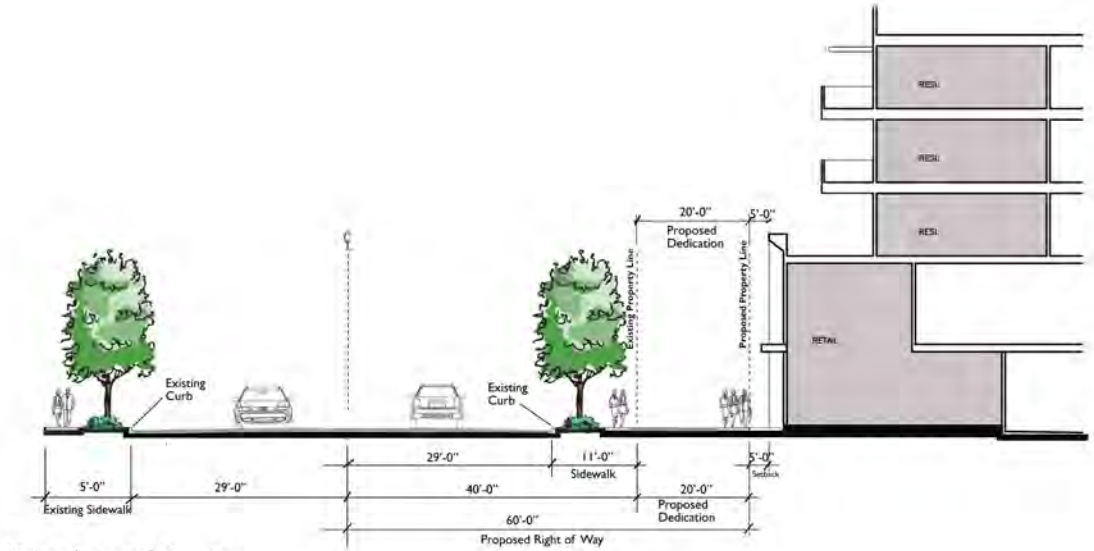
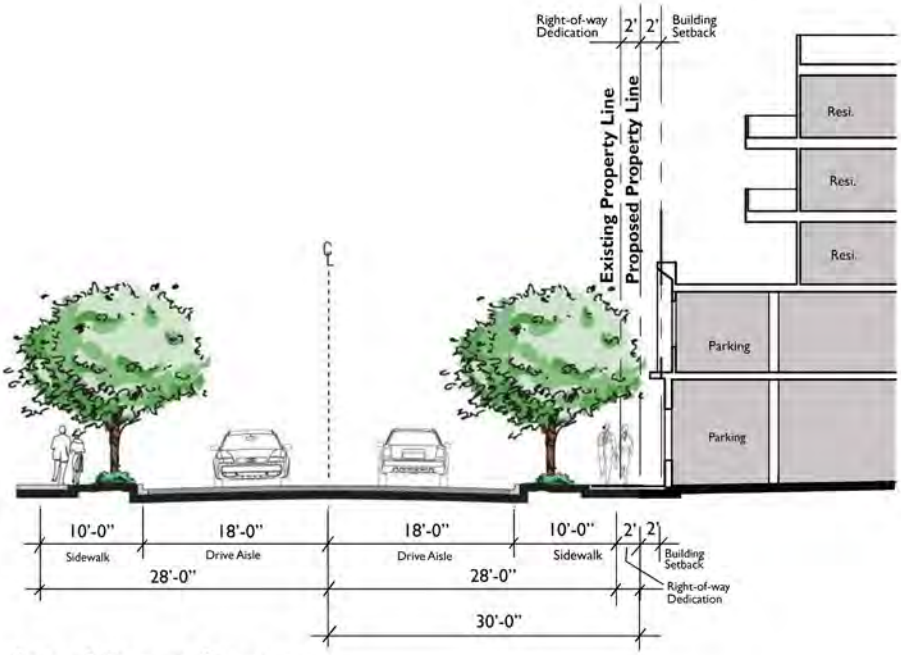


Exhibit 7- 4: Street Sections



Major Arterial Section
Holt Boulevard



Local Street Section
Brooks Street
not to scale

8 – CEQA COMPLIANCE

An Addendum to The Ontario Plan Environmental Impact Report (SCH No. 2008101140), prepared in conjunction with File No. PGPA06-001, and certified by the City of Ontario City Council on January 27, 2010, was prepared for the project. The Approving Authority for the Project reviewed and considered the information contained in the Addendum, the initial study, and the administrative record for the Project, including all submitted written and oral evidence. Based upon the facts and information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence, the Approving Authority found as follows:

- The Addendum and administrative record have been completed in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and
- The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Approving Authority; and
- There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and
- The project will not introduce any new significant environmental impacts beyond those previously analyzed in the Environmental Impact Report, and all mitigation measures previously adopted by the Environmental Impact Report, are incorporated herein by this reference.

8.1 – Environmental Performance Standards

Due to the proximity of the project area to rail lines and Holt Avenue which are both generators of noise and emissions, standards have been established to mitigate these environmental impacts.

8.1.1 – Noise

To ensure a proper standard of living, noise levels shall not exceed 65 dBA for exterior noise levels and 45 dBA for interior noise levels. In order to achieve these noise levels the following mitigations shall be followed:

- Prior to the issuance of building permits, the developer/owner shall retain an acoustic engineer to conduct an acoustic analysis and identify, where appropriate, site design features (e.g., setbacks, berms, or sound walls), and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors and attic baffling), to ensure compliance with the City's Noise Compatibility Criteria, and the California State Building Code and California Noise Insulation Standards (CCR Titles 24 and 21).
- Prior to the issuance of building permits, the developer/owner shall retain an acoustical engineer to evaluate the potential for trains to create perceptible levels of vibration indoors. If vibration-related impacts are found, mitigation measures, such as use of concrete, iron, steel, or masonry materials to ensure that levels of vibration amplification are within acceptable limits to building occupants, shall be implemented. Pursuant to the Federal Transit Administration vibration-annoyance criteria, these acceptable limits are 78 VdB during the daytime and 72 VdB during the nighttime for residential uses.
- Construction activities shall only occur between the hours of 7:00 AM and 6:00 PM on weekdays, and 9:00 AM and 6:00 PM on Saturdays and Sundays;
- Structural noise attenuation requirements contained in Ontario Municipal Code Title 8, Chapter 15, Article 3 (Building Requirements for New Residential Construction in the 65 CNEL to 70 CNEL Noise Zone) are required to be incorporated into exterior façade units located along the eastern, western, and northern project perimeter.
- Structural noise attenuation requirements contained in Ontario Municipal Code Title 8, Chapter 15, Article 2 (Building Requirements for New Residential Construction in the 70 CNEL to 75 CNEL Noise Zone) are required to be incorporated into exterior façade units located along the southern project perimeter;
- Balconies on exterior façade units located along the project's east, south and north frontages shall have a solid balcony barrier of at least 5 feet per study findings. On exterior façade units located along the project's south perimeter street frontage, no balconies or yard areas shall be permitted; and
- If required upon findings of a study, a 6-foot high solid decorative masonry block wall with self-closing, sound insulated gates shall be constructed between the buildings located along the southern edge of the project site. This will ensure exterior noise for outdoor facilities within the project will not exceed 65 dB CNEL.

8.1.2 – Air Quality

- Due to the proximity of the active rail lines to the south of the project area, air quality is a concern for the project site resulting from the diesel emissions from trains.
  Listed below are standards for reducing the air quality impacts of the diesel emissions.
- All residential living areas shall be equipped with air filtration systems operating under a positive pressure rated at MERV 12 or higher;
- The HOA or property management will replace all unit filters on a routine basis, deter mined by industry standards for the filter and air conditioning HVAC systems selected;
- The active outdoor recreation areas should be shifted northward where feasible, to provide the greatest possible distance setback from the closest railroad tracks; and
- A dense tree canopy shall be established along the southern site boundary to act as a living bio-filter for particulate air pollution.

9 – ADMINISTRATION

9.1 – Items Not Addressed in PUD

Any terms or regulations pertaining to design, development, subdivision, administration and interpretation, and nonconforming use, structures and, which are not addressed in this PLANNED UNIT DEVELOPMENT, shall be governed by the City of Ontario Development Code.

9.2 – Development Applications

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

9.3 – Administrative Exceptions

Minor exceptions to the development standards set forth in this document may be granted by the Zoning Administrator in accordance with Section 4.02.020.C (Administrative Exceptions) of the Ontario Development Code, not to exceed 10 percent from minimum residential setback and separation requirements.

9.4 – Severability

If any portion of this Planned Unit Development is held to be invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, the determination shall not affect the validity of the remaining portions of this Planned Unit Development. Moreover, the decision shall not affect, impair, or nullify this Planned Unit Development, either in whole or in part, and the remainder of this Planned Unit Development shall continue in full force and effect.

CITY OF ONTARIO *Agenda Report* **September 6, 2022**	**SECTION:** **PUBLIC HEARINGS**
Department: Planning Prepared By: Luis Batres Staff Member Presenting: Scott Murphy, Executive Director Community Development Reviewed By: Charles Mercier, Rudy Zeledon Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 12

SUBJECT: **A PUBLIC HEARING TO CONSIDER FILE NO. PCUP21-009, A CONDITIONAL USE PERMIT TO ESTABLISH A 128-ROOM LIMITED-SERVICE HOTEL ON 1.83 ACRES OF LAND LOCATED AT 5060 EAST FOURTH STREET**

RECOMMENDATION: That the City Council consider and adopt a Resolution approving the Conditional Use Permit, File No. PCUP21-009, establishing a 128-room limited-service hotel located at 5060 East Fourth Street.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: The proposed hotel is expected to open in the Summer of 2024 and is projected to have an occupancy rate of 80 percent. The hotel is estimated to generate approximately $3.5 million dollars in revenue the first year and $4.5 million by the fifth year. Based on the projected revenues, the project will generate approximately $411,250 in estimated transient occupancy tax revenue the first year and $528,750 by the fifth year. In addition, the project will generate approximately $ 2.1 million in Development Impact Fees. Moreover, the project will also result in increased property tax revenues.

BACKGROUND & ANALYSIS: On June 4, 2021, the Applicant submitted a Conditional Use Permit application (File No. PCUP21-009) requesting approval to establish and operate a 128-room limited-service hotel on 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan. The Conditional Use Permit was filed in conjunction with a Development Plan application (File No. PDEV21-021) requesting approval to construct a 4-story, 128-room Extended stay hotel on the Project site.

The City's Development Code requires that all new hotels process Conditional Use Permit and Development Plan applications. The purpose of the Conditional Use Permit application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations

and to ensure the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. More specifically, in the case of hotels, the Conditional Use Permit is required to establish the Project's market feasibility and ensure on-going compliance with the minimum amenity package required by the Development Code.

At the April 19, 2022 City Council meeting, the Application was considered by the City Council and recommended to be continued to expand the scope of the prepared Market Feasibility Study for the hotel to include an analysis of potential impacts of the extended stay facility on full service and select and limited-service hotels within the Ontario market area. The Applicant has prepared a Supplemental Hotel Market Study and has requested to proceed forward for City Council's consideration.

Market Demand: As a requirement of Conditional Use Permit submittal, all proposed hotels within the City of Ontario must submit a Market Feasibility Study, which demonstrates that the local market can support the development of a new hotel. An initial Market Feasibility Study (dated October 21, 2021) was prepared by Veritas Development Advisors for the proposed extended stay hotel. The study found that the local market can support the proposed hotel. The market area for the hotel appears stable. The hotel rooms are expected to be absorbed in the market area based on the Smith Travel Research report analysis conducted for the project site. Based on the supply and demand analysis (pre-COVID) within the market area, it appears as though occupancy will likely remain above 65 percent over the next five years. Analyses of the market appears to indicate that development of the Subject Project, as planned, would yield about a 0.8 percent market share in the Subject Project's market area. The study's conclusions are based primarily upon the growth in the Inland Empire, the area's proximity to the Los Angeles area, the Ontario Convention Center, the Ontario International Airport, California Speedway in Fontana, and the Project's proximity to the Ontario Mills Mall (see Exhibit K- Hotel Market Study of the attached Planning Commission Staff Report).

To address City Council request to expand the Market Feasibility Study to analyze the extended stay hotels their impacts on full service and select/limited-service hotels within the Ontario market area, a Supplemental Market Feasibility Study was prepared by Veritas Development Advisors (See Exhibit "A" Market Feasibility Study-Supplemental Report - July 13, 2022). The Study concluded that in review of full-service, select-/limited-service, and extended stay supply and demand, the proposed 128-Room extended stay hotel would be anticipated to maintain average occupancies of about 80% based on overall penetration of the demand. Extended stay demand is correlated to longer duration travel (~32% of demand). Full-service and select-/limited-service demand most often correlates with corporate travel (~39% of overall demand), leisure travel (~16% of overall demand), and group travel (~12% of overall demand). Extended stay demand appears to have been stable through the Pandemic–showing a decrease of ~20% that appears to have bounced back, surpassing pre-pandemic occupancies and rates. Full-service and select-/limited-service demand generators appear to have increased within the last year and appear to be reaching pre-pandemic levels for occupancy and average daily rates. It is anticipated that the proposed extended stay hotel will penetrate extended stay demand, which has shown growth in the post-pandemic market with increased worker travel for longer durations. Extended stay supply makes up about 20% of the entire hotel market supply while demand for extended stay is about 30% across the entire market. There appears to be a need for additional extended stay supply in the market area which the

proposed hotel would provide.

Minimum Amenity Package: The Development Code provides that no Conditional Use Permit shall be approved for a hotel, motel, residence inn, or other similar traveler accommodation, unless certain specific amenities are provided, as follows: each guestroom must include voicemail, wired or wireless internet access, desk with chair, hairdryer, retractable magnifying and lighted makeup mirror, iron and ironing board, high definition television, and alarm clock or wake-up service. Compliance with these requirements will be verified by the Planning Department during building plan check and at time of final building inspection. For limited-service hotels, meeting space equal to 15 square feet per guestroom must be provided, requiring the Project provide a minimum of 1,920 square feet of meeting/gathering area. The Project exceeds the minimum requirement, incorporating a total of 2,250 square feet of available meeting/gathering area. Both active and passive leisure amenities are required. At a minimum, the Project must provide a swimming pool, whirlpool/spa or furnished cabana, and fitness room. The Project exceeds the minimum requirement, providing a pool and spa, poolside cabana, outdoor seating areas, and a fitness room. A guest courtesy lounge for the serving of light meals and snacks is required to be provided in conjunction with limited-service hotels. The Project has provided a 331-square-foot café/snack room for hotel guests, meeting the minimum requirement. In reviewing the proposed Project, the Planning Commission determined that the minimum amenity package requirements, stipulated by Section 5.03.250.D (Minimum Amenity Package) of the City's Development Code, have been met or exceeded.

On February 22, 2022, the Planning Commission conducted a duly noticed public hearing to consider the proposed Conditional Use Permit and Development Plan and upon conclusion of the hearing, voted unanimously (7-0) to approve the Development Plan and recommend that the City Council approve the Conditional Use Permit.

HOUSING ELEMENT COMPLIANCE: 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.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan.

ENVIRONMENTAL REVIEW: The Project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines, which consists of projects characterized as infill development projects. Furthermore, the Project meets all of the following conditions: (a) the Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations; (b) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the Project site is adequately served by all required utilities and

public services.

July 13, 2022

VERITAS | DEVELOPMENT ADVISORS

Market Feasibility Study – Supplemental Report

for the planned construction and operation of a 128-room extended stay hotel to be located in Ontario, CA

Disclaimer

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The report and analysis does not purport to represent a formal valuation of any land or property interest and must not be construed as such. Such analysis including forward looking statements are opinions and estimates only and are based on a wide range of variables which may not be capable of being determined with accuracy. Variation in any one of these variables can have a material impact on the analysis and we draw your attention to this.

It should be noted that the estimation of future sales prices, rental levels, development and investment returns and development viability is a very problematic exercise which at best should be regarded as an indicative assessment of possibilities rather than absolute values. The process of making forward projections for such key elements involves assumptions which are acutely sensitive to changing conditions, variations in any one of which factors may significant effect the viability of a project and we draw your attention to this factor. Veritas Development Advisors, LLC does not accept any liability for negligence or otherwise for any loss or damage suffered by any party resulting from reliance on this report other than as specified in the contract of engagement.

Effect of global and local economic conditions

The continued turmoil and instability in the financial markets is continuing to cause volatility and uncertainty in the world's capital markets and real estate markets. In these circumstances the assessment or feasibility may be affected by rapidly changing global and local economic market conditions, socio-economic changes, political conditions and other risks.

Availability and Cost of Finance

Due to the current situation of the global and local capital markets, interest rates have been volatile there has been a significant reduction in the availability of and increase in the cost of debt to the real estate sector and the mortgage market.

Supply & Demand Analysis

The supply and demand analyses set out in the report are based on current and historic trends and may be impacted significantly by factors such as unforeseen delays in supply, decreasing demand levels and changes in investor, business and consumer sentiment as well as the outlook for economic growth at local, regional and global levels.

Demand in the Market Area

Currency volatility together with job security, economic growth changing oil prices and deteriorating employment conditions across much of the globe may impact the propensity to travel and affect the purchasing power of prospective visitors to the region. This is likely to materially impact the performance of the hospitality and retail sector in particular.

Veritas Development Advisors, LLC does not accept any liability for any changes in the market conditions which may have occurred in the time elapsed between the rendering of the report and the use of it. Nor can Veritas Development Advisors, LLC accept any liability for discrepancies between our assumptions, which lie at the basis of the report, and actual market conditions which are not available to any qualified real estate consultant as a result of the market's inherent limited transparency.

Executive Summary

VERITAS | DEVELOPMENT ADVISORS

Executive Summary

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July 13, 2022

Private and Confidential

Mr. Luis Batres, Senior Planner
City of Ontario ("Company")
303 East B Street
Ontario, California 91764

Re: Market Feasibility Study – Supplemental Report for the planned construction and operation of a 128-room extended stay hotel to be located at 5060 East 4th Street in Ontario, CA 91764. ("Subject Project").

Dear Mr. Batres:

Per Direction from Rudy Zeledon and Luis Batres, the attached is a supplemental report to original market feasibility study, dated October 21, 2021, for the planned 128- extended stay hotel located in Ontario, CA.

The original market feasibility report provided information regarding the proposed project facilities, proposed developer experience, relationships to demand generators, macro and micro economic considerations for the hotel market, and particularly, competitive market analysis & projected operating proformas specific to the extended stay hotel subset within the entire hotel market of Ontario/ Rancho Cucamonga.

This supplemental report's scope is to broaden the original competitive market analysis, that was previously focused on extended stay hotels only, to also analyze full service, and select/limited-service hotels supply & demand data.

Steve Alves, Managing Partner
Veritas Development Advisors, LLC

SUMMARY AND CONCLUSION

- In review of full-service, select-/limited-Service, and extended stay supply and demand, it appears as though the proposed 128-Room extended stay hotel (i.e., the Subject Project) is anticipated to maintain average Occupancies of about 80% based on overall penetration of the demand.
- Extended stay demand is correlated to longer duration travel (~32% of demand). Full-service & select-/limited-service demand most often correlates with Corporate travel (~39% of overall demand), Leisure travel (~16% of overall demand), and Group travel (~12% of overall demand).
- Extended stay demand appears to have been stable through the Pandemic – showing a decrease of ~20% through the pandemic that appears to have bounced back surpassing pre-pandemic Occupancies and Rates.
- Full-service and select-/limited-service demand generators appear to have increased within the last year and appear to be reaching pre-pandemic levels for Occupancy and ADR. Select-/limited-service hotels also appear to have nearly reached pre-pandemic occupancy and ADR levels with the recovery of Leisure and Corporate demand. In contrast, full-service hotels do not appear to have fully recovered (likely due to lack of recovery of Group demand).
- It is anticipated that the Subject Project will penetrate extended stay demand, which has shown growth in the post-pandemic market with increased worker travel for longer durations.
- Extended stay supply makes up about 20% of the entire hotel market supply while demand for extended stay is about 30% across the entire market.
- There appears to be a need for additional extended stay supply in the market area which the Subject Project could provide.

Market Feasibility Study – Supplemental Report

VERITAS | DEVELOPMENT ADVISORS

Market Feasibility

Market Demand Analysis

We have chosen to divide the Ontario competitive market into three groups: full-service, select-/limited-service stay, and extended stay. The selection of these markets was based on each hotel's number of guestrooms, support amenities, additional facilities, average daily rate, and guest patron mix. For purpose of this analysis, budget/economy motels have been disregarded for this report, as those properties would not be comparable to the proposed development of 128 Room extended stay hotel.

Full-Service

The full-service hotels are hotels in the market that have substantial room count, and offer food and beverage amenities, such as restaurant/ bar space, along with substantial meeting & conference room space, to accommodate and compete primarily for commercial and group demand. Full-service hotels also generate substantial amount of demand from convention center business, as well as leisure business, particular group demand. Full-service hotels have been impacted most by Covid, due to travel and gathering restrictions, and have recovered slowest compared to select/limited-service hotels, and extended stay hotels. The list of relevant full-service hotels are:

Property	Rooms
Embassy Suites by Hilton Ontario Airport	175
Holiday Inn Ontario Airport	180
Ontario Airport Hotel & Conference Center	309
DoubleTree by Hilton Hotel Ontario Airport	482
Sheraton Hotel Ontario Airport	165
Subtotal	**1311**

Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Select-/Limited-Service

The select-/limited-service properties represent the largest subset of hotels within the greater Ontario hotel market. These properties receive demand generated primarily by the Ontario/Rancho Cucamonga commercial market, and focus on leisure and business travel as their main demand mix, as well as the individual traveler. These hotels are typically branded with the common Marriott, Hilton, Choice, Best Western flags; and offer breakfast services, as well as select amenities such as pool, fitness center, business center services. Restaurant and Bar amenities are limited within this subset compared to full-service hotels. Select-/limited service were impacted most by the decline of corporate business travel due to the Pandemic. Recovery has been slow, but better than full-Service Hotels, and data for 2021 and 2022, show occupancies and ADR have recovered substantially closer to Pre-Pandemic levels, but not yet fully. The list of relevant select/ limited-service hotels are:

(See next page.)

Market Feasibility

Property	Rooms
Wyndham Azure Hotel & Suites Ontario	167
Comfort Suites Ontario Airport Convention Center	100
Best Western Plus Heritage Inn Rancho Cucamonga	115
Holiday Inn Express & Suites Ontario Airport Mills	93
SpringHill Suites Ontario Airport Rancho Cucamonga	126
Comfort Inn & Suites Near Ontario Airport	92
Holiday Inn Express & Suites Ontario Airport	120
Best Western Plus Convention Center	153
Ayres Hotel Ontario Mills Mall	105
La Quinta Inn & Suites by Wyndham Ontario Airport	144
Hyatt Place Ontario Rancho Cucamonga	127
Ayres Suites Ontario Mills Mall	140
Hotel D'Lins	150
Hampton by Hilton Inn & Suites Ontario	91
Fairfield Inn & Suites Ontario Rancho Cucamonga	108
aloft Ontario Rancho Cucamonga	136
Hilton Garden Inn Ontario Rancho Cucamonga	122
Hampton Inn & Suites Rancho Cucamonga	108
Courtyard Ontario Rancho Cucamonga	117
Four Points by Sheraton Ontario Rancho Cucamonga	118
Subtotal	**2432**

Extended Stay Hotels

The extended stay hotels represent the smallest subset of the greater Ontario/Rancho Cucamonga market, and have performed the best during Covid, and have surpassed Pre-Pandemic levels in terms of occupancies and rates. Extended stay hotels are tailored to longer stay travelers, with amenities such as kitchenettes, self service laundry, and guest amenities tailored for guests staying 3-5 days duration at the appropriate price points. Extended stay hotels appeal to guests that travel for work; and for family & leisure travel to accommodate multiple individuals within a room often. The marketing and amenities are meant for specific travelers such as: industrial and construction workers, white collar travelers working during the week on long-term assignment as well as remotely, transitional housing for families that are moving in and out of the area, and healthcare/nursing practitioners. These guests travel for work, generally, and prefer the conveniences of home (such as laundry and cooking amenities).

Ontario's warehouse and industrial growth has supplied extended stay demand in the past, and Ontario's future industrial growth will require more extended stay supply. The demand for extended stay hotels, in particular, was stronger than other segments during Covid, and have performed better than pre-pandemic levels. The list of relevant extended stay hotels are:

Property	Rooms
Candlewood Suites Ontario - Convention Center	108
Residence Inn Ontario Airport	200
Extended Stay America Los Angeles - Ontario Airport	127
element Ontario	131
Studio 6 Ontario, CA – Convention Center – Airport	42
Homewood Suites by Hilton Ontario Rancho Cucamonga	103
TownePlace Suites Ontario Airport	112
Residence Inn Ontario Rancho Cucamonga	126
Subtotal	**949**

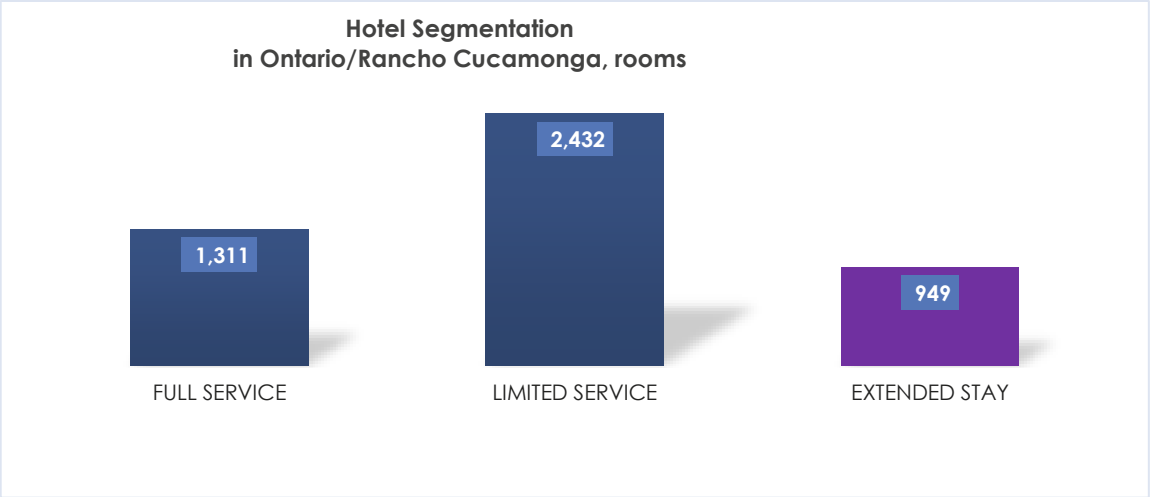
Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

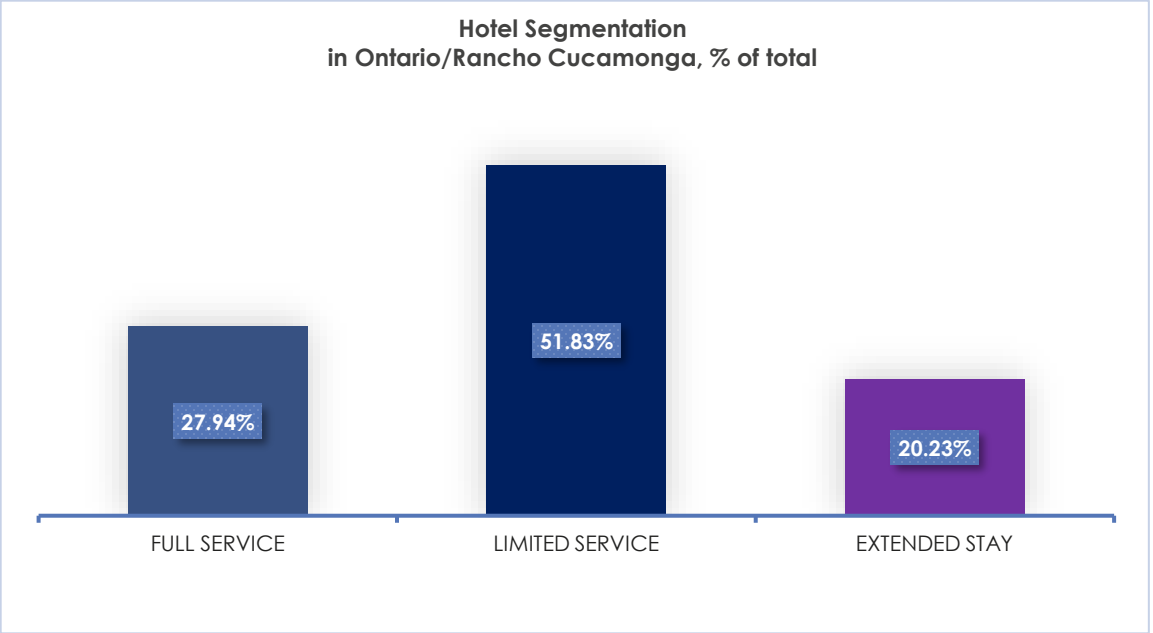
Market Feasibility

Additions to Supply

In analyzing proposed developments with brands, and discussions with planning & developers, the following projects have been identified as potential additions to supply:

- 129 Room Cambria Hotel – Located at Turner Ave near Ontario Airport- This property is currently entitled and provides upper select service amenities is located on Guasti Road.
- 216 Room Dual Brand Hyatt House/ Hyatt Place is proposed near Ontario Airport on Archibald north of the 10 Freeway, and will be a mix of Upper Select Service Hotel, possibly with full service amenities.
- 107 Room Home 2 Suites in Rancho Cucamonga is proposed near Ontario Mills
- Possible future Hotels- 150-300 Rooms each in Guasti special planning area. No plans or brands have been identified.





Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Market Feasibility

Summary of Additions to Supply

The table below and on the proceeding pages summarize projected hotel supply for the entire hotel market for Ontario, CA

Full-Service Properties (keys)							
Property	2022	2023	2024	2025	2026	2027	2028
Embassy Suites by Hilton Ontario Airport	175	175	175	175	175	175	175
Holiday Inn Ontario Airport	180	180	180	180	180	180	180
Ontario Airport Hotel & Conference Center	309	309	309	309	309	309	309
DoubleTree by Hilton Hotel Ontario Airport	482	482	482	482	482	482	482
Sheraton Hotel Ontario Airport	165	165	165	165	165	165	165
Subtotal	**1311**	**1311**	**1311**	**1311**	**1311**	**1311**	**1311**

Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Market Feasibility

Select-/Limited-Service Properties (keys)							
Property	2022	2023	2024	2025	2026	2027	2028
Wyndham Azure Hotel & Suites Ontario	167	167	167	167	167	167	167
Comfort Suites Ontario Airport Convention Center	100	100	100	100	100	100	100
Best Western Plus Heritage Inn Rancho Cucamonga	115	115	115	115	115	115	115
Holiday Inn Express & Suites Ontario Airport Mills	93	93	93	93	93	93	93
SpringHill Suites Ontario Airport Rancho Cucamonga	126	126	126	126	126	126	126
Comfort Inn & Suites Near Ontario Airport	92	92	92	92	92	92	92
Holiday Inn Express & Suites Ontario Airport	120	120	120	120	120	120	120
Best Western Plus Ontario Airport & Convention Center	153	153	153	153	153	153	153
Ayres Hotel Ontario Mills Mall	105	105	105	105	105	105	105
La Quinta Inn & Suites by Wyndham Ontario Airport	144	144	144	144	144	144	144
Hyatt Place Ontario Rancho Cucamonga	127	127	127	127	127	127	127
Ayres Suites Ontario Mills Mall	140	140	140	140	140	140	140
Hotel D'Lins	150	150	150	150	150	150	150
Hampton by Hilton Inn & Suites Ontario	91	91	91	91	91	91	91
Fairfield Inn & Suites Ontario Rancho Cucamonga	108	108	108	108	108	108	108
aloft Ontario Rancho Cucamonga	136	136	136	136	136	136	136
Hilton Garden Inn Ontario Rancho Cucamonga	122	122	122	122	122	122	122
Hampton Inn & Suites Rancho Cucamonga	108	108	108	108	108	108	108
Courtyard Ontario Rancho Cucamonga	117	117	117	117	117	117	117
Four Points by Sheraton Ontario Rancho Cucamonga	118	118	118	118	118	118	118
* Hyatt Place/ Hyatt House- Future Select Service				216	216	216	216
* Cambria Hotels Ontario- Future Select Service			129	129	129	129	129
* Guasti Hotels in Special Planning Area- Future					150	150	300
Subtotal	**2432**	**2432**	**2561**	**2777**	**2927**	**2927**	**3077**

* Indicates future supply
Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Market Feasibility

Extended Stay Properties (keys)							
Property	2022	2023	2024	2025	2026	2027	2028
Candlewood Suites Ontario - Convention Center	108	108	108	108	108	108	108
Residence Inn Ontario Airport	200	200	200	200	200	200	200
Extended Stay America Los Angeles - Ontario Airport	127	127	127	127	127	127	127
element Ontario	131	131	131	131	131	131	131
Studio 6 Ontario, CA – Convention Center – Airport	42	42	42	42	42	42	42
Homewood Suites by Hilton Ontario Rancho Cucamonga	103	103	103	103	103	103	103
TownePlace Suites Ontario Airport	112	112	112	112	112	112	112
Residence Inn Ontario Rancho Cucamonga	126	126	126	126	126	126	126
* Home2 Suites Rancho			107	107	107	107	107
Subject Project - 128 ROOM			128	128	128	128	128
Subtotal	**949**	**949**	**1184**	**1184**	**1184**	**1184**	**1184**

* Indicates future supply
Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Supply

TOTAL- Room Supply (All Segments)	4,692	4,692	5,056	5,272	5,422	5,422	5,572
Annual Room Supply	1,712,580	1,712,580	1,845,440	1,924,280	1,979,030	1,979,030	2,033,780
% Change		**0**	**8%**	**4%**	**3%**	**0%**	**3%**

Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Market Feasibility

The analysis below was inferred from the properties identified in Table 1 and represents a sample for each market segment to indicate overall supply and demand in the market area.

Demand Analysis

DEMAND	Total - Room Demand (All Segments)	2022	2023	2024	2025	2026	2027	2028
42%	Commercial	586,293	616,375	610,979	650,362	683,240	681,614	653,576
18%	Leisure	246,647	259,451	257,330	273,675	286,310	284,683	269,679
11%	Group	146,910	154,810	153,823	162,975	170,810	169,183	160,221
30%	Extended Stay	366,602	404,227	415,466	461,250	488,029	488,029	475,905
	Total Nights	**1,347,800**	**1,433,429**	**1,437,598**	**1,537,500**	**1,626,763**	**1,626,763**	**1,586,348**
	Market Wide Occupancies	**79%**	**84%**	**78%**	**80%**	**82%**	**82%**	**78%**

Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Table 1: Representative Sample

Full-Service Properties	Rooms
Embassy Suites by Hilton Ontario Airport	175
Holiday Inn Ontario Airport	180
Select-/Limited-Service Properties	
Holiday Inn Express & Suites Ontario Airport Mills	93
SpringHill Suites Ontario Airport Rancho Cucamonga	126
Comfort Inn & Suites Near Ontario Airport	92
Hampton by Hilton Inn & Suites Ontario	91
Fairfield Inn & Suites Ontario Rancho Cucamonga	108
Extended Stay Properties	
Candlewood Suites Ontario - Convention Center	108
Residence Inn Ontario Airport	200
element Ontario	131
Homewood Suites by Hilton Ontario Rancho Cucamonga	103
TownePlace Suites Ontario Airport	112
Residence Inn Ontario Rancho Cucamonga	126
Subtotal	**1645**

Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Market Feasibility

Historical Supply Demand Trends

Year	Avg. Daily Room Count	Avail. Room Nights	Change	Occupied Room Nights	Change	Occupancy	Average Rate	Change	RevPAR	Change
2008	918.00	335,103	0.0%	220,257		65.7%	$ 101.15		$ 66.48	
2009	979.00	357,335	6.6%	229,445	4.2%	64.2%	$ 85.88	-15.1%	$ 55.14	-17.1%
2010	979.00	357,335	0.0%	247,597	7.9%	69.3%	$ 82.06	-4.4%	$ 56.86	3.1%
2011	1,082.00	394,785	10.5%	269,957	9.0%	68.4%	$ 88.22	7.5%	$ 60.33	6.1%
2012	1,154.00	421,210	6.7%	300,380	11.3%	71.3%	$ 94.71	7.4%	$ 67.54	12.0%
2013	1,154.00	421,210	0.0%	316,698	5.4%	75.2%	$ 99.07	4.6%	$ 74.49	10.3%
2014	1,154.00	421,210	0.0%	339,221	7.1%	80.5%	$ 103.95	4.9%	$ 83.71	12.4%
2015	1,154.00	421,210	0.0%	347,722	2.5%	82.6%	$ 112.04	7.8%	$ 92.50	10.5%
2016	1,154.00	421,210	0.0%	346,825	-0.3%	82.3%	$ 120.83	7.8%	$ 99.50	7.6%
2017	1,154.00	421,210	0.0%	338,603	-2.4%	80.4%	$ 125.54	3.9%	$ 100.92	1.4%
2018	1,287.00	469,756	11.5%	364,230	7.6%	77.5%	$ 132.56	5.6%	$ 102.79	1.9%
2019	1,514.00	552,610	17.6%	426,748	17.2%	77.2%	$ 136.66	3.1%	$ 105.53	2.7%
2020	1,591.00	580,799	5.1%	316,201	-25.9%	54.4%	$ 120.13	-12.1%	$ 65.40	-38.0%
2021	1,645.00	600,425	3.4%	440,844	39.4%	73.4%	$ 141.65	17.9%	$ 104.00	59.0%

CAGR				
2008 - 2019	4.7%	6.2%	2.8%	4.3%
2008 - 2020	4.7%	3.1%	1.4%	-0.1%
2011 - 2014	2.2%	7.9%	5.6%	11.5%
2017 - 2019	14.5%	12.3%	4.3%	2.3%

Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Market Feasibility

Overall Occupancy, ADR, and REVPAR for Sample Set Properties in the Market Area

	Historical			Projected				
	2019	2020	2021	2022/23	2023/24	2024/25	2025/26	2026/27
Ontario Market Area								
Occupancy	78.0%	55.5%	74.6%	79.1%	83.2%	78.1%	80.1%	82.2%
Change		-22.5%	19.1%	4.5%	4.1%	-5.1%	2.0%	2.1%
Average Daily Rate	$137.93	$121.25	$142.97	$156.63	$165.75	$172.23	$177.40	$182.72
Change		-12.1%	17.9%	9.6%	5.8%	3.9%	3.0%	3.0%
RevRAR	$107.59	$ 67.33	$106.62	$123.93	$137.92	$134.54	$142.04	$150.15
Change		-37.4%	58.4%	16.2%	11.3%	-2.5%	5.6%	5.7%

Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Extended Stay Hotel Subset Analysis

The properties highlighted on the following pages were reviewed to determine the supply and demand for the extended stay segment within the market area.

Market Feasibility

Residence Inn Ontario Rancho Cucamonga

Site Info	
Location	9299 Haven Avenue, Rancho Cucamonga, 91730
Room	126
Built	December 2018
Miles (away) from the Subject Project	4.11
Room Types	• King Studio with Sofa Bed • 1 bedroom King Suite with Sofa Bed • 1 Bedroom Suite with 2 Queen Beds and Sofa Bed • Queen Studio with 2 Queen Beds and Sofa Bed



Extended Stay America Los Angeles - Ontario Airport

Site Info	
Location	3990 Inland Empire Blvd, Guasti, CA 91764
Room	127
Built	May 1997
Miles (away) from the Subject Project	4.49
Room Types	• Queen Studio-Non-Smoking • Queen Studio with 1 Queen Bed - Disability Access/Non-Smoking • Studio with 1 King Bed - Non-Smoking • Studio with 2 Double Beds - Non-Smoking



Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Market Feasibility

Element Ontario

Site Info	
Location	900 Via Piemonte, Ontario, 91764
Room	131
Built	May 2020
Miles (away) from the Subject Project	4.65
Room Types	• Guest Room, 1 King • Studio, 1 King, Sofa Bed • 1 Bedroom Suite, 1 King, Sofa Bed • Studio, 2 Queen, Sofa Bed



TownePlace Suites Ontario Airport

Site Info	
Location	9625 Milliken Avenue, Rancho Cucamonga, CA 91730
Room	112
Built	November 2005
Miles (away) from the Subject Project	5.05
Room Types	• Queen Studio with Sofa bed • Double Studio with 2 Queen beds • 1 Bedroom Queen Suite with Sofa Bed • 2 Bedroom Suite



Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Market Feasibility

Homewood Suites by Hilton Ontario Rancho Cucamonga

Site Info	
Location	11433 Mission Vista Drive, Rancho Cucamonga, CA 91730
Room	103
Built	November 2005
Miles (away) from the Subject Project	5.14
Room Types	• 1 Queen Studio Suite – Non-Smoking • 1 Bedroom King Suite – Non-Smoking • King Room with Bath Tub – Disability/Hearing Access • 2 Bedroom Suite- Non-Smoking • King Suite - Disability Access/Non-Smoking • Non-Smoking 1 Bedroom 2 Queen Suite



Home2 Suites by Hilton Azusa

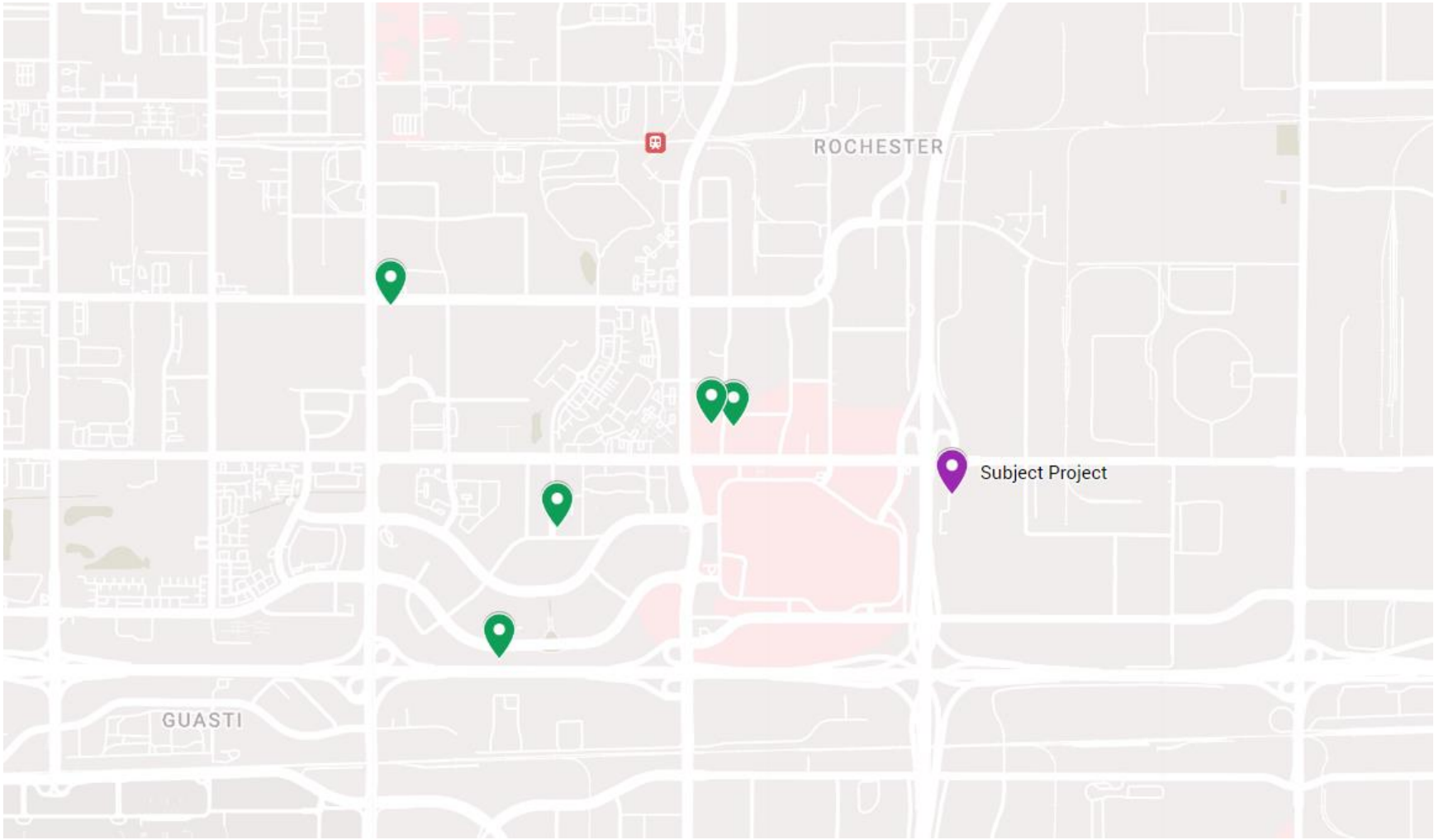
Site Info	
Location	229 S Azusa Ave , Azusa, CA 91702
Room	110
Built	July 2017
Miles (away) from the Subject Project	15.23
Room Types	• King Studio Suite -Hearing Accessible • King Studio Suite- Non-Smoking • King Studio Suite -Mobility Access/Non-Smoking • One-bedroom King Suite - Non-Smoking • King Suite - Mobility Accessible/Non-Smoking • King Accessible Roll In Shower Suite With Sofa Bed - Non-Smoking • King Suite -Hearing Accessible/Non-Smokin



Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Market Feasibility

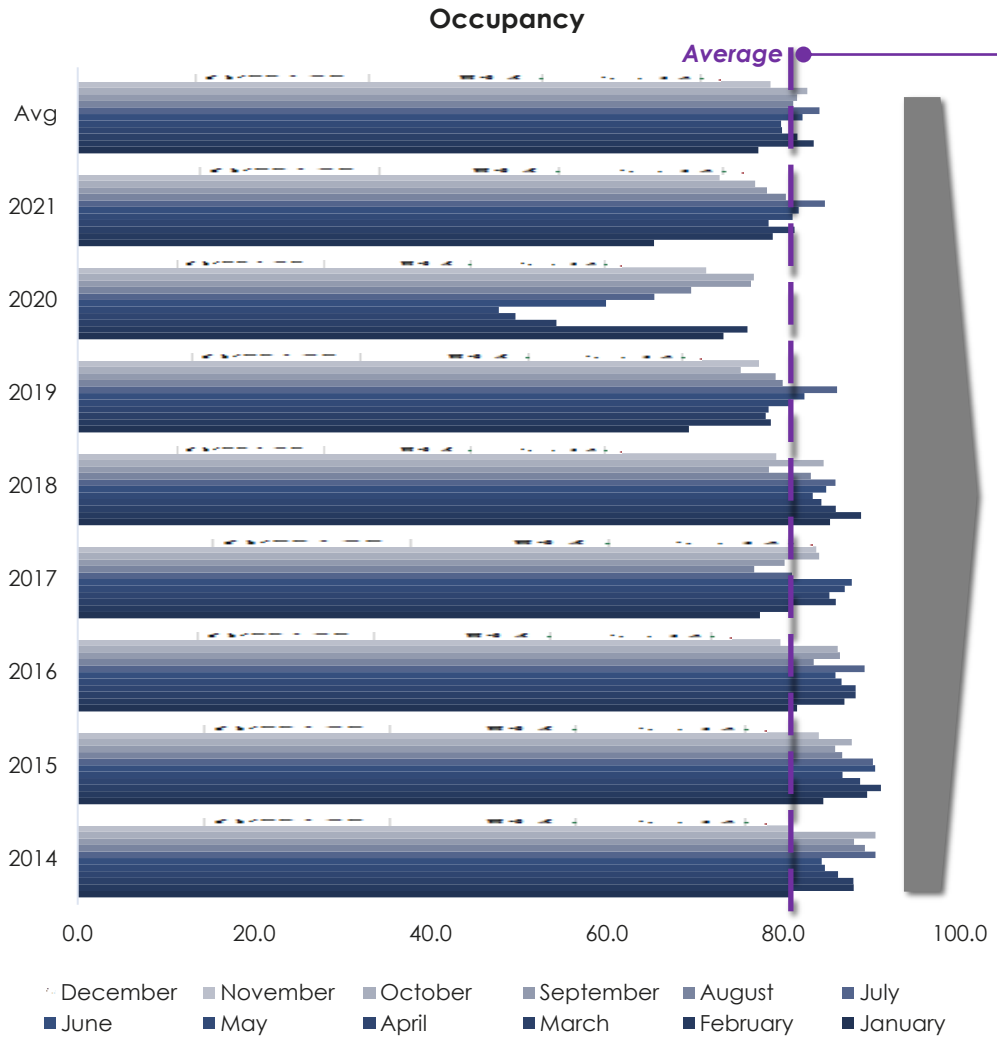
Extended Stay Distribution in the Market Area



Source: Google Map, Veritas Development Advisors Primary Research Analysis

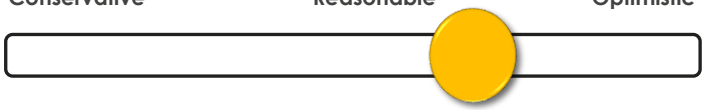
Market Feasibility

Smith Travel Research STR Report – Hotels in the Market Area (Extended Stay)



47.7 Percent May 2020	Min Occupancy
91.1 Percent March 2015	Max Occupancy
80.4 Percent Jan 2014- Dec 2021	Avg. Occupancy
82.0 – 85.0 Percent Stabilized	Company Expectations

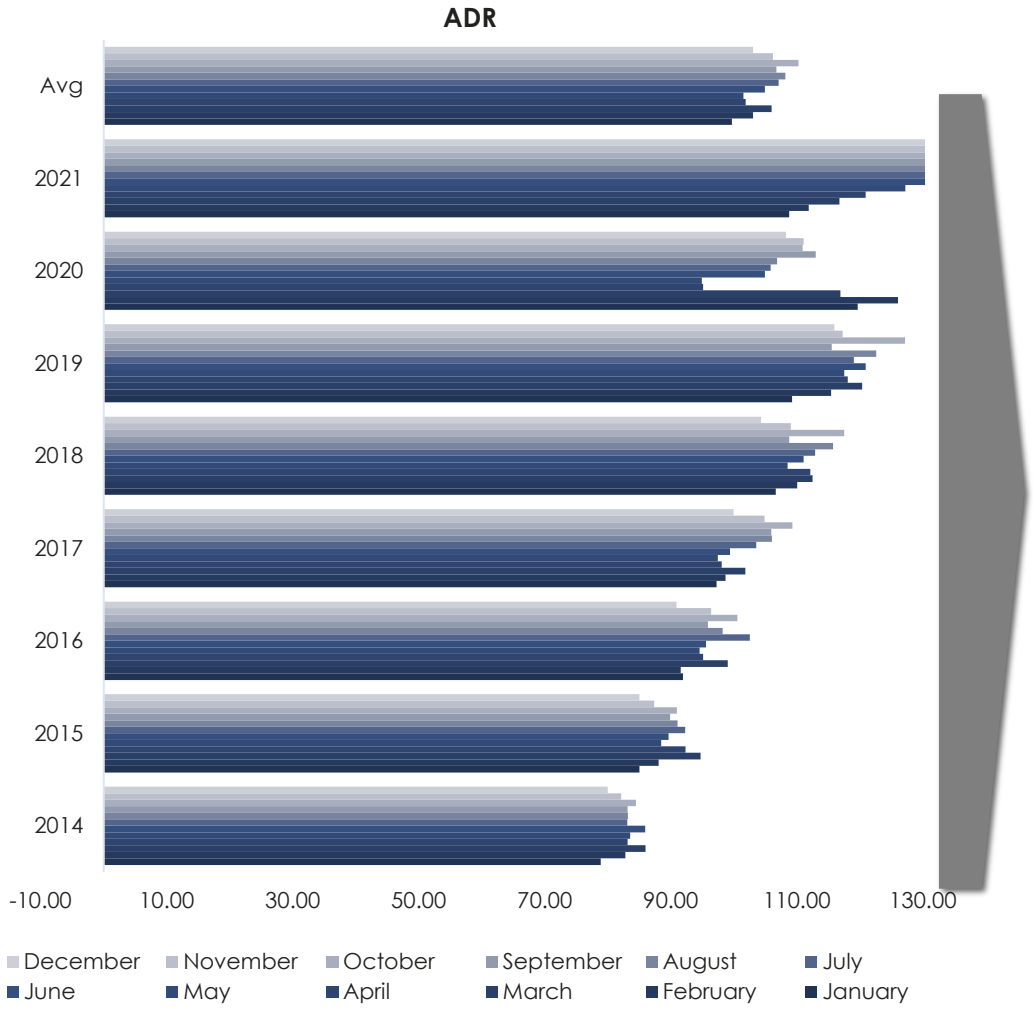
Company Projections Vs. Market Area



Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Market Feasibility

Smith Travel Research STR Report – Hotels in the Market Area (Extended Stay)



$78.89
January 2014

Min ADR

$141.83
August 2021

Max ADR

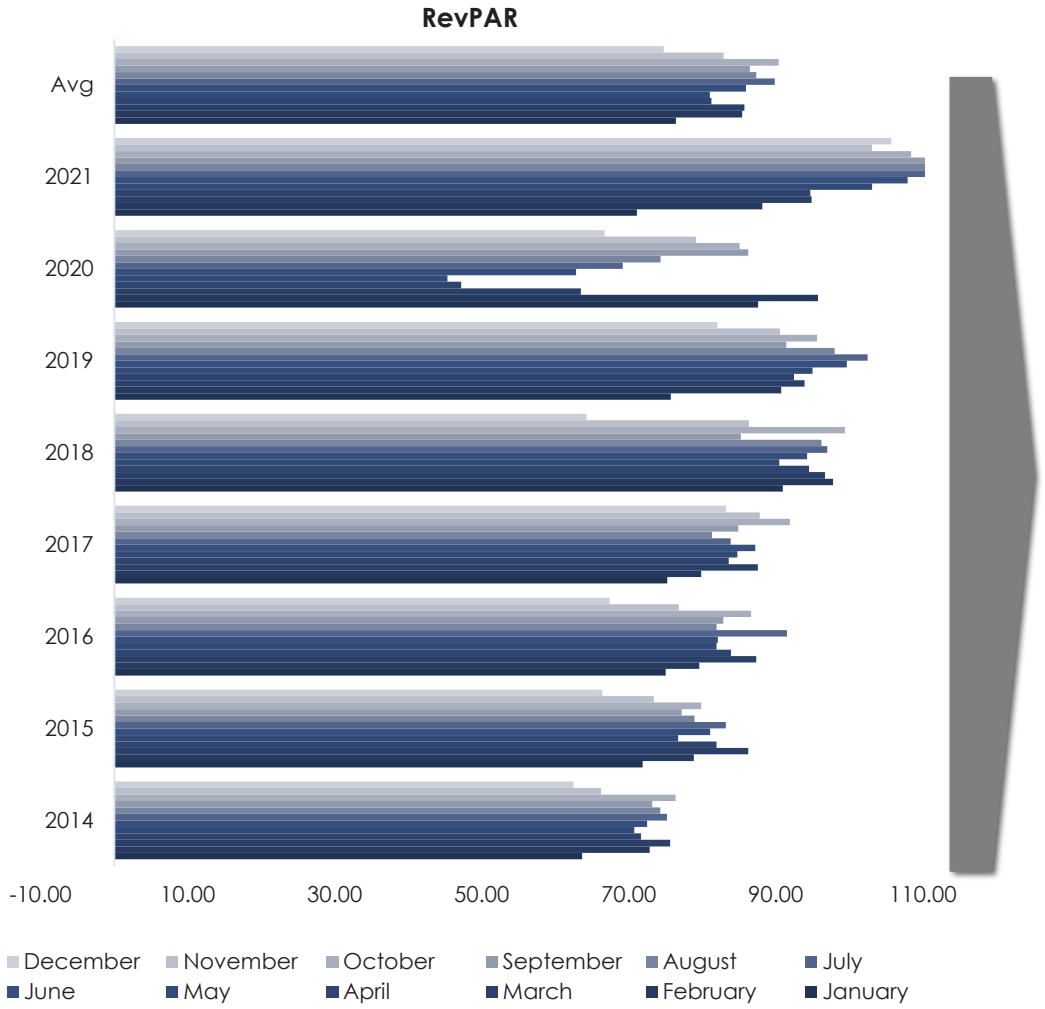
$104.91
Jan 2014- Dec 2021

Avg. ADR

Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Market Feasibility

Smith Travel Research STR Report – Hotels in the Market Area (Extended Stay)



$45.33
May 2020

Min RevPAR

$116.52
July 2021

Max RevPAR

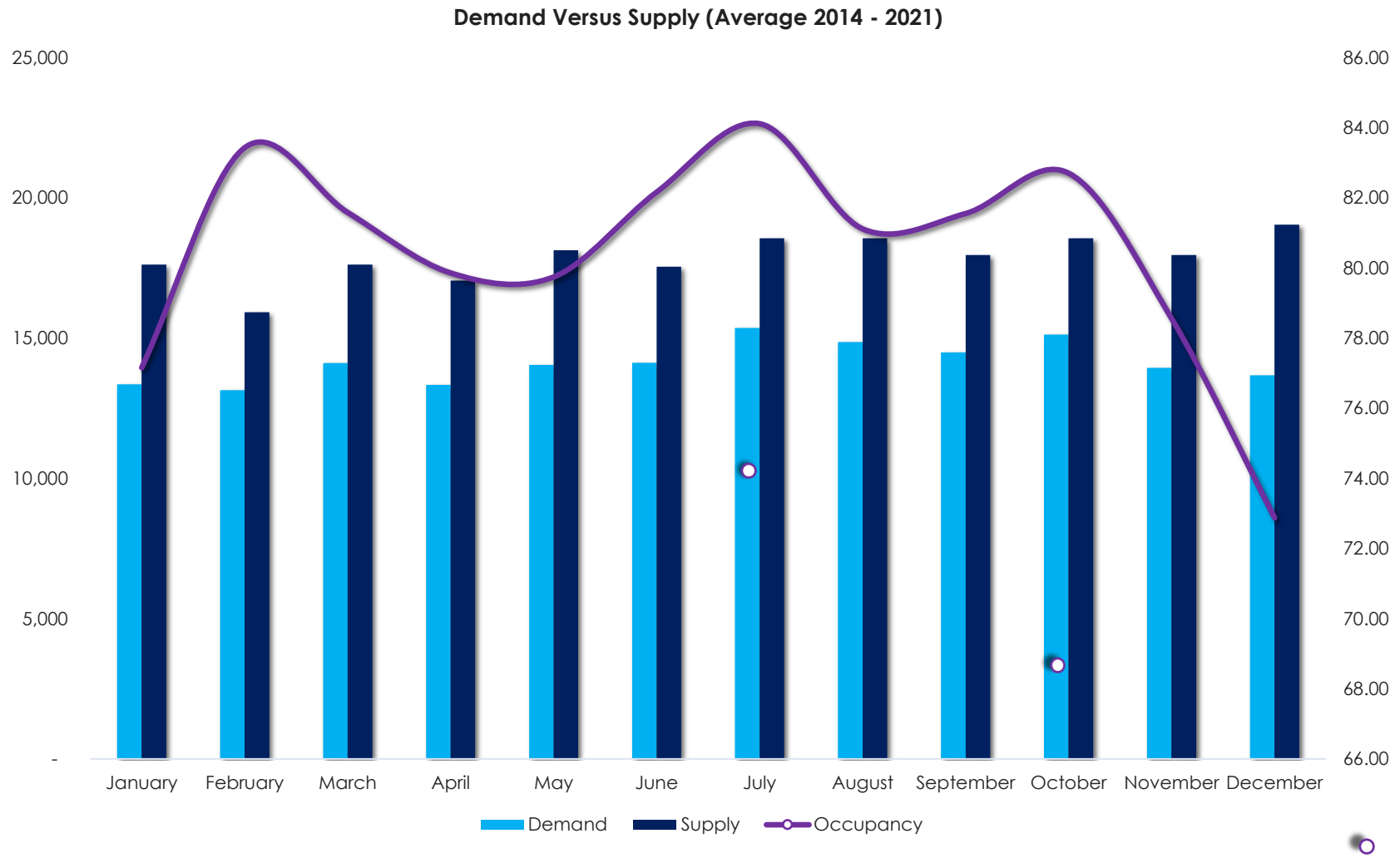
$83.98
Jan 2014 – Dec 2021

Avg. RevPAR

Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Market Feasibility

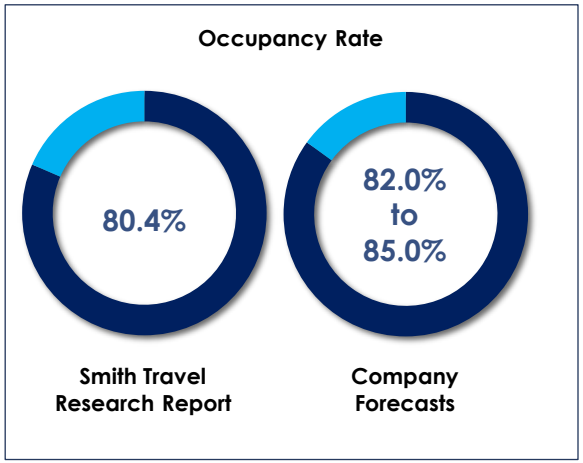
Smith Travel Research STR Report – Hotels in the Market Area (Extended Stay)

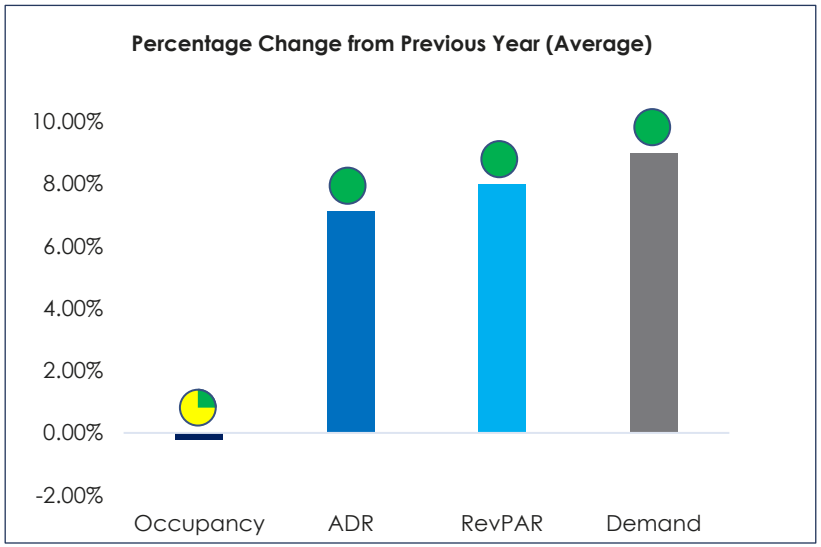


Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Market Feasibility

Summary of Occupancy, RevPAR, ADR and Demand in the Market Area (Extended Stay)





Based on the STR report, the Subject Project's rooms are expected to be absorbed in the market area.

83.8 Percent	Weekend Occupancy
77.9 Percent	Weekday Occupancy
No Risks Identified	All Key Parameters
Approx. 452-rooms Construction Pipeline	New Hospitality Supply Units
Rooms: 128 Room Nights: 46,720	Subject Project

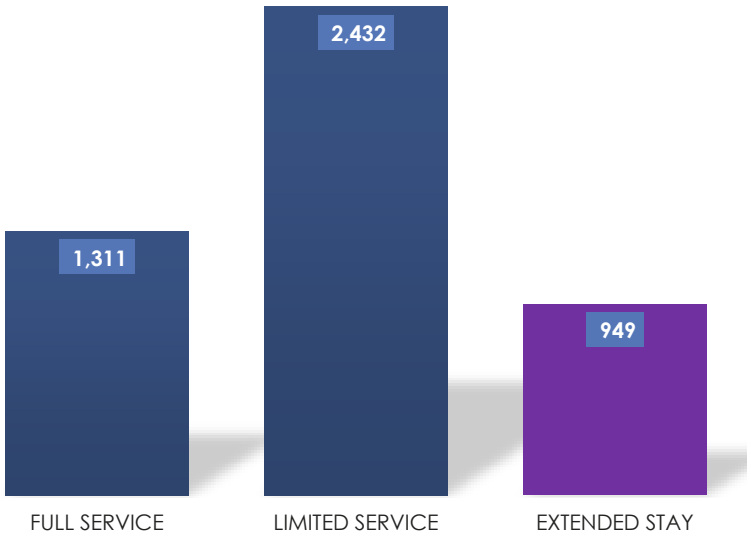
Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Excellent Very Good Medium Weak

Market Feasibility

Current Room Counts within the Ontario/Rancho Cucamonga Market

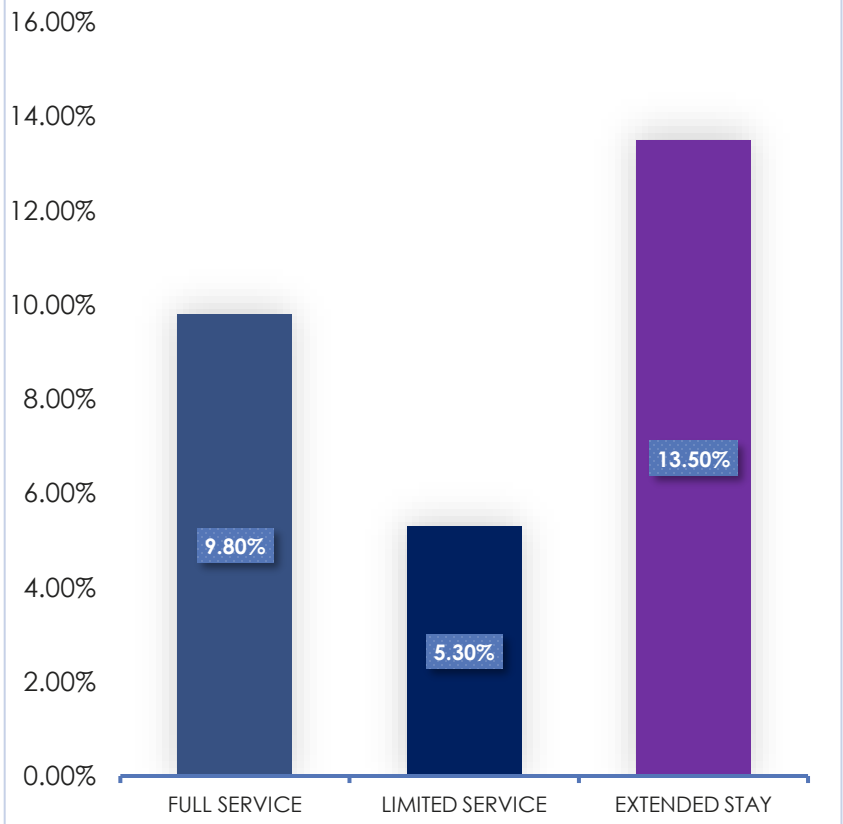
4,692 keys ← 1,712,580 room nights (Total Room Nights)



2.7 Percent

Subject Project Penetration Rate Across FS, LS, and ES

Subject Project Penetration Rate in Ontario/Rancho Cucamonga, % of total



Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

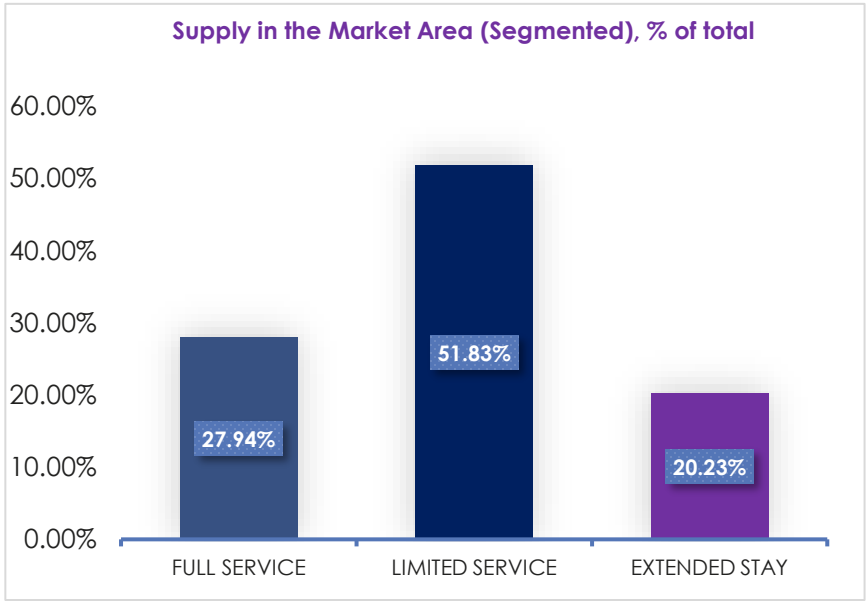
Market Feasibility

As presented in the table and chart below, a supply gap appears to exist in the market area for extended stay inventory.

Accommodated Room Night Demand and Current Supply of Extended Stay in the Market

	Entire Market Demand	
Market Segment	**Accommodated Demand**	**Percent of Total**
Commercial	108,870	39%
Leisure	45,246	16%
Group	33,701	12%
Extended Stay	**90,278**	**32%**
Total	**278,095**	**100%**

Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis



Source: Veritas Development Advisors, LLC Primary and Secondary Research Analysis

Project Experience (Partial List)

- Upscale Hotels in California
- Midscale Hotels in California
- Midscale Hotels in Arizona
- Luxury Hotels in Florida
- Luxury Hotels in California
- Midscale Hotels in Texas
- Upper Midscale Hotels in California
- Cannabis Grow House Expansion in Florida
- Hydroponic Facility acquisition in Puerto Rico
- Hydroponic in Florida
- Retail Fruits and Vegetables project in Hurst, Texas
- Indoor Sports Complex in Texas
- Indoor Sports Complex in North Carolina
- Indoor Game Center in New Jersey
- Squash Academy in New Jersey
- Neighborhood Retail Center in Florida
- Biofuel Facility in Hawaii
- Hospitals in Louisiana
- Mobile Home Parks in Louisiana
- Cold Storage Facility in Wisconsin
- Cold Storage Facility in New Jersey
- Self Storage Facility in Texas
- Car Wash in California
- Medical Waste to Energy in Rhode Island
- Wheat, Corn and Forage Operation
- Frac Sand Manufacturing Plant
- 52 Oil and Gas Wells in Kentucky
- Golf Center and Hotel in Colorado
- Indoor Gym & Wellness Center in Idaho
- Indoor Sports Complex in North Carolina
- Nursery and Landscaping in Maryland
- Assisted Living and Memory Care in Michigan
- Marina Expansion in Kentucky
- Apartment Complex in Texas
- Football Stadium in Riyadh
- Pipe Factory in Sweden

Resume of the Analyst

Awais Dilawer, B.E, MBA eq, FMVA, CMSA, CBCA, IM&A, M&AP, American Appraisal Institute Certified, CFA Investment Foundations Certificate Holder, Completed Level I in 2021 (1st Attempt), CFA Level II (Candidate)

Over fifteen years of experience in investment, venture capital, business management and consulting with a demonstrated record of consistent achievements across different organizations globally. Specialties include feasibility and due diligence of investment opportunities, business strategy and planning, investment strategy development, deal negotiation and structuring.

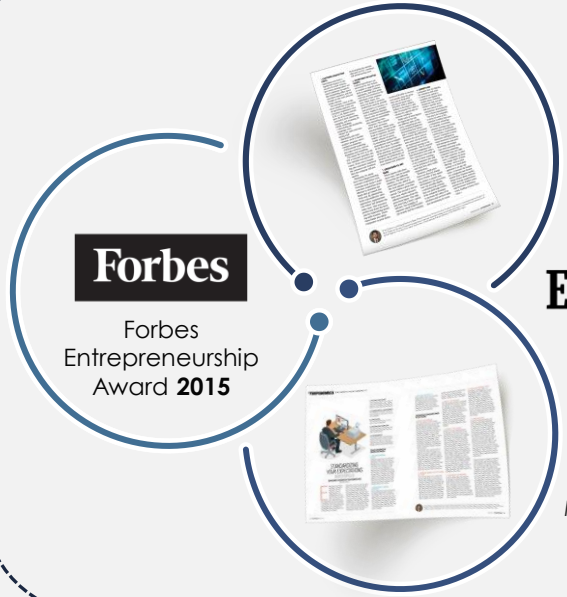
Education/Courses/Certifications

- Investment Foundations certificate by CFA Institute, ID: 204095
- Financial Modelling and Valuation Analyst, ID: 21257732
- Capital Market and Securities Analyst, ID: 22013916
- Certified Banking and Credit Analyst, ID: 22717302
- Hotel Valuation, American Appraisal Institute, ID: 2637
- Forecasting Revenue, American Appraisal Institute, ID: 2637
- CFA level 1 (Passed), ID: 9445336
- Project Management (University of New South Wales), ID: 3250978
- Business Management (University of New South Wales), ID: 3250978
- Crystal Ball (Oracle), ID: 41909
- University of New South Wales, Australia– Master with Business Management, ID: 3250978
- University of Engineering and Technology, ID: 100312
- International Merger & Acquisition Expert ID: 592
- Merger & Acquisition Professional ID: 593

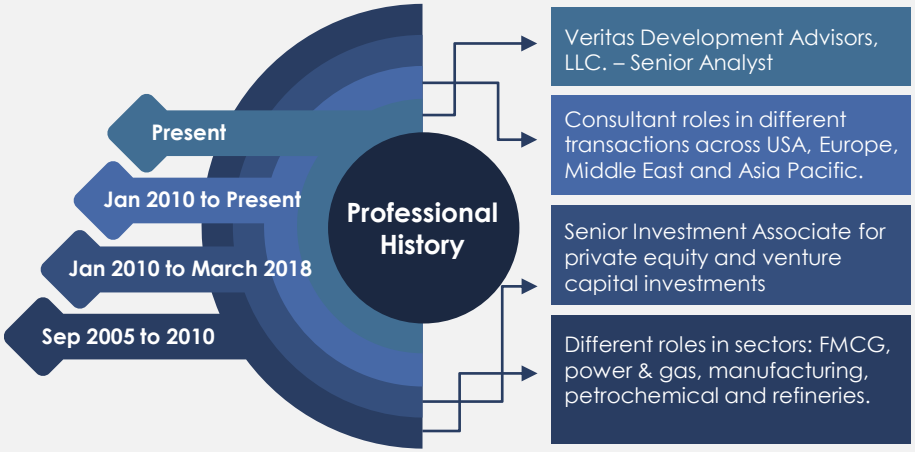
Certifications



International Publications/Awards



Resume of the Analyst



Key Success

Led *due diligence and feasibility study* of a biotech based in California. The transaction involved arranging financing. The target company listed on Nasdaq with the market cap of more than a billion dollar.

Nasdaq

HKEX 香港交易所

Worked on the *due diligence and feasibility study* on an electric vehicle startup with the transaction valued more than $100 million. The target company is listed in Hong Kong Exchange with the market cap of 400 million dollar.

Successfully conducted *feasibility study and due diligence* of a Dutch based EV charging station company for a private equity fund. The Company is listed on Amsterdam Exchange with the market cap of 170 million dollar..

EURONEXT

Key Experience

- Prepared and supervised feasibility study, due diligence and business plan of various complexities across USA, EU and other regions.
- Built and recommended investment committee and board in managing real estate portfolio of million US Dollars in value (commercial malls, hospitals, stadiums, hotels, residential apartments, villas, etc.)
- Experienced in performing in depth transaction financial and commercial diligence using internal and external resources
- Assessed risk and impact analysis for different business opportunities and proposing solutions to deal with potential threatening investment risks.
- Analyzed, reviewed and evaluated reports in the area of ICT, Renewable Energy, Life Sciences Health Care and manufacturing sector in the deals pipeline
- Conducted equity valuations both for transactions and financial reporting purposes
- Developed Investment MEMO's and deal reports for board and potential investors especially for the private equity and venture capital funds.
- Advised clients on financial feasibilities of large projects and conducted market research studies.
- Hands on experience in preparation of legal documents in coordination with internal and external resources.
- Experienced in identifying and sourcing investments in private equity and venture capital funds.
- Managed a team of different resources and contributed to their professional development. Extensive experience of talent management, coaching, development and mentoring.
- Led equity investment projects, help structuring and negotiating transactions from start to close.

Resume of the Analyst

Key Projects throughout his career include:

Manufacturing:

- Battery Manufacturing, WA
- Operational Assessment Steel Plant, ME
- Dairy Farm, GA
- Shrimp Farm, AZ,
- Solar Cells Manufacturing, CA
- Aseptic Packaging Food & Beverage Plant, WV
- Bunker Fuel Oil Processing Plant, TX
- Oil and Gas Drill Fuel Wastewater Plant, OH
- Dairy Biogas Digester, WI, TX, AZ
- Yard Waste Disposal and Composting Facility, FL
- Charcoal Manufacturing, OK
- Aluminum processing facility, TX
- Hydroponics, TX, PR
- Concrete Manufacturing Plant, USVI
- Water Bottling Factory, ME
- Chip Manufacturing, ME
- Biofuel Processing, HI
- Medical Waste, RI
- Oil and Gas Wells, KY
- Frac Sand Facility, OK
- Pipe factory, EU
- Automotive, ME
- Solar Panels Coating, EU

Healthcare & Life science:

- Addiction Center, MD, PA
- Biotech, CA
- Assisted Living & Memory Care, WI, UT, TX, FL, MI, CO
- Therapy and Skilled Day School Facility, FL
- Child Day Care, NV
- Hospitals, LA
- Biosimilars Manufacturing, MA
- Vaccine Manufacturing Plant, WA
- Diabetes Center, ME
- Health Information System, MO

Real Estate:

- Self Storage & RV Storage, NV, PA
- Outdoor Soccer Facility, NM
- Car Wash, CA, NV, TX
- Multicomplex Apartments, TX, LA, CA
- Leadership School, UT
- Equestrian Center, TX
- Cold Storage, FL, WI
- Primrose Schools, MD, VA
- Historic Park, IL, KY
- Indoor Sports Complex, NC, NM, TX, ID
- Gas Station with Convenience Store, UT, CA
- Nursey and Landscaping, MD
- RV Park, FL
- Indoor Shooting Range, VA
- Golf Sports Complex, CO
- Distribution & Shipping Facility, TX
- Marina, KY
- Mobile Home Park, LA
- Neighborhood Shopping Center, FL
- Squash Academy, NJ
- Private School, WA, EU
- Stadium, ME

Restaurant:

- Culver, AZ
- Independent Restaurants, UT, NM
- Buffalo Wings, KY
- Dairy Queen, GA
- Cinnabon, ME
- McDonald, ME
- Subway, ME

Hotels & Resorts:

- Baymont Inn & Suites, AZ
- Hilton Hotel, PA, CA, AZ
- Best Western, CA,
- Best Western Plus, TX
- Fairfield Inn& Suites, CA
- Mainstay Suites, TN
- Holiday Inn, TX
- Motel 6, CA
- Independent Hotels, CA, FL, UT
- Resort, NY
- Dual Branded Hotel, AL
- Banquet Hall, CA
- Event Center, TX
- Comfort Suites, CA
- Hampton Inn & Suites, CA
- Marriot, CA

Contact Us

Veritas Development Advisors, LLC ("VDA")
Steve Alves, Managing Partner
Email: salves@veritasda.com
Ph: 240-626-1209



CITY OF ONTARIO PLANNING DEPARTMENT

PLANNING COMMISSION STAFF REPORT

February 22, 2022

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

FILE NOS: PCUP21-009 and PDEV21-021

SUBJECT: A Conditional Use Permit (File No. PCUP21-009) to establish and operate a limited-service hotel and a Development Plan (File No. PDEV21-021) to construct a 4-story, 128-room Extended Stay hotel on 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan (APN: 0238-012-30); submitted by Roger Barbosa. City Council action is required for File No. PCUP21-009.

PROPERTY OWNER: Jara Hospitality

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PDEV21-021, and recommend approval to City Council for File No. PCUP21-009, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in Attachment A to each resolution.

PROJECT SETTING: The Project site is comprised of 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan and is depicted in Figure 1: Project Location. The site is bounded by Interstate 15 to the west, Fourth Street to the north, Southern California Edison ("SCE") transmission lines to the east and Ontario Mills Parkway to the south. The surrounding area is currently developed with Arizona Tile, Baker's Drive-Thru Restaurant, AM/PM Service Station, a multi-tenant retail building that includes WaBa Grill, and a four-building industrial business park located within the southern portion of the specific plan. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning &

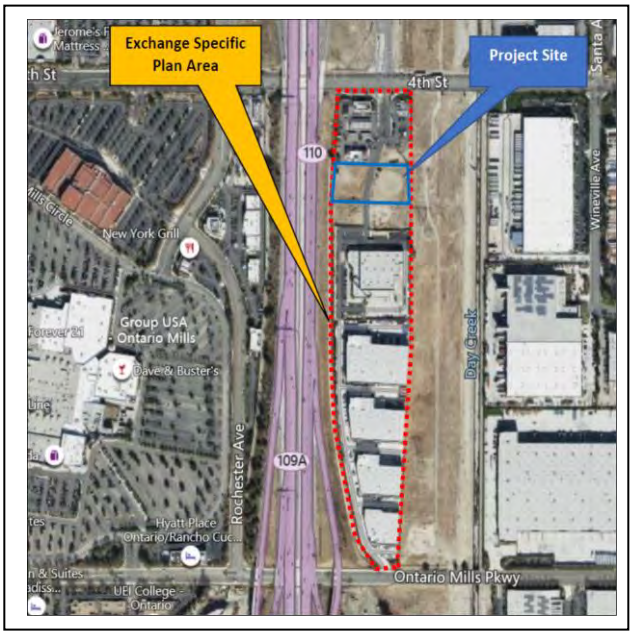


Figure 1: Project Location

Case Planner:	Luis E. Batres
Planning Director Approval:	
Submittal Date:	6/4/21

Hearing Body	*Date*	*Decision*	*Action*
DAB	2/7/22	Approved	Recommend
PC	2/22/22	Approved	Final /Recommend
CC			CUP- Final

Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — In 2003, the City approved The Exchange Specific Plan, a 23.60-acre master plan for the Project area. The Exchange Specific Plan is composed of two land use districts, including the Freeway Commercial land use district, which comprises the northerly 12.03 acres of the Specific Plan, and the Industrial Park land use district, which comprises the southerly 11.57 acres of the Specific Plan (see Exhibit B—The Exchange Specific Plan Land Use Plan, attached).

In 2007, two development plans were approved within The Exchange Specific Plan master plan area, including a 15,705 square foot sit-down restaurant (Blue Sandias) and a 74-room, 3-story hotel (Candlewood Suites). Blue Sandias and Candlewood Suites were never constructed due to a downturn in the economy.

On June 4, 2021, the Applicant submitted a Conditional Use Permit application (File No. PCUP21-009) requesting approval to establish and operate a limited-service hotel land use, together with a Development Plan application (File No. PDEV21-021) requesting approval to construct a 4-story, 128-room Extended Stay hotel on the Project site.

Guest amenities proposed for the Project include:

- Swimming pool with an accompanying pool side cabana;
- Outdoor seating area;
- Porte-cochere for arriving guests;
- Meeting rooms (two rooms totaling 1,850 square feet) and adjacent outdoor gathering area (400 square feet);
- Fitness room (331 square feet);
- Café/Snack room (331 square feet);
- Guest laundry facilities (437 square feet); and
- On-site business center, including office equipment (copying, printer, and scanner) and supplies

Guestrooms range from 277 square feet (Queen Suites) to 432 square feet (Double Queen Suites) in area. Four room configurations are proposed:

- Queen Suites (61 rooms)
- Double Queen Suites (61 rooms)
- ADA Queen Suites (3 rooms)
- ADA Double Queen Suites (3 rooms)

(2) Conditional Use Permit — The City's Development Code requires that all new hotels must be reviewed under concurrently filed Conditional Use Permit and Development Plan applications. The purpose of the Conditional Use Permit application

and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. More specifically, in the case of hotels, the Conditional Use Permit is required to establish the Project's market feasibility and ensure on-going compliance with the minimum amenity package required by the Development Code.

(a) Market Demand — As a requirement of Conditional Use Permit submittal, the developer of a hotel must submit a Market Feasibility Study, which demonstrates that the local market can support the development of a new hotel. For this Application, Veritas Development Advisors has prepared a Market Feasibility Study (dated October 21, 2021), which includes analysis and market research related to the proposed Project. The study found that the local market can support a limited-service hotel on the Project site. The study's conclusions are based primarily upon the growth in the Inland Empire, the area's proximity to the Los Angeles area, the Ontario Convention Center, the Ontario International Airport, California Speedway in Fontana, and the Project's proximity to the Ontario Mills Mall (see Exhibit K—Hotel Market Study, attached). The Market Study includes an analysis of other similar hotels in the area, long-term viability, and overall demand due to new businesses and activities in and around the City.

(b) Minimum Amenity Package —The Development Code provides that no Conditional Use Permit shall be approved for a hotel, motel, residence inn, or other similar traveler accommodation, unless certain specific amenities are provided, as follows

- Each guestroom must include voicemail, wired or wireless internet access, desk with chair, hairdryer, retractable magnifying (10X) and lighted makeup mirror, iron and ironing board, high definition television, and alarm clock or wake-up service. Compliance with these requirements will be verified by the Planning Department during Building Department plan check and at time of final building inspection.
- For limited-service hotels, meeting space equal to 15 square feet per guestroom must be provided, requiring that a minimum of 1,920 square feet of meeting/gathering area must be provided for the Project. The Project exceeds the minimum requirement, incorporating a total of 2,250 square feet of available meeting/gathering area.
- Both active and passive leisure amenities are required, at a minimum, a swimming pool, whirlpool/spa or furnished cabana, and fitness room. The Project exceeds the minimum requirement, providing a pool/spa, poolside cabana, outdoor seating areas, and a fitness room.
- A guest courtesy lounge for the serving of light meals and snacks is required to be provided in conjunction with limited-service hotels. A 331-square-foot café/snack room is provided for hotel guests, meeting the minimum requirement.

It is the determination of Planning Department staff that the proposed Project has met or exceeded the minimum amenity package requirements, as stipulated by Section 5.03.250.D (Minimum Amenity Package) of the City's Development Code.

(3) Development Plan —

(a) Site Design/Building Layout. The proposed hotel is located approximately 1,000 feet south of Fourth street, with the building's primary entrance facing north. The building is in a L-shaped configuration, which wraps around an outdoor amenity area containing the pool/spa and outdoor gathering/seating areas (see Exhibit A—Project Location Map, attached).

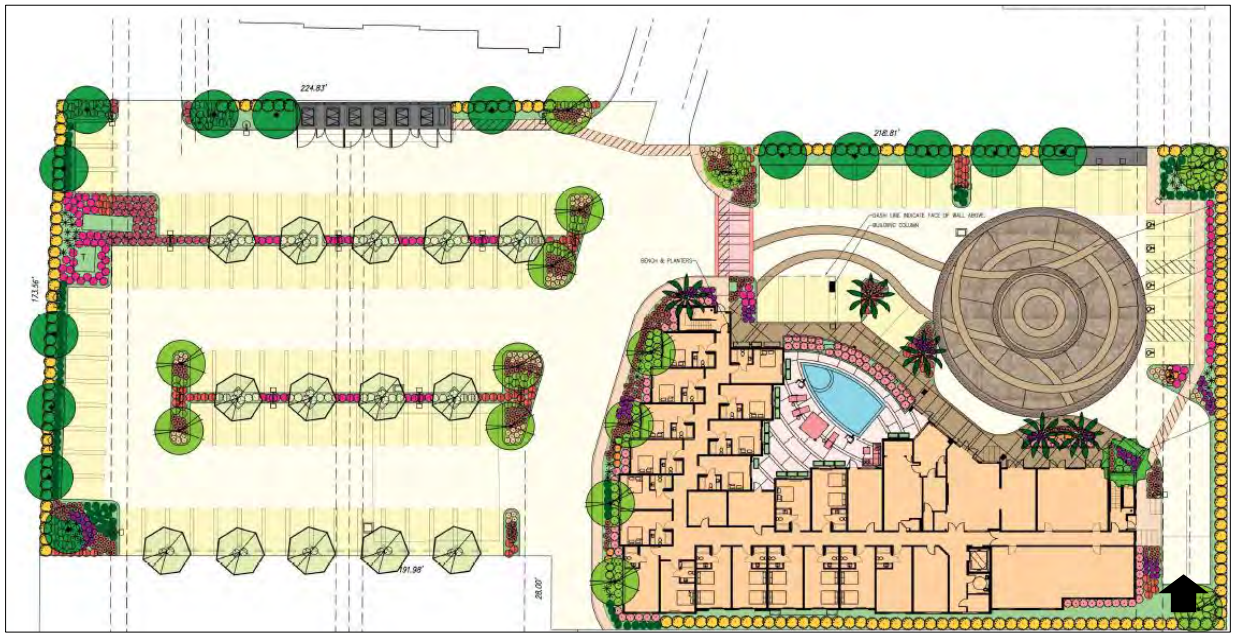


Figure 2: Site Plan

(b) Site Access/Circulation. Off-street parking is distributed along the north and west sides of the building and a guest drop-off area under a porte-cochere has been provided at the front of the building. Ample landscaped areas have been provided immediately adjacent to the hotel and throughout the off-street parking areas. Additionally, decorative hardscape treatments have been provided at the main building entrance, throughout the pool/spa and outdoor gathering/seating areas and at the vehicle turn-around area in front of the hotel (see Figure 2: Site Plan, above).

(c) Site Access/Circulation. Primary vehicular access to the proposed hotel is provided from an existing common drive aisle that intersects Fourth Street at a fully signalized intersection that is common with the Interstate 15 southbound exit to Fourth Street. Secondary access is provided from Ontario Mills Parkway via a common drive aisle through the industrial park to the south. Additionally, ample maneuvering space has been provided for service. Service vehicles will be able to access the hotel along the east side of the building via a 24-foot-wide service drive.

(d) Parking. The Project is required to provide a total of 128 off-street parking spaces, at the rate of one space per guestroom, and the Project is proposing a total of 118 spaces. The Exchange Specific Plan and the Ontario Development Code allow the Planning Commission to approve a reduction in parking, if the reduction is validated by a parking study. To support the requested reduction in parking, a parking study was prepared by Trames Solutions Inc. (see Exhibit L—Parking Study, attached). The parking study concluded that the number of parking spaces provided is adequate. The study found that the hotel will have a peak demand of 94 spaces at 8 AM on weekdays and 105 spaces at 8 AM on weekends (see Table 1: Parking Study Peak Demand, below). In addition, the City's Traffic Manager has reviewed the parking study and is in support of the study's findings. However, to mitigate any potential parking shortages in the future, staff has conditioned the Project so that, if additional parking is found to be necessary, the Applicant must enter into a reciprocal parking agreement with adjacent developments to provide additional parking.

Table 1: Parking Study Peak Demand

Demand	*Peak Time*	*Required Parking*	*Parking Provided*
Weekdays:	8 AM	94	118
Weekends:	8 AM	105	118

(e) Architecture. The Extended Stay hotel will be a signature building. The hotel will feature a contemporary architecture style that exemplifies the high-quality architecture promoted by The Exchange Specific Plan and the Ontario Plan. Since the Project will be visible from all four sides, staff has worked closely with the architect to provide 360-degree architecture. Special attention has been given to the use of colors, massing, building form, materials, and architectural details (see Figure 3: Front Elevation, below, and Exhibit F—Building Elevations, attached).

This is exemplified by the use of:

- Decorative architectural towers on all four building sides;
- Articulated roof line;
- Articulated footprint;
- Decorative cornice treatment along the edge of the architectural towers;
- Vertical and horizontal reveal lines;
- Variation in building massing;
- Cantilevered building elements;
- Incorporation of insets and pop-outs;
- Extensive use of glass;
- Smooth-painted walls;
- Decorative lighting fixtures;
- Fiber cement vertical siding panels;
- Decorative metal wall panels;

- Decorative painted steel canopies along the north elevation;
- Incorporation of a stone veneer along the full height of the first floor (French Limestone);
- Incorporation of decorative eyebrows over key windows; and
- Color blocking implementing exterior colors of varying tone, shade, and brightness.



Figure 3: Front (North) Elevation

(f) Landscaping. The Exchange Specific Plan requires 15 percent of the site to be landscaped and the Applicant proposes to landscape 15.5 percent of the Project site. Palm trees, accent trees, and ground cover have been selected to enhance the Project site, along with Australian Willow, Brisbane Box, Coast Live Oak, Date Palms, Agave Blue Clone, Dwarf Myrtle, Amazing Red Flax, Indian Hawthorn, Texas Privet, and Orange Drop Lily. To enhance the Project at night, staff has worked with the Applicant to also provide enhanced lighting at key landscape areas.

(g) Utilities (drainage, sewer). Public utilities (water and sewer) are available to serve the Project site. Additionally, the applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, bio treatment, and evapotranspiration. The PWQMP proposes an underground infiltration basin located beneath the parking lot, along the west of the hotel structure. The basin is designed to accept runoff from the building's roof and parking lot.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed Project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed Project are as follows:

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

(2) Vision.

Distinctive Development:

- Commercial and Residential Development

➢ Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

➢ G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

(4) Policy Plan (General Plan)

Land Use Element:

- Goal LU2: Compatibility between a wide range of uses.

➢ LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

➢ CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➢ CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create

appropriately unique, functional, and sustainable places that will compete well with their competition within the region.

- CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

- CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

- Goal CE3: Decision-making deliberations that incorporate the full short-term and long-term economic and fiscal implications of proposed City Council actions.

- CE3-1 Fiscal Impact Disclosures. We require requests for City Council action to disclose the full fiscal impacts, including direct and indirect costs.

Safety Element:

- Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

- S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

- Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

- CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

- CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

- CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

- Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional, and distinct.

➢ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section, and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➢ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➢ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create, and define public and private spaces, and provide shade and environmental benefits.

➢ CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

➢ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage, and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➢ CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

➢ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➢ CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort, and aesthetics.

➢ CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways, and plazas for pedestrians.

➢ CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks, or public open spaces.

➢ CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.

➢ CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces, and buildings.

- Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

➢ CD5-1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.

➢ CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: 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.

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, 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. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The Project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines, which consists of projects characterized as infill development projects. Furthermore, the Project meets all of the following conditions: (a) the Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations; (b) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the Project site is adequately served by all required utilities and public services.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*General Plan Designation*	*Zoning Designation*	*Specific Plan Land Use*
Site	Vacant	Planned Commercial	SP (Specific Plan)	The Exchange SP / Freeway Commercial
North	Multi-tenant retail & Vacant Land	Planned Commercial	SP (Specific Plan)	The Exchange SP / Freeway Commercial
South	Vacant Land	Planned Commercial	SP (Specific Plan)	The Exchange SP / Freeway Commercial
East	SCE Transmission Lines	Non-Recreational Open Space	Open Space (OS)	N/A
West	I-15 Freeway	Right-of-way	Right-of-way	N/A

General Site & Building Statistics

Item	*Proposed*	*Min./Max. Standard*	*Meets Y/N*
Project Area:	1.83 Acres	N/A	Y
Lot/Parcel Size:	1.83 Acres	N/A	Y
Building Area:	56,406 Sq. Ft.	N/A	Y
Building Height:	53'	55'	Y

Off-Street Parking:

Type of Use	*Building Area*	*Parking Ratio*	*Spaces Required*	*Spaces Provided*
Hotel (128 Rooms)	56,406 Sq. Ft.	1 Space per Guest Room	128	118
		Note: Per Parking Study Prepared	105	118
TOTAL			105	118

Exhibit A—PROJECT LOCATION MAP

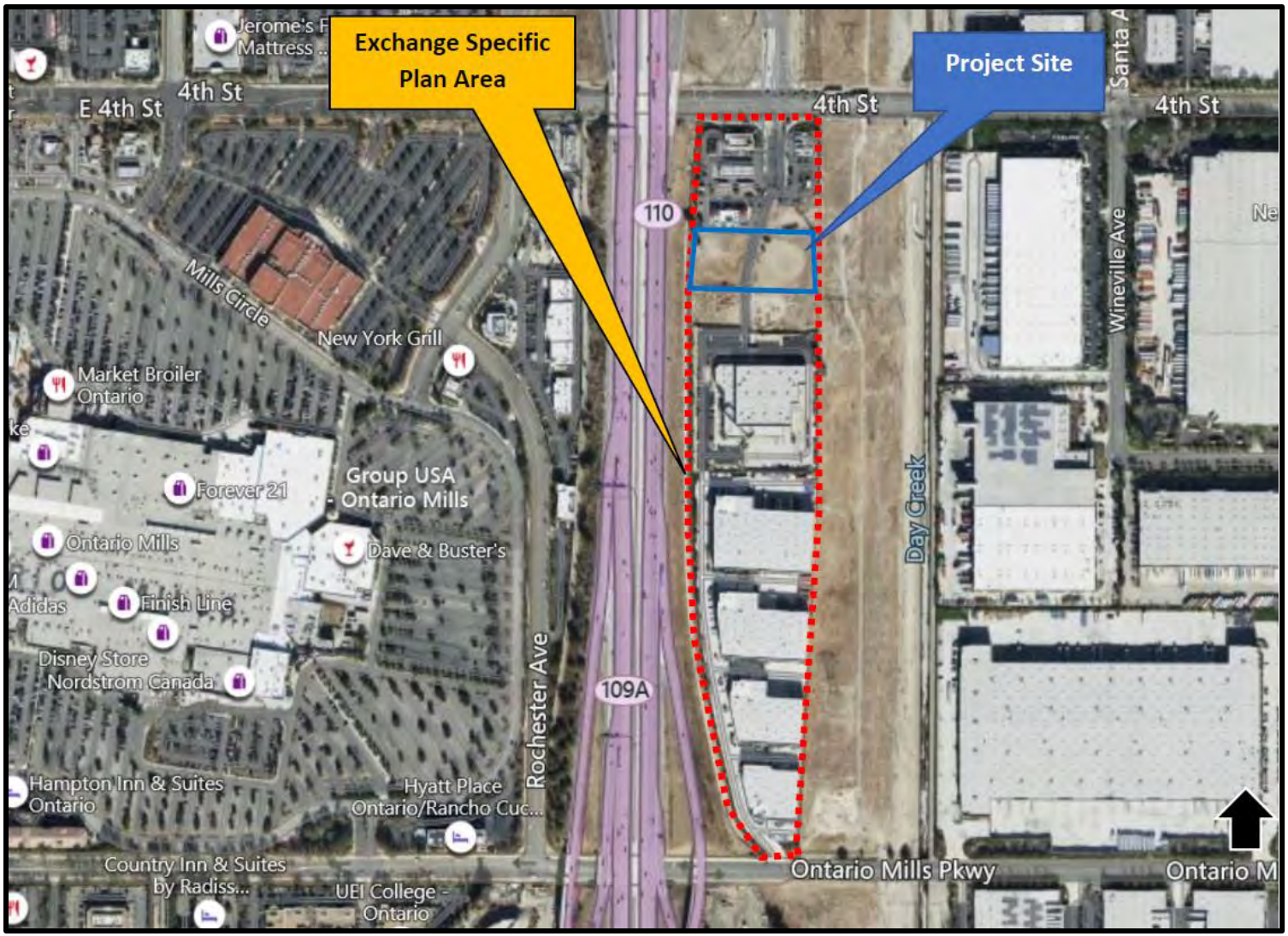


Exhibit B—THE EXCHANGE SPECIFIC PLAN LAND USE PLAN



Exhibit C—SITE PLAN

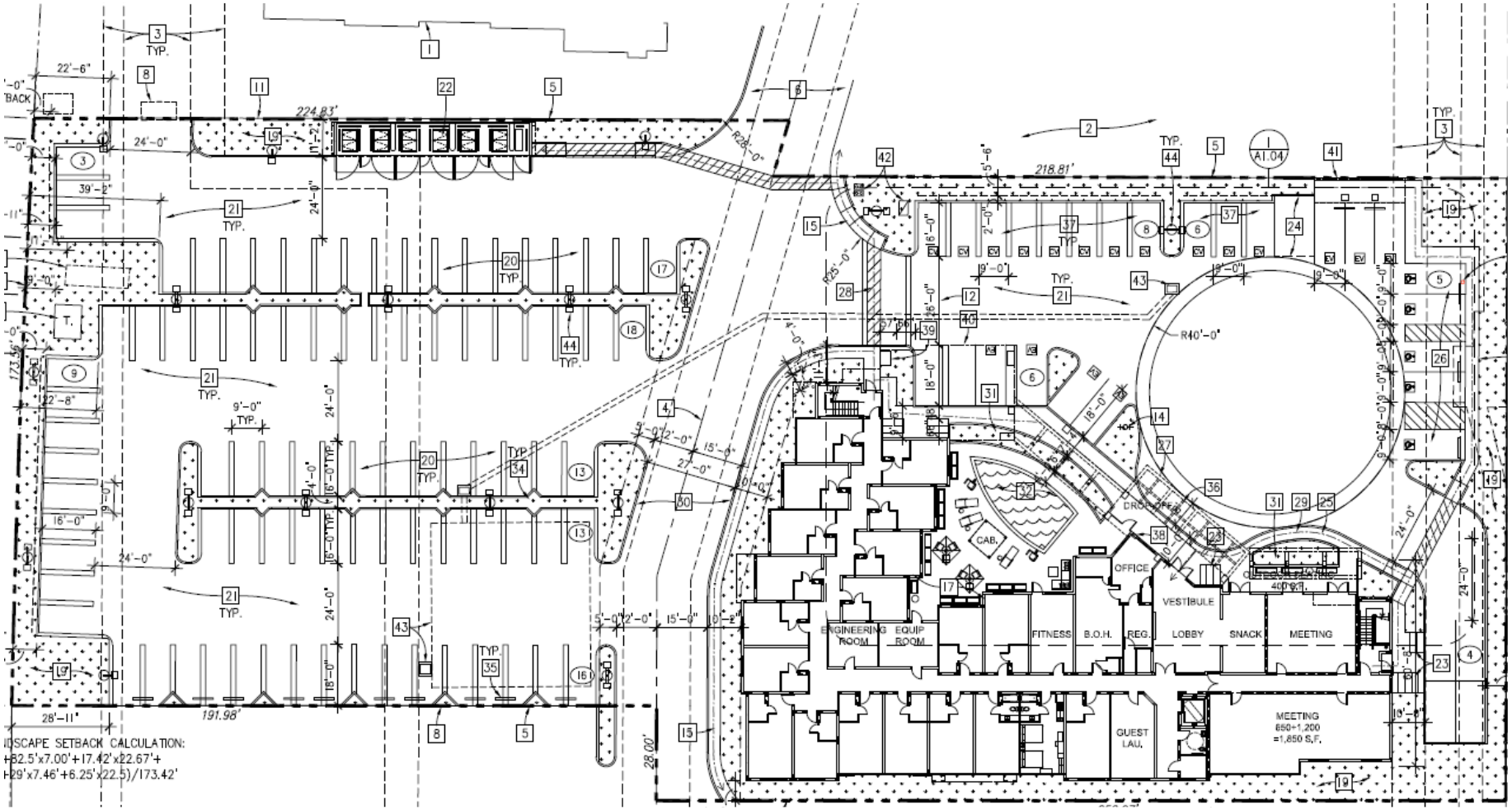


Exhibit D—LANDSCAPE PLAN

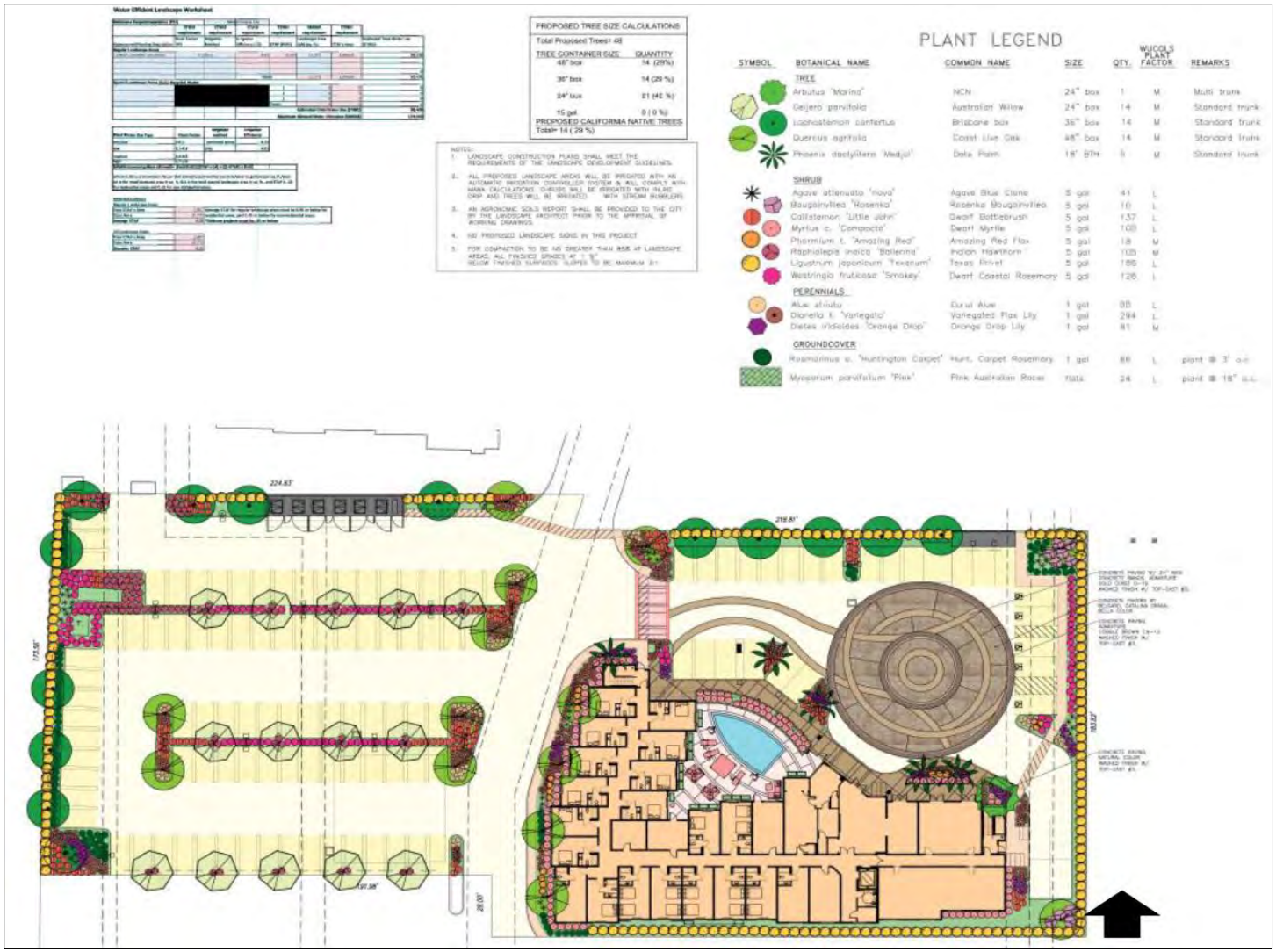


Exhibit E—POOL AREA

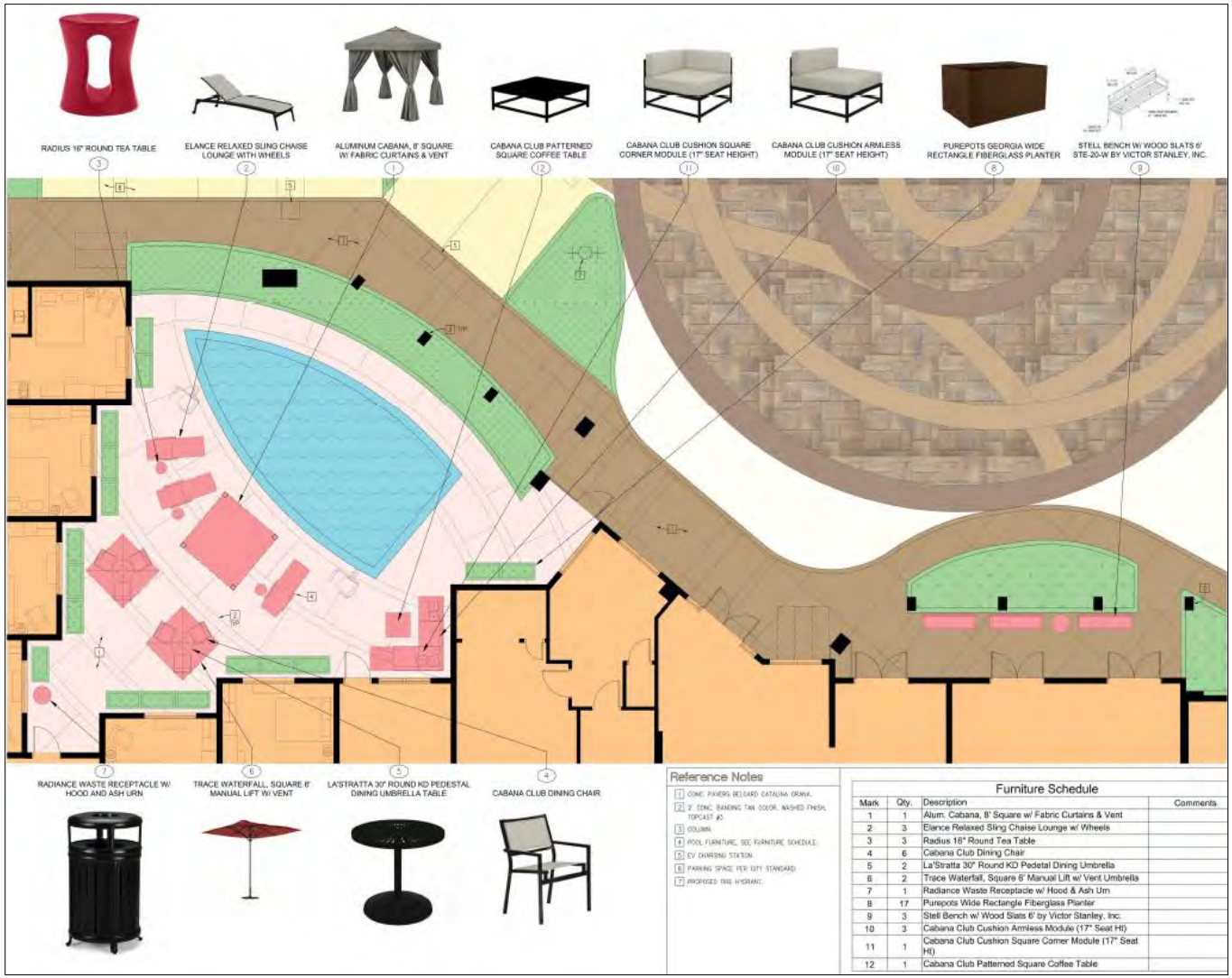


Exhibit F—EXTERIOR ELEVATIONS



North Elevation



South Elevation

Exhibit F—EXTERIOR ELEVATIONS (CONTINUED)



West Elevation



East Elevation

Exhibit G—FIRST FLOOR

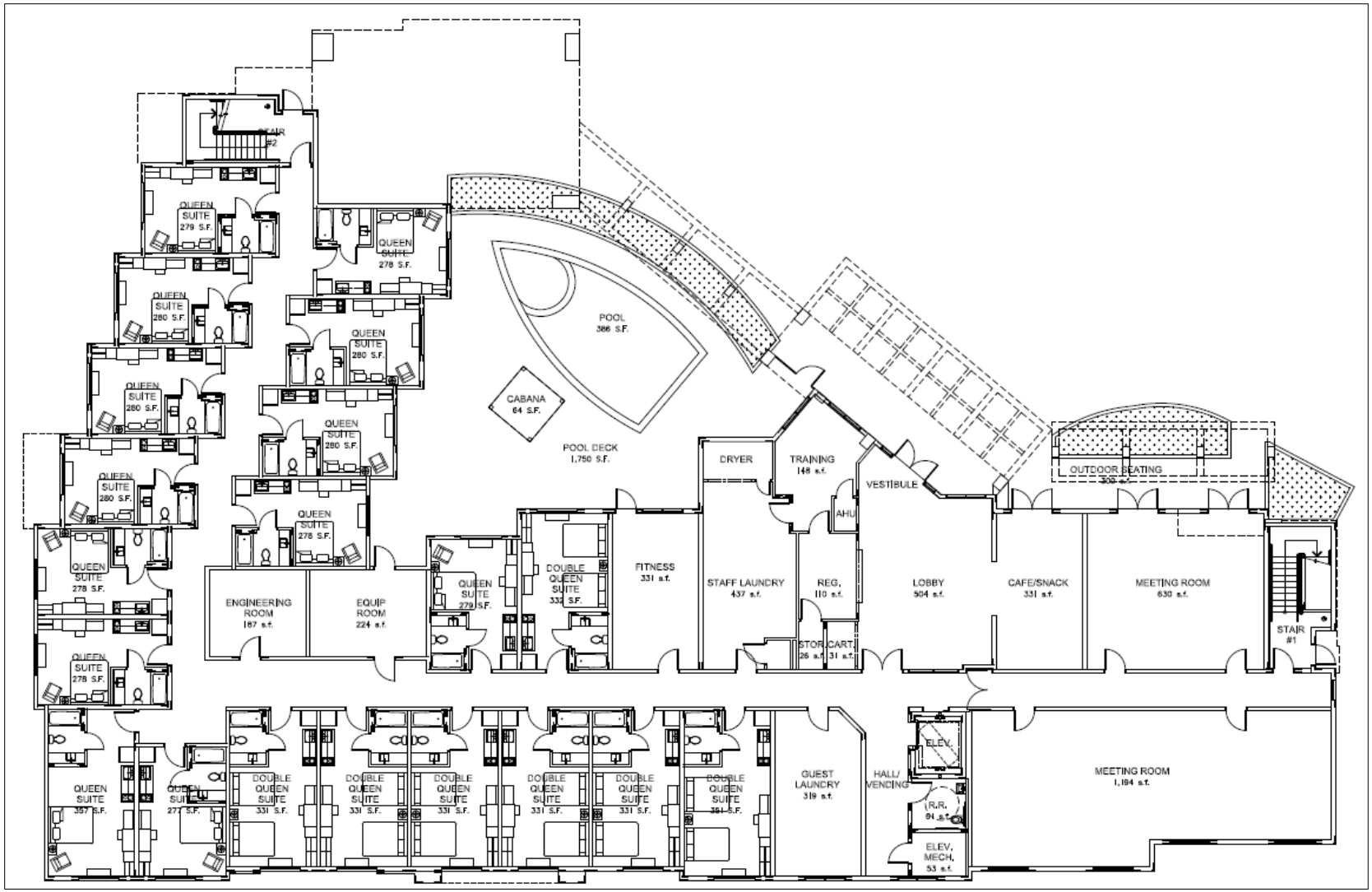


Exhibit H—SECOND FLOOR

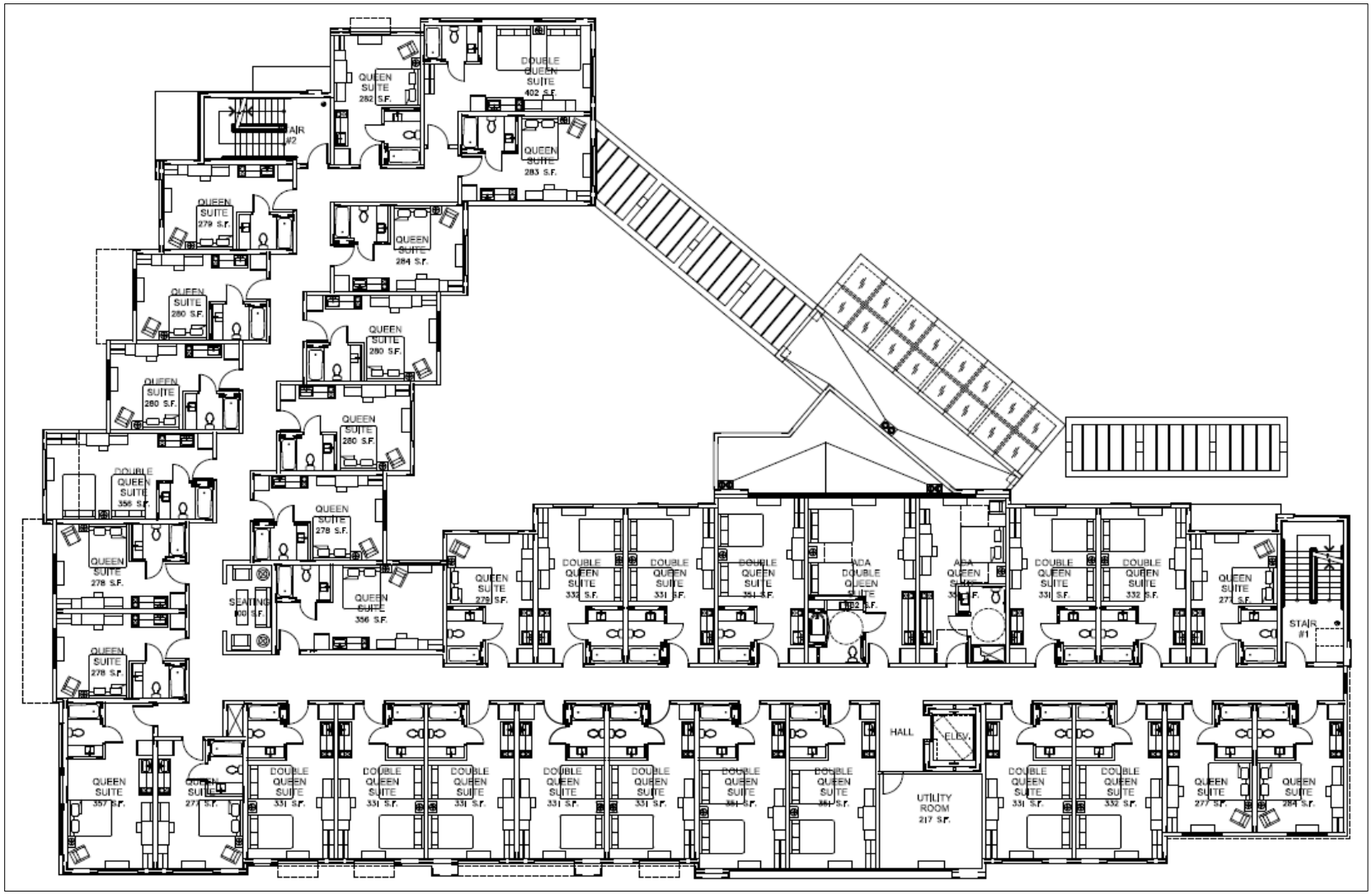


Exhibit I—THIRD FLOOR

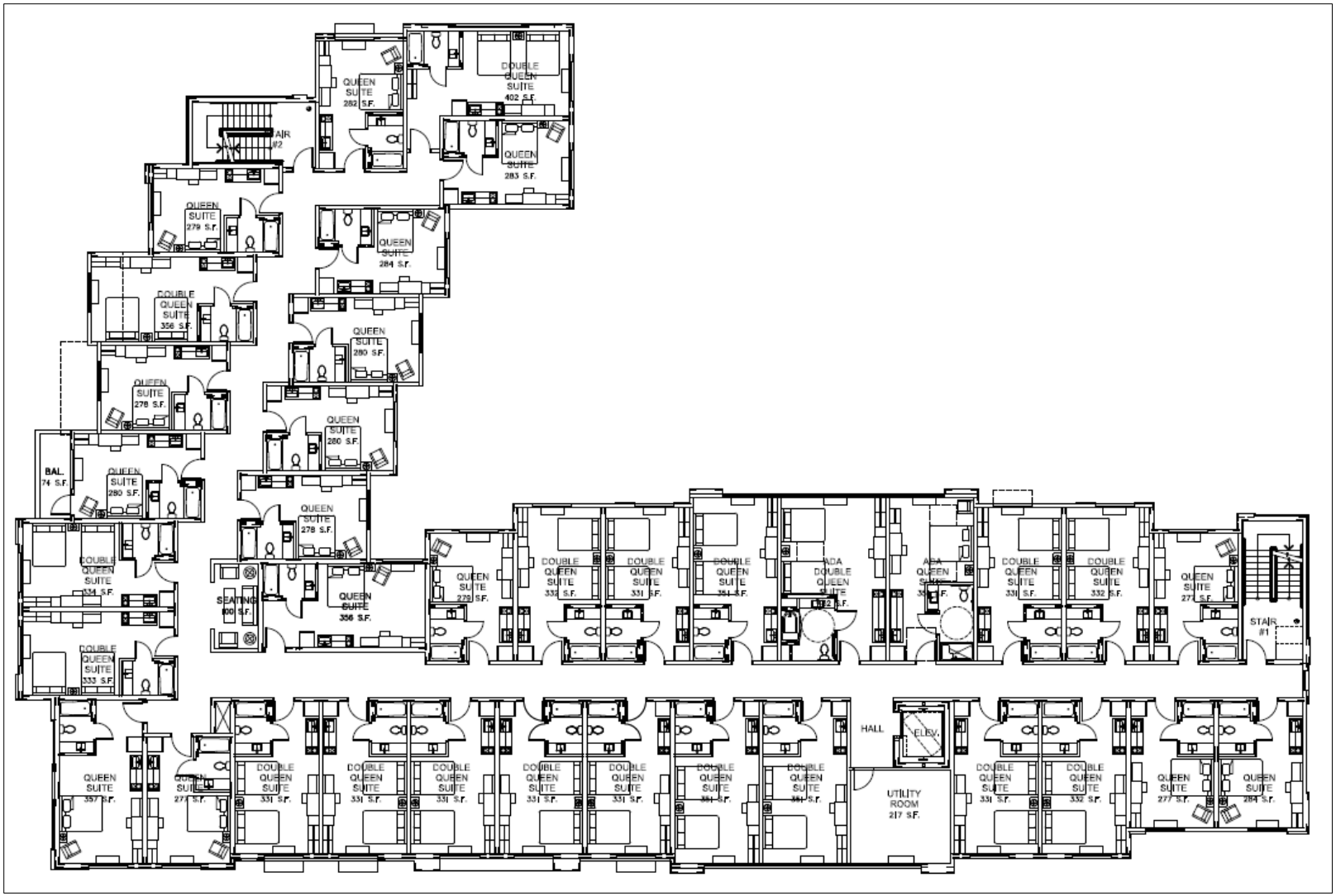


Exhibit J—FOURTH FLOOR

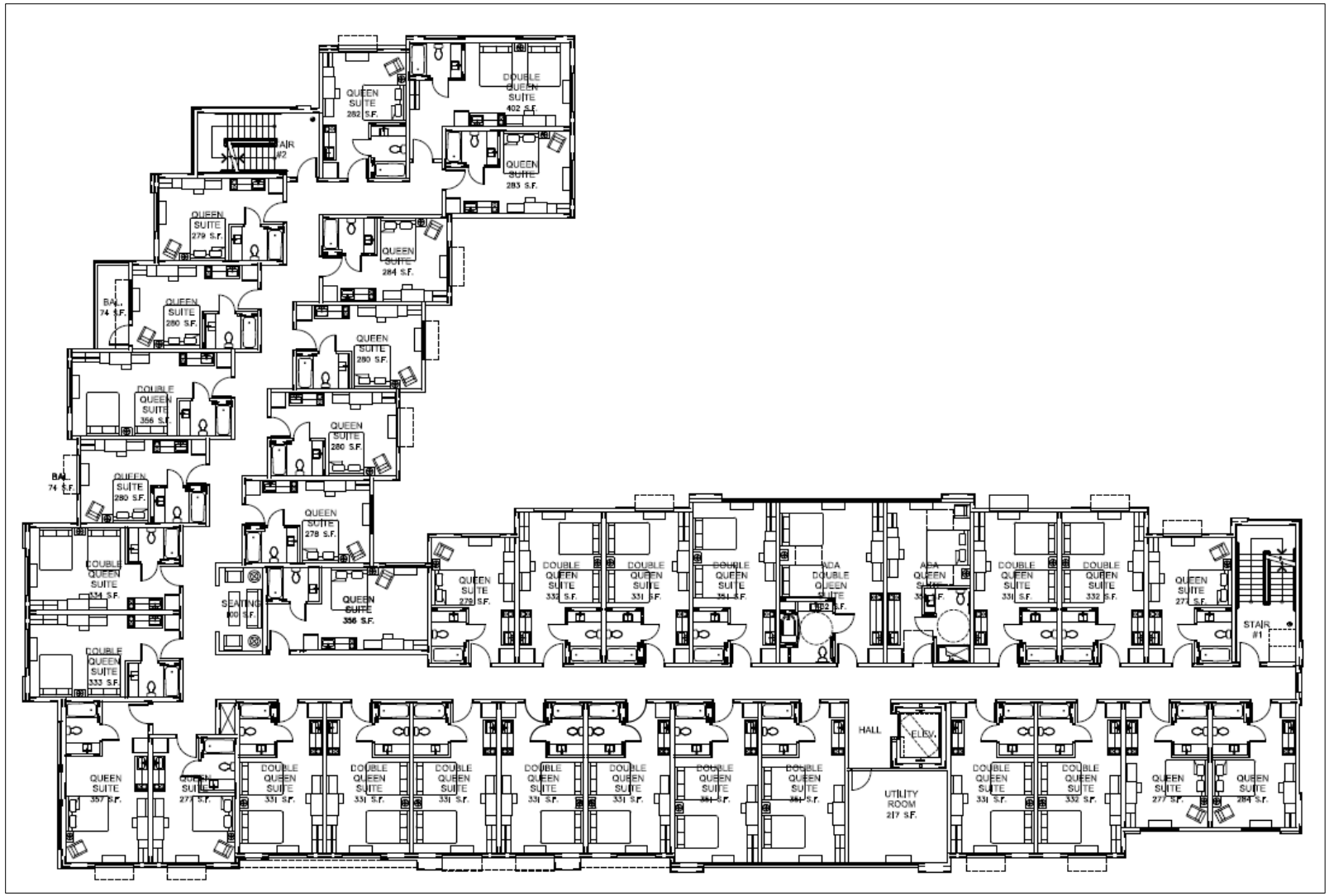


Exhibit K—HOTEL MARKET STUDY

(Document follows this page)

October 21, 2021

VERITAS | DEVELOPMENT ADVISORS

Market Feasibility Study

for the planned construction and operation of a 128-room extended stay hotel to be located in Ontario, CA

Disclaimer

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The report and analysis does not purport to represent a formal valuation of any land or property interest and must not be construed as such. Such analysis including forward looking statements are opinions and estimates only and are based on a wide range of variables which may not be capable of being determined with accuracy. Variation in any one of these variables can have a material impact on the analysis and we draw your attention to this.

It should be noted that the estimation of future sales prices, rental levels, development and investment returns and development viability is a very problematic exercise which at best should be regarded as an indicative assessment of possibilities rather than absolute values. The process of making forward projections for such key elements involves assumptions which are acutely sensitive to changing conditions, variations in any one of which factors may significant effect the viability of a project and we draw your attention to this factor. Veritas Development Advisors, LLC does not accept any liability for negligence or otherwise for any loss or damage suffered by any party resulting from reliance on this report other than as specified in the contract of engagement.

Effect of global and local economic conditions

The continued turmoil and instability in the financial markets is continuing to cause volatility and uncertainty in the world's capital markets and real estate markets. In these circumstances the assessment or feasibility may be affected by rapidly changing global and local economic market conditions, socio-economic changes, political conditions and other risks.

Availability and Cost of Finance

Due to the current situation of the global and local capital markets, interest rates have been volatile there has been a significant reduction in the availability of and increase in the cost of debt to the real estate sector and the mortgage market.

Supply & Demand Analysis

The supply and demand analyses set out in the report are based on current and historic trends and may be impacted significantly by factors such as unforeseen delays in supply, decreasing demand levels and changes in investor, business and consumer sentiment as well as the outlook for economic growth at local, regional and global levels.

Demand in the Market Area

Currency volatility together with job security, economic growth changing oil prices and deteriorating employment conditions across much of the globe may impact the propensity to travel and affect the purchasing power of prospective visitors to the region. This is likely to materially impact the performance of the hospitality and retail sector in particular.

Veritas Development Advisors, LLC does not accept any liability for any changes in the market conditions which may have occurred in the time elapsed between the rendering of the report and the use of it. Nor can Veritas Development Advisors, LLC accept any liability for discrepancies between our assumptions, which lie at the basis of the report, and actual market conditions which are not available to any qualified real estate consultant as a result of the market's inherent limited transparency.

Executive Summary

VERITAS | DEVELOPMENT ADVISORS

Executive Summary

VERITAS | DEVELOPMENT ADVISORS

October 21, 2021

Private and Confidential

Mr. Luis Batres, Senior Planner
City of Ontario ("Company")
303 East B Street
Ontario, California 91764

Re: Market Feasibility Study for the planned construction and operation of a 128-room extended stay hotel to be located at 5060 East 4th Street in Ontario, CA 91764. ("Subject Project").

Dear Mr. Batres:

The enclosed Market Feasibility Study is for the planned 128-room extended stay hotel to be located in Ontario, CA. Demand factors were analyzed in detail as presented herein. The Subject Project's industry and its relevant leveraged structure indicates that the Company's revenue should follow trends in the overall economy, including disposable income of end-users/consumers. Based on the analysis, the market area economy appears to be growing which indicates reasonable potential for the Subject Project.

The market area for the Subject Project appears stable. The Subject Project's rooms are expected to be absorbed in the market area based on the STR report analysis conducted herein. Based on the supply and demand analysis (pre-COVID) within the market area, it appears as though occupancy will likely remain above 65 percent over the next five years. Analyses of the market appears to indicate that development of the Subject Project, as planned, would yield about a 0.8 percent market share in the Subject Project's market area.

Primary and secondary research was used to carry out the analyses related to the Subject Project.

Steve Alves, Managing Partner
Veritas Development Advisors, LLC

Statement of Work

Scope of Work

// Market Feasibility Study //

1. A complete listing of proposed facilities, amenities, and services (i.e.: number and type of rooms, meeting space square footage, recreational amenities, business services such as data ports-workstations-etc., refrigerators in room, laundry service, restaurant-coffee shop-food service, etc.);
2. History of proposed developer and potential operators (i.e.: years in business, principals, capitalizing, experience, listing of projects, number of units owned, average rates charged, occupancy rates, etc.);
3. Analysis of economic environment projecting likely future economic conditions as they relate to the operation of the subject hotel;
4. Subjects competitive market (i.e.: identification of their market, 3 and 5 year history of occupancy- average daily rate-revenue per available room trends for that market, estimated share of the market the hotel will capture during the first five years of operation, etc.);
5. Analysis of the economic impacts on existing hotel markets within Ontario (i.e.: estimate of the dilution of the market due to addition of proposed hotel, etc.). Note: new hotel projects should only be approved if competitive market occupancy remains at or above 65 percent for a five year projection period;
6. Relationship to demand generators (i.e.: airport, convention center, corporate market, shopping and entertainment);
7. Public cost/revenue projections.

Market Feasibility Study

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Market Feasibility

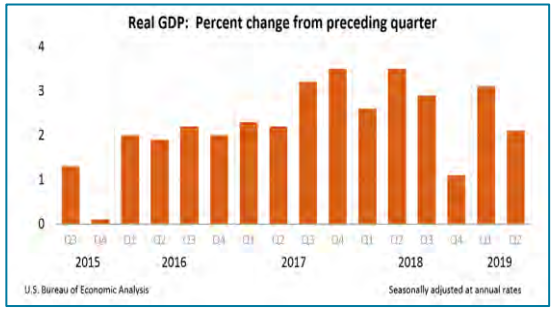
US Economy

Gross Domestic Product (GDP)

Current Numbers

- 2nd quarter 2019: 2.1 percent
- 1st quarter 2019: 3.1 percent

Real gross domestic product (GDP) increased at an annual rate of 2.1 percent in the second quarter of 2019, according to the "advance" estimate released by the Bureau of Economic Analysis. In the first quarter, real GDP increased 3.1 percent.



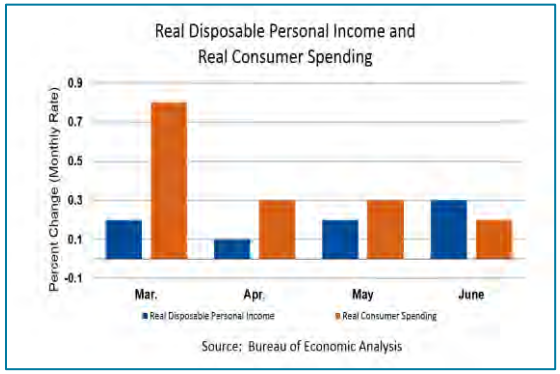
The Bureau emphasized that the third-quarter advance estimate released today is based on source data that are incomplete or subject to further revision by the source agency. The "second" estimate for the third quarter, based on more complete data, will be released on August 29, 2019.

Personal Income

- June 2019: 0.4 percent
- May 2019: 0.4 percent

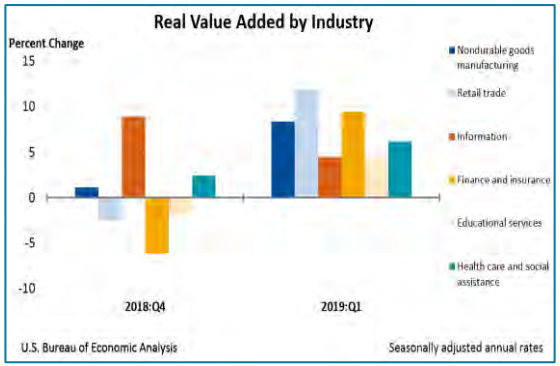
Personal income increased 0.4 percent in June, the same increase as in May. Wages and salaries, the largest component of personal income, increased 0.5 percent in June after increasing 0.2 percent in May.

Personal income increased $83.6 billion (0.4 percent) in June according to estimates released today by the Bureau of Economic Analysis. Disposable personal income (DPI) increased $69.7 billion (0.4 percent) and personal consumption expenditures (PCE) increased $41.0 billion (0.3 percent).



Industry Economic Accounts

Finance and insurance; retail trade; and health care and social assistance were the leading contributors to the increase in U.S. economic growth in the first quarter of 2019. Overall, 16 of 22 industry groups contributed to the 3.1 percent increase in real GDP in the first quarter. According to gross domestic product (GDP) by the Bureau of Economic Analysis, 16 of 22 industry groups contributed to the overall 3.1 percent increase in real GDP in the first quarter.



Market Feasibility

Retail trade increased 11.9 percent in the first quarter, after decreasing 2.5 percent in the fourth. This primarily reflected an increase in other retail, which includes gasoline stations and pharmacies and drug stores.

U.S. Balance of Payments (International Transactions)

Current Account Balance:

- 1st quarter 2019: -$130.4 billion
- 4th quarter 2018: -$143.9 billion
- Annual 2017: -$466.2 billion
- Annual 2016: -$451.7 billion

The U.S. current-account deficit decreased to $130.4 billion (preliminary) in the first quarter of 2019 from $143.9 billion (revised) in the fourth quarter of 2018.

International Investment Position

Net International Investment Position at End of Period:

- End of 1st quarter 2019: -$9.93 trillion
- End of 4th quarter 2018: -$9.55 trillion
- End of year 2018: -$9.55 trillion
- End of year 2017: -$7.74 trillion

Quarterly data: The U.S. net international investment position decreased to -$9.93 trillion (preliminary) at the end of the first quarter of 2019 from -$9.55 trillion (revised) at the end of the fourth quarter of 2018, according to statistics released by the Bureau of Economic Analysis (BEA).

International Trade in Goods and Services

Trade Balance:

- May 2019: -$55.5 billion
- April 2019: -$51.2 billion

The U.S. monthly international trade deficit increased in May 2019 according to the U.S. Bureau of Economic Analysis and the U.S. Census Bureau. The deficit increased from $51.2 billion in April (revised) to $55.5 billion in May, as imports increased more than exports. The previously published April deficit was $50.8 billion. The goods deficit increased $4.4 billion in May to $76.1 billion. The services surplus increased $0.1 billion in May to $20.6 billion.

New Foreign Direct Investment in the United States

Annual Data: Expenditures by foreign direct investors to acquire, establish, or expand U.S. businesses totaled $296.4 billion (preliminary) in 2018. Expenditures were up 8.7 percent from $272.8 billion (revised) in 2017 but were below the annual average of $338.1 billion for 2014–2017.

As in previous years, acquisitions of existing businesses accounted for a large majority of total expenditures.

In 2018, expenditures for acquisitions were $287.3 billion, expenditures to establish new U.S. businesses were $5.3 billion, and expenditures to expand existing foreign-owned businesses were $3.8 billion. Planned total expenditures, which include both first-year and planned future expenditures, were $318.1 billion.

Market Feasibility

California Economy

California has an unemployment rate of 8.2%. The US average is 6.3% (Jan 2021).

California has seen the job market increase by 1.3% over the last year. Future job growth over the next ten years is predicted to be 34.0%, which is higher than the US average of 33.5%.

Tax Rates for California

– The Sales Tax Rate for California is 8.5%. The US average is 7.3%.

- The Income Tax Rate for California is 9.3%. The US average is 4.6%.

- Tax Rates can have a big impact when Comparing Cost of Living.

Income and Salaries for California

- The average income of a California resident is $29,906 a year. The US average is $28,555 a year.

San Bernardino County Economy

San Bernardino County has an unemployment rate of 7.8%. The US average is 6.3% (Jan 2021).

San Bernardino County has seen the job market increase by 2.3% over the last year. Future job growth over the next ten years is predicted to be 38.7%, which is higher than the US average of 33.5%.

Tax Rates for San Bernardino County

- The Sales Tax Rate for San Bernardino County is 7.8%. The US average is 7.3%.

- The Income Tax Rate for San Bernardino County is 9.3%. The US average is 4.6%.

- Tax Rates can have a big impact when Comparing Cost of Living.

Income and Salaries for San Bernardino County

- The average income of a San Bernardino County resident is $21,384 a year. The US average is $28,555 a year.

Ontario Economy

Ontario has an unemployment rate of 6.9%. The US average is 6.3% (Jan 2021).

Ontario has seen the job market increase by -2.3% over the last year. Future job growth over the next ten years is predicted to be 40.6%, which is higher than the US average of 33.5%.

Tax Rates for Ontario

- The Sales Tax Rate for Ontario is 7.8%. The US average is 7.3%.

- The Income Tax Rate for Ontario is 9.3%. The US average is 4.6%.

- Tax Rates can have a big impact when Comparing Cost of Living.

Income and Salaries for Ontario

- The average income of a Ontario resident is $17,137 a year. The US average is $28,555 a year.

Source: *Best Places to Live | Compare Cost of Living, Crime, Cities, Schools and More. Sperling's BestPlaces*, https://www.bestplaces.net/.

Market Feasibility

Economy At Glance California	Mar 2021	Apr 2021	May 2021	June 2021	July 2021	Aug 2021
Labor Force Data						
Civilian Labor Force(1)	18920.6	18895.2	18863.2	18877.2	18927.5	(p)18,982.8
Employment(1)	17341.3	17378.5	17417.3	17437.6	17493.6	(p)17,551.1
Unemployment(1)	1579.3	1516.7	1445.9	1439.6	1433.8	(p)1,431.6
Unemployment Rate(2)	8.3	8	7.7	7.6	7.6	(p)7.5
Nonfarm Wage and Salary Employment						
Total Nonfarm(3)	16146.4	16248.4	16343.1	16414.6	16527.8	(p)16,632.1
12-month % change	-7.7	8.7	8	5.1	5.5	(p)5.5
Mining and Logging(3)	19.2	19	18.7	18.6	18.8	(p)18.9
12-month % change	-13.9	-6.9	-1.6	0	0.5	(p)-0.5
Construction(3)	886.3	884.1	879.8	877.1	877.8	(p)878.4
12-month % change	-0.8	19.7	6.3	3.2	4.7	(p)4.3
Manufacturing(3)	1250.7	1253.7	1256.6	1258.3	1255.7	(p)1,258.6
12-month % change	-5.4	3.9	2.4	0.8	1.2	(p)1.1
Trade, Transportation, and Utilities(3)	2982.5	2982.6	2987.7	2988.4	2991.3	(p)2,990.5
12-month % change	-2.3	13.4	12.2	5.9	5.3	(p)3.8
Information(3)	529.2	527.3	538.6	539.6	545	(p)547.2
12-month % change	-8.9	3.4	6.1	7.6	7.7	(p)7.7
Financial Activities(3)	809.5	810.7	811.8	808.8	806.6	(p)809.8
12-month % change	-4.3	1.3	1.2	0.8	0.5	(p)0.7
Professional & Business Services(3)	2643.9	2662.4	2669.7	2672.2	2680.6	(p)2,694.6
12-month % change	-3.3	7.6	6.5	5.9	6.1	(p)6.2
Education & Health Services(3)	2747.5	2762.5	2772.9	2782.1	2793.3	(p)2,787.0
12-month % change	-3.8	7.2	5.9	3.6	3.4	(p)2.6
Leisure & Hospitality(3)	1418	1478.4	1531.1	1574.6	1627.4	(p)1,660.5
12-month % change	-28.6	37.8	36.7	20.2	24.8	(p)27.7
Other Services(3)	458.7	466.6	471	482	491.9	(p)500.3
12-month % change	-20.8	18	14.7	10.1	10.3	(p)17.4
Government(3)	2400.9	2401.1	2405.2	2412.9	2439.4	(p)2,486.3
12-month % change	-8.1	-4.7	-1.1	0	0	(p)0.3

Footnotes

(1) Number of persons, in thousands, seasonally adjusted.

(2) In percent, seasonally adjusted.

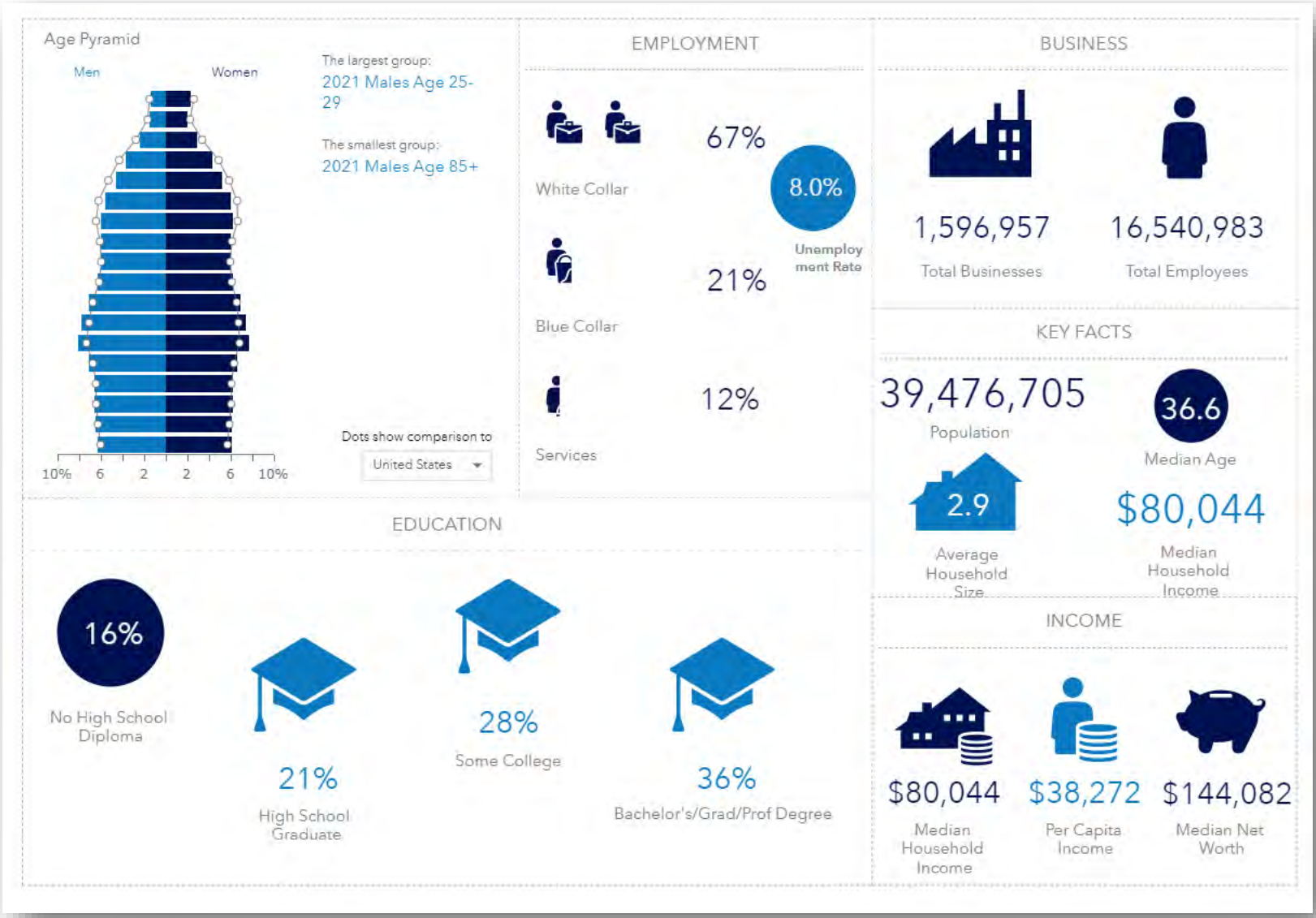
(3) Number of jobs, in thousands, seasonally adjusted.

(P) Preliminary

(r) Revised

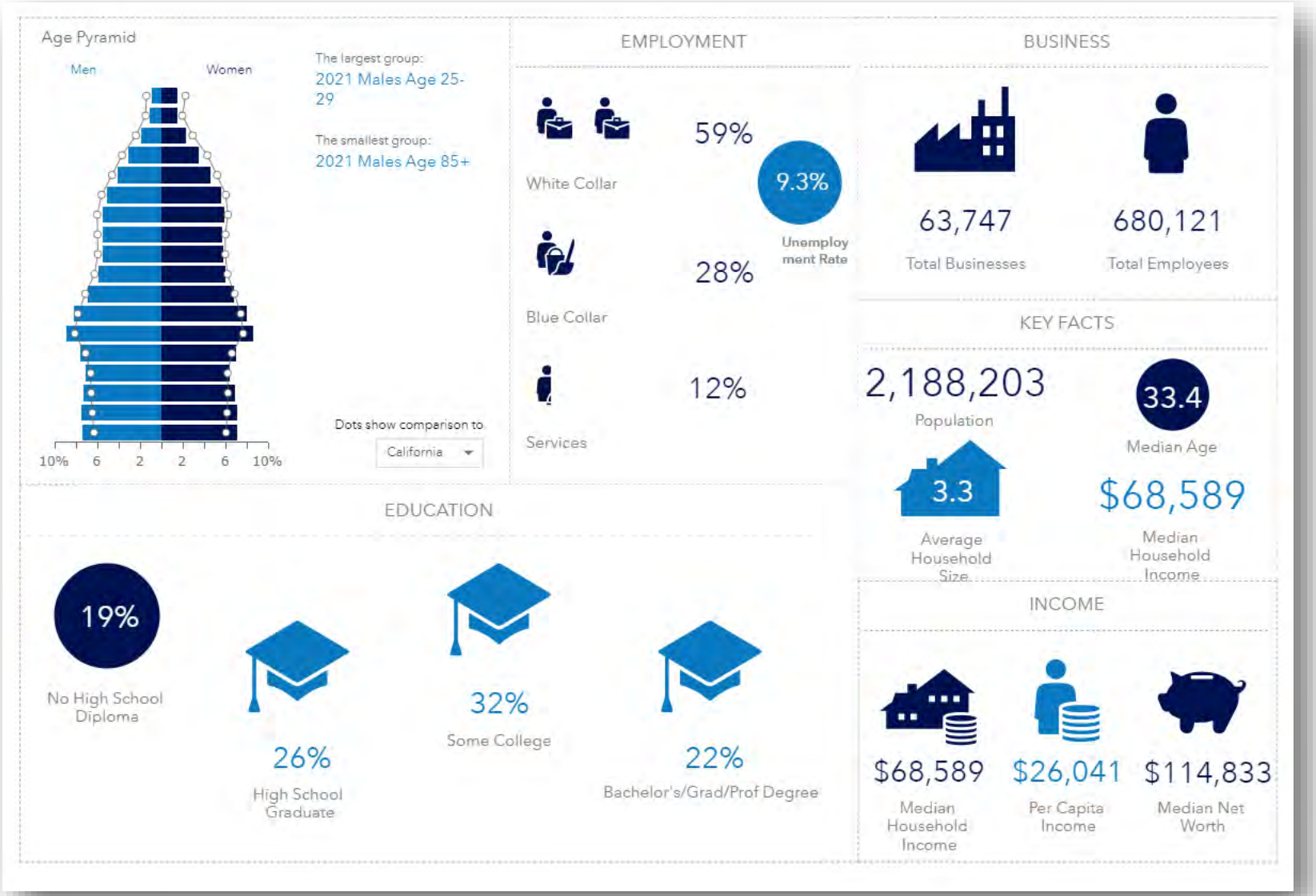
Market Feasibility

California Demographics Summary



Market Feasibility

San Bernardino County Demographics Summary



Market Feasibility

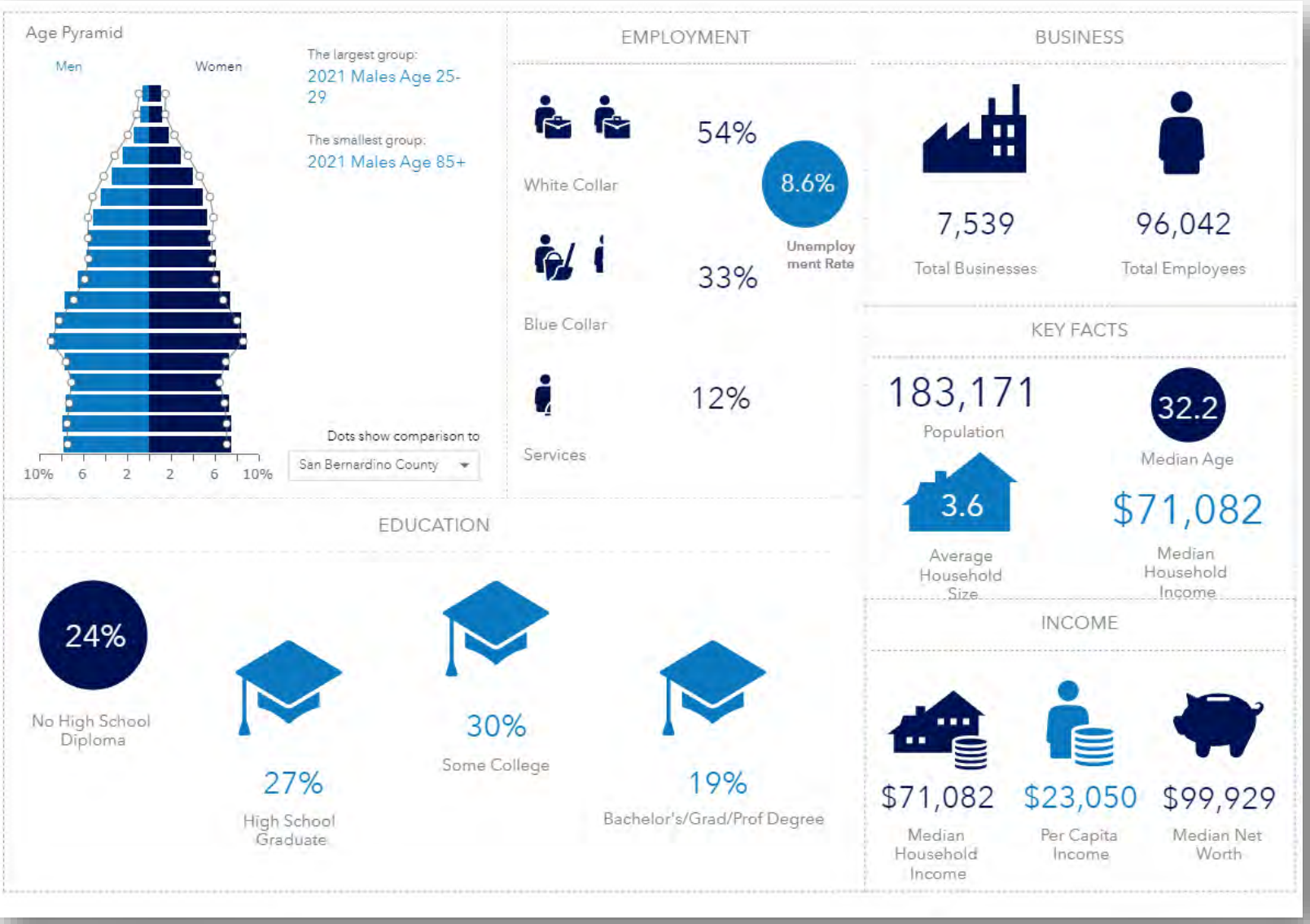
San Bernardino County | Demographic Tables

San Bernardino County, California	Estimate	Margin of Error	Percent	Percent Margin of Error
SEX AND AGE				
Total population	2,180,085	*****	2,180,085	(X)
Male	1,086,226	±637	49.8%	±0.1
Female	1,093,859	±637	50.2%	±0.1
Sex ratio (males per 100 females)	99.3	±0.1	(X)	(X)
Under 5 years	151,731	±767	7.0%	±0.1
5 to 9 years	155,183	±5,575	7.1%	±0.3
10 to 14 years	167,305	±5,539	7.7%	±0.3
15 to 19 years	155,930	±671	7.2%	±0.1
20 to 24 years	159,148	±594	7.3%	±0.1
25 to 34 years	336,303	±942	15.4%	±0.1
35 to 44 years	283,746	±873	13.0%	±0.1
45 to 54 years	262,434	±1,127	12.0%	±0.1
55 to 59 years	131,001	±4,218	6.0%	±0.2
60 to 64 years	116,492	±4,317	5.3%	±0.2
65 to 74 years	160,976	±331	7.4%	±0.1
75 to 84 years	72,827	±2,680	3.3%	±0.1
85 years and over	27,009	±2,622	1.2%	±0.1
Median age (years)	33.8	±0.1	(X)	(X)
Under 18 years	569,638	*****	26.1%	*****
16 years and over	1,675,554	±2,740	76.9%	±0.1
18 years and over	1,610,447	*****	73.9%	*****
21 years and over	1,516,148	±3,660	69.5%	±0.2
62 years and over	325,655	±3,200	14.9%	±0.1
65 years and over	260,812	±181	12.0%	±0.1
18 years and over	1,610,447	*****	1,610,447	(X)
Male	794,408	±248	49.3%	±0.1
Female	816,039	±247	50.7%	±0.1
Sex ratio (males per 100 females)	97.3	±0.1	(X)	(X)
65 years and over	260,812	±181	260,812	(X)
Male	117,464	±303	45.0%	±0.1
Female	143,348	±247	55.0%	±0.1
Sex ratio (males per 100 females)	81.9	±0.3	(X)	(X)
RACE				
Total population	2,180,085	*****	2,180,085	(X)
One race	2,065,464	±10,275	94.7%	±0.5
Two or more races	114,621	±10,275	5.3%	±0.5
One race	2,065,464	±10,275	94.7%	±0.5
White	1,351,926	±19,123	62.0%	±0.9
Black or African American	181,122	±6,792	8.3%	±0.3
American Indian and Alaska Native	17,061	±2,855	0.8%	±0.1

San Bernardino County, California	Estimate	Margin of Error	Percent	Percent Margin of Error
Asian	160,336	±3,361	7.4%	±0.2
Asian Indian	12,729	±3,707	0.6%	±0.2
Chinese	46,366	±6,124	2.1%	±0.3
Filipino	45,503	±6,076	2.1%	±0.3
Korean	16,352	±3,171	0.8%	±0.1
Vietnamese	13,759	±3,622	0.6%	±0.2
Other Asian	21,927	±3,830	1.0%	±0.2
Native Hawaiian and Other Pacific Islander	8,247	±1,747	0.4%	±0.1
Some other race	346,772	±19,715	15.9%	±0.9
Two or more races	114,621	±10,275	5.3%	±0.5
White and Black or African American	23,047	±5,659	1.1%	±0.3
White and American Indian and Alaska Native	15,701	±4,414	0.7%	±0.2
White and Asian	18,340	±3,382	0.8%	±0.2
Race alone or in combination with one or more other races				
Total population	2,180,085	*****	2,180,085	(X)
White	1,443,800	±21,302	66.2%	±1.0
Black or African American	218,705	±4,427	10.0%	±0.2
American Indian and Alaska Native	42,582	±5,350	2.0%	±0.2
Asian	193,095	±3,808	8.9%	±0.2
Native Hawaiian and Other Pacific Islander	18,578	±3,520	0.9%	±0.2
Some other race	386,752	±19,791	17.7%	±0.9
HISPANIC OR LATINO AND RACE				
Total population	2,180,085	*****	2,180,085	(X)
Hispanic or Latino (of any race)	1,186,808	*****	54.4%	*****
Mexican	1,019,547	±12,689	46.8%	±0.6
Puerto Rican	18,118	±5,000	0.8%	±0.2
Cuban	5,076	±1,669	0.2%	±0.1
Other Hispanic or Latino	144,067	±12,471	6.6%	±0.6
Not Hispanic or Latino	993,277	*****	45.6%	*****
White alone	591,879	±1,432	27.1%	±0.1
Black or African American alone	168,946	±5,476	7.7%	±0.3
Asian alone	157,172	±3,372	7.2%	±0.2
Two or more races	56,208	±6,563	2.6%	±0.3
Two races excluding Some other race, and Three or more races	53,338	±6,419	2.4%	±0.3
Total housing units	731,393	±941	(X)	(X)
CITIZEN, VOTING AGE POPULATION				
Citizen, 18 and over population	1,399,650	±11,326	1,399,650	(X)
Male	690,022	±7,363	49.3%	±0.3
Female	709,628	±5,924	50.7%	±0.3

Market Feasibility

Ontario Demographics Summary



Market Feasibility

Ontario | **Demographic Tables**

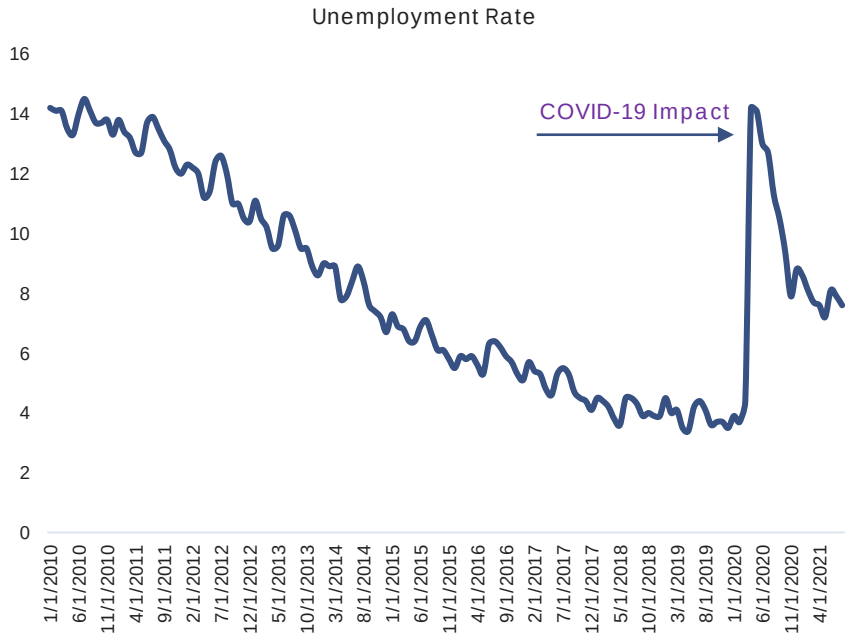
Ontario, California	Estimate	Margin of Error	Percent	Percent Margin of Error
SEX AND AGE				
Total population	184,999	±52	184,999	(X)
Male	90,016	±2,978	48.7%	±1.6
Female	94,983	±2,979	51.3%	±1.6
Sex ratio (males per 100 females)	94.8	±6.2	(X)	(X)
Under 5 years	13,807	±2,207	7.5%	±1.2
5 to 9 years	13,395	±2,197	7.2%	±1.2
10 to 14 years	14,699	±2,234	7.9%	±1.2
15 to 19 years	11,933	±1,926	6.5%	±1.0
20 to 24 years	12,797	±2,017	6.9%	±1.1
25 to 34 years	36,105	±2,930	19.5%	±1.6
35 to 44 years	23,624	±2,617	12.8%	±1.4
45 to 54 years	21,931	±2,607	11.9%	±1.4
55 to 59 years	10,116	±1,566	5.5%	±0.8
60 to 64 years	10,241	±1,799	5.5%	±1.0
65 to 74 years	9,450	±1,706	5.1%	±0.9
75 to 84 years	5,685	±1,147	3.1%	±0.6
85 years and over	1,216	±612	0.7%	±0.3
Median age (years)	32.1	±1.0	(X)	(X)
Under 18 years	49,419	±3,954	26.7%	±2.1
16 years and over	140,404	±3,957	75.9%	±2.1
18 years and over	135,580	±3,957	73.3%	±2.1
21 years and over	128,868	±3,898	69.7%	±2.1
62 years and over	21,918	±2,316	11.8%	±1.3
65 years and over	16,351	±2,133	8.8%	±1.2
18 years and over	135,580	±3,957	135,580	(X)
Male	67,143	±3,245	49.5%	±1.8
Female	68,437	±2,965	50.5%	±1.8
Sex ratio (males per 100 females)	98.1	±7.0	(X)	(X)
65 years and over	16,351	±2,133	16,351	(X)
Male	7,032	±1,287	43.0%	±4.8
Female	9,319	±1,357	57.0%	±4.8
Sex ratio (males per 100 females)	75.5	±14.7	(X)	(X)
RACE				
Total population	184,999	±52	184,999	(X)
One race	174,511	±2,287	94.3%	±1.2
Two or more races	10,488	±2,290	5.7%	±1.2
One race	174,511	±2,287	94.3%	±1.2
White	114,932	±6,968	62.1%	±3.8
Black or African American	8,225	±3,180	4.4%	±1.7
American Indian and Alaska Native	1,010	±716	0.5%	±0.4

Ontario, California	Estimate	Margin of Error	Percent	Percent Margin of Error
Asian	12,600	±3,018	6.8%	±1.6
Asian Indian	599	±952	0.3%	±0.5
Native Hawaiian and Other Pacific Islander	1,278	±1,300	0.7%	±0.7
Some other race	36,466	±5,923	19.7%	±3.2
Two or more races	10,488	±2,290	5.7%	±1.2
White and Black or African American	2,137	±1,513	1.2%	±0.8
White and American Indian and Alaska Native	1,026	±699	0.6%	±0.4
White and Asian	949	±607	0.5%	±0.3
Black or African American and American Indian and Alaska Native	172	±282	0.1%	±0.2
Race alone or in combination with one or more other races				
Total population	184,999	±52	184,999	(X)
White	123,478	±6,651	66.7%	±3.6
Black or African American	11,048	±3,643	6.0%	±2.0
American Indian and Alaska Native	3,080	±1,145	1.7%	±0.6
Asian	14,468	±3,225	7.8%	±1.7
Native Hawaiian and Other Pacific Islander	2,206	±1,656	1.2%	±0.9
Some other race	42,377	±5,894	22.9%	±3.2
HISPANIC OR LATINO AND RACE				
Total population	184,999	±52	184,999	(X)
Hispanic or Latino (of any race)	132,110	±6,159	71.4%	±3.3
Mexican	114,053	±6,540	61.7%	±3.5
Puerto Rican	1,793	±1,419	1.0%	±0.8
Cuban	813	±716	0.4%	±0.4
Other Hispanic or Latino	15,451	±4,228	8.4%	±2.3
Not Hispanic or Latino	52,889	±6,164	28.6%	±3.3
White alone	27,667	±4,260	15.0%	±2.3
Black or African American alone	7,443	±3,037	4.0%	±1.6
American Indian and Alaska Native alone	363	±373	0.2%	±0.2
Asian alone	12,472	±3,039	6.7%	±1.6
Native Hawaiian and Other Pacific Islander alone	1,049	±1,246	0.6%	±0.7
Some other race alone	123	±199	0.1%	±0.1
Two or more races	3,772	±1,632	2.0%	±0.9
Two races including Some other race	350	±401	0.2%	±0.2
Two races excluding Some other race, and Three or more races	3,422	±1,541	1.8%	±0.8
Total housing units	52,886	±2,128	(X)	(X)
CITIZEN, VOTING AGE POPULATION				
Citizen, 18 and over population	108,478	±5,132	108,478	(X)
Male	53,030	±3,426	48.9%	±2.1
Female	55,448	±3,429	51.1%	±2.1

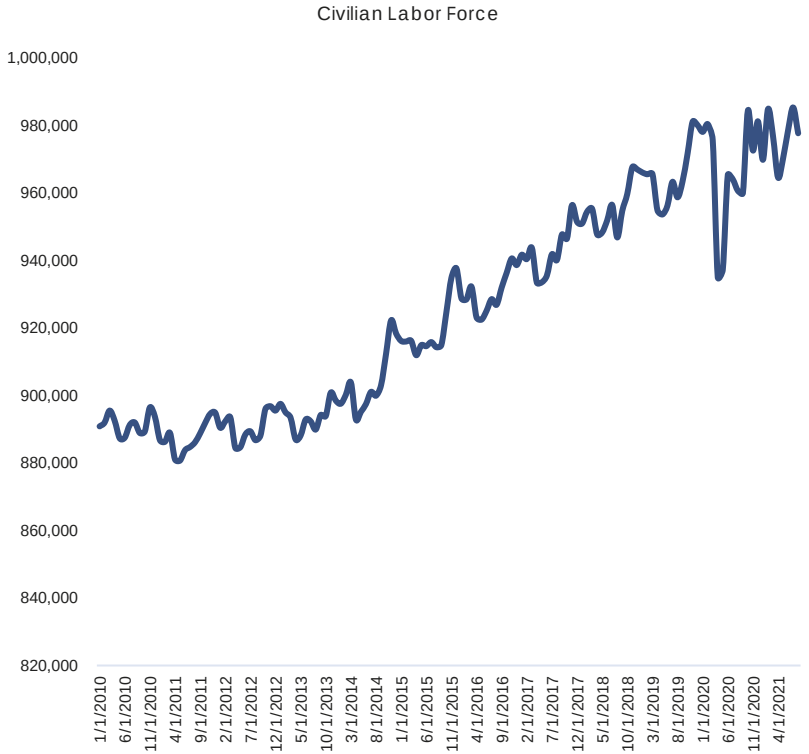
Market Feasibility

Availability of Trained or Trainable Labor

According to the Federal Reserve Bank of St. Louis Economic Data, the unemployment rate for San Bernardino County (latest data) was recorded at about 7.6 percent.



The civilian Labor Force in the subject County according to the Federal Reserve Bank of St. Louis Economic Data and US Bureau of Labor and Statistics was about 977,677. The unemployment rate reached its highest rate of about 14.5 percent in July 2010. Based on the current unemployment rate, the County retains about 74,303 job seekers.

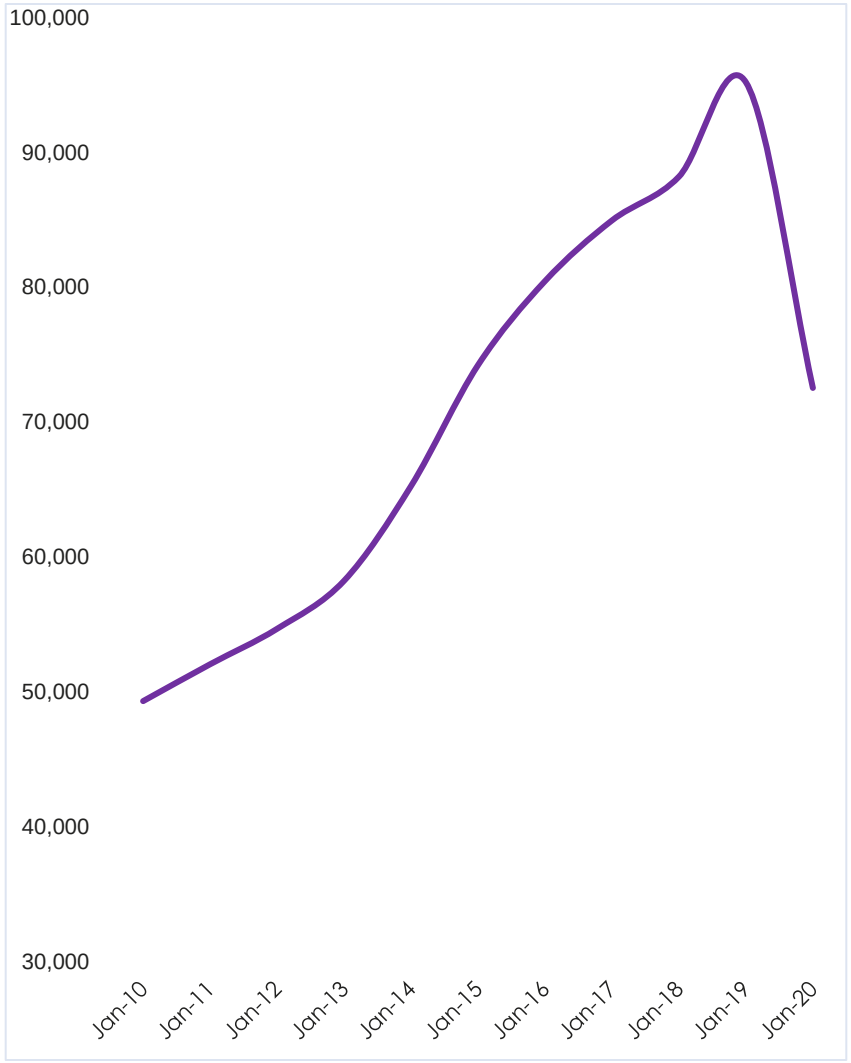


The Company intends to manage the Subject Project with the years of operations and management experience that principals of the Company has. This item does not appear to be a risk for the Subject Project.

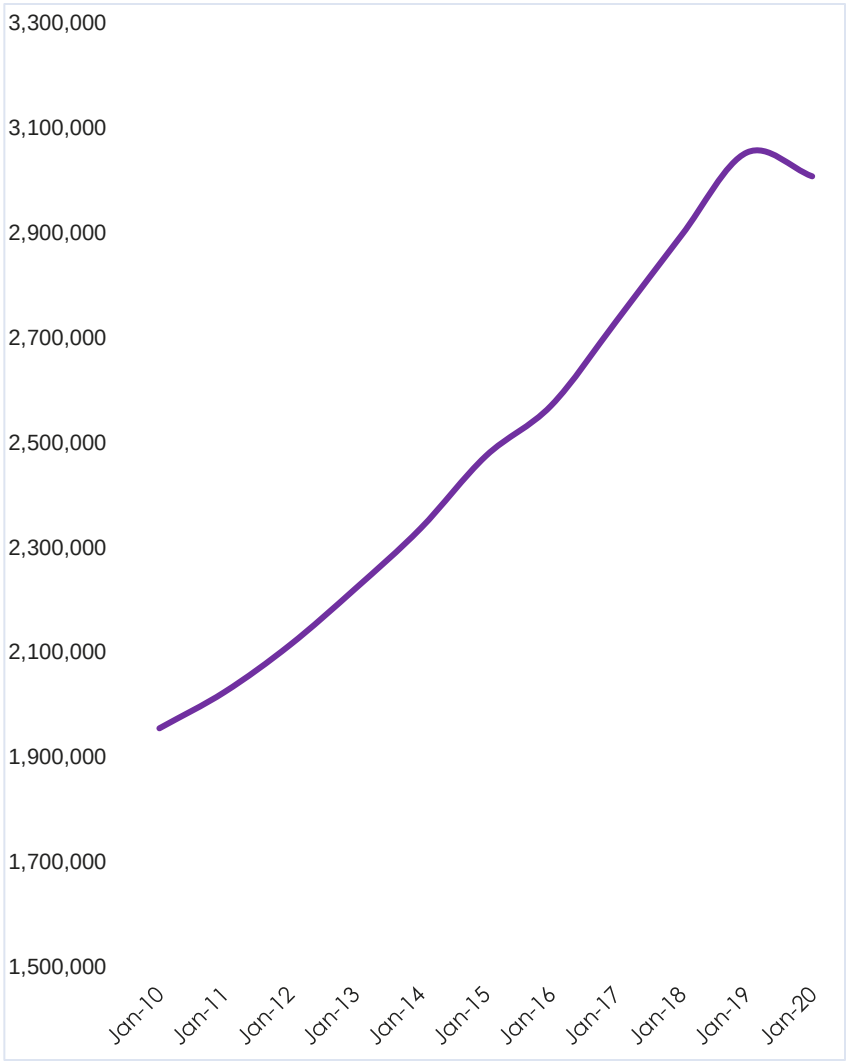
Market Feasibility

The industry and its relevant leveraged structure indicates that the **Company's** revenue should follow trends in the overall economy, including disposable income of end-users/consumers. Based on the analysis, the market area economy appears to be growing which indicates reasonable potential for the Subject Project.

Gross Domestic Product: Accommodation and Food Services in California



Gross Domestic Product: All Industry Total in California



Source: Veritas Development Advisors Secondary Research Analysis

Hotel Market Overview

Hotels & Motels in the US

- IBISWorld's analysts constantly monitor the industry impacts of current events in real-time – here is an update of how this industry is likely to be impacted as a result of the global COVID-19 pandemic:
- Recovery for the Hotels and Motels industry is anticipated to be skewed toward domestic, leisure markets where COVID-19 (coronavirus) restrictions have been lifted.
- Operators that cater to business customers such as, truckers, contractors, construction workers, healthcare workers and others that must travel for work and do not have the ability to conduct their work remotely are anticipated to experience an increase in demand.
- International travel to the United States has remained subdued, as restrictions remain in place on travelers from key markets such as, Canada and the European Union. This is anticipated to decelerate revenue growth for the industry in 2021.

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Market Feasibility

Hotels & Motels in the US

Checking in: Industry players will likely continue expanding abroad into emerging economies. The Hotels and Motels industry is highly susceptible to changes in the domestic and global economic environments, which has caused the industry to experience substantial volatility due to the onset of the COVID-19 (coronavirus) pandemic in 2020. Over most of the five years to 2021, the industry has benefited from increases in travel spending, corporate profit and general consumer spending. These factors were all affected substantially by the coronavirus pandemic. IBISWorld expects industry revenue to fall at an annualized rate of 7.6% to $133.0 billion over the five years to 2021, despite an anticipated increase of 42.9% in 2021 amid a strong recovery in domestic leisure travel.

Revenue $133.0 bn	Growth,21-26 10.8% (Annual)
Profit Margin 3.1%	Growth,14-19 --15.3% (Annual)
Wages Share $43.0 bn	Growth,21-26 7.8%

Key Points

- Over the past five years, rising external competition has increased pressure on many hotel and motel operators, leading to competitive room rates. While some operators have shifted to offer premium services and accommodations to increase their rates or diversify revenue streams, not all operators have been able to make this shift. This has led to declines in industry profit.
- Additionally, the industry has been substantially affected by the onset and spread of coronavirus.
- Although domestic leisure travel has rebounded strongly in 2021, both international and business travel remain significantly below prepandemic levels amid the emergence of the Delta variant.
- Over the five years to 2026, IBISWorld projects that the industry will rebound and expand, with particularly strong growth in extended-stay hotels, boutique hotels, spa and health retreats and resorts segments.
- As demand for these auxiliary services picks up, industry employment is anticipated to recover and rise over the next five years. Industry players are also expected to continue expanding abroad into emerging economies, such as Asia, Eastern Europe and South America.
- These foreign markets are expected to somewhat detract from domestic investment, as they offer higher growth prospects for industry operators.
- Nonetheless, industry revenue is estimated to increase at an annualized rate of 10.8% to $222.0 billion over the five years to 2026.

Source: IBISWorld, US Industry (NAICS) Report 72111, September 2021

Market Feasibility

Key External Drivers

Domestic trips by US residents

Trends in domestic travel, especially business travel, and total nights spent away from home directly affect demand for accommodation. As the number of trips made by US citizens rises, demand for hotels and models increases, while the inverse is also true. The number of domestic trips by US residents is expected to increase in 2021, representing a potential opportunity for the industry.

Consumer spending

Consumer spending levels have a direct effect on travel demand. When consumers spend more overall, they are more likely to spend on travel and accommodations. Therefore, a rise in consumer spending benefits demand for hotels and motels. Conversely, as consumers reduce spending, they decrease excess spending on travel, reducing demand for hotels and motels. Consumer spending is expected to increase in 2021.

Inbound trips by non-US residents

Trends in international visitor arrivals and their lengths of stay influence demand for accommodation. A rise in inbound trips positively affects demand for hotels and motels. The number of inbound trips by non-US residents is expected to increase in 2021.

Consumer confidence index

The Consumer Confidence Index measures consumer sentiment regarding the current economic outlook. Changes in consumer confidence influence decisions that individuals make concerning current and future expenditure on entertainment and travel. When consumers feel optimistic regarding the economic outlook, they are more likely to plan travel arrangements and book nights at hotels or motels. However, as consumers grow increasingly skeptical of the economic outlook, they forego spending on travel and accommodations. The Consumer Confidence Index is expected to increase in 2021.

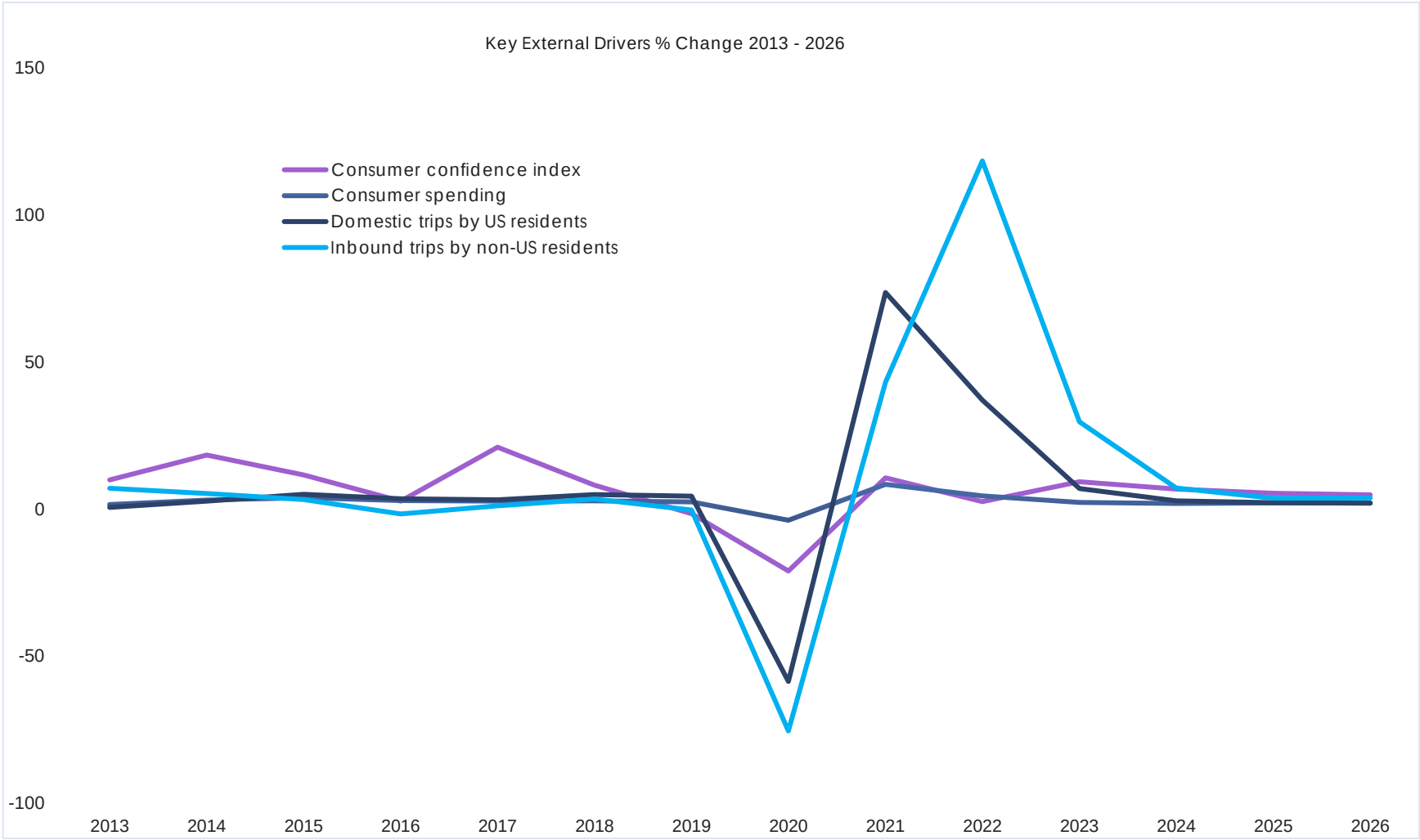
External competition for the Hotels and Motels Industry

The Hotels and Motels industry experiences competition from lodging alternatives, such as RV parks, bed-and-breakfast establishments, room rental services and hostels. Travelers are increasingly comparing prices across these alternatives when booking travel arrangements. External competition for the Hotels and Motels industry is expected to increase in 2021, posing a potential threat to the industry.

Market Feasibility

Key External Drivers

Industry revenue is expected industry revenue to fall at an annualized rate of 7.6% to $133.0 billion over the five years to 2021, despite an anticipated increase of 42.9% in 2021 amid a strong recovery in domestic leisure travel.



Market Feasibility

Current Performance

The Hotels and Motels industry has experienced elevated volatility over the five years to 2021.

Hotels and motels primarily provide short-term lodging to consumers; however, many also offer other services and accommodations as a way to diversify revenue. During most of the period, industry revenue grew at a steady rate, driven by positive economic factors that were favorably affecting the domestic economy as a whole. However, in early 2020, as the COVID-19 (coronavirus) pandemic spread across the globe, this trend sharply reversed, resulting in a sharp decline in industry revenue that year overall.

Economic indicators, such as per capita disposable income and consumer confidence, rose early during the period, only to experience sharp decline later during the period. Thus, all forms of short-term accommodation have experienced a substantial decrease in demand. Consumers that had previously increased spending on travel for both business and leisure purposes have abruptly curbed that, causing industry revenue to decline. Since destination hotels and motels rely heavily on domestic and foreign tourism, any changes in domestic and international travel substantially contribute to the industry's bottom line. Industry revenue is expected to decrease an annualized 7.6% to $133.0 billion over five years to 2021, despite an estimated increase of 42.9% in 2021 alone due to the expulsion pent-up domestic travel demand.

Changing Direction And The Coronavirus

The industry is particularly sensitive to macroeconomic factors, which can negatively affect consumers' tendency to travel.

Unexpected changes in geopolitical order can potentially affect revenue growth should travel restrictions arise or consumer sentiment sour. Although the US economy has improved during most of the period, the United States has been negatively affected by the coronavirus outbreak.

The coronavirus spread rapidly within the United States, forcing many state and local governments, with the aid of the federal government, to take action.

Many state and local governments implemented stay-at-home orders, mandating the closure of nonessential businesses. This caused a shock to the US economy, and many companies were forced to lay off employees and temporarily shut down, while consumer sentiment declined, causing a near halt to domestic travel. The federal government also banned travel from international visitors originating from countries and regions that were drastically affected by the virus.

Consequently, demand for hotels and motels has decreased, eliminating all growth experienced between 2016 and 2019. However, in 2021 domestic travel is estimated to sharply

Market Feasibility

rise, in line with the cessation of government restrictions on businesses and travel.

Furthermore, the coronavirus vaccination campaign has resulting in a rising percentage of the population successfully vaccinated, which has contributed to a surge in domestic leisure travel during summer 2021, benefiting industry operators. However, restrictions regarding international visitors entering the United States remain in place for several key markets such as the European Union and Canada.

Consequently, demand from international travelers is anticipated to rise at a much slower rate than demand from domestic travelers. Moreover, although business travel has rebounded somewhat from lows endured during the coronavirus pandemic, the spread of the Delta variant has delayed the return to the office for many employees as well as business conferences and trips.

Industry Structure

Over the past five years, the structure of the industry has shifted.Many major operators have altered their business structure, through actions such as forming real estate investment trusts to raise funds.

Additionally, major operators have restructured operations to solely provide specialist services in hotel management through increased franchising opportunities. While revenue from hotel management has declined, such services have provided an opportunity to generate higher profit due to the elimination of many property-related costs. In 2017,

Hilton Worldwide Holdings Inc. separated into three separate entities to capitalize on growth opportunities and increase its competitiveness. The company spun-off its domestically owned and leased properties into a real estate investment trust.

Ultimately, owners are subject to changes in property value cycles and economic conditions, in addition to any imbalances in hotel room demand and supply influences.

Similarly, Wyndham Worldwide Corporation separated into two separate holdings, Wyndham Hotels and Resorts Inc. and Wyndham Destinations. This separation aimed to enable each segment to grow and operate independently. Nevertheless, the industry is still largely property-based, with hotels and motels owning or leasing property specifically for hotel and motel operation.

Declining Profit

Profit has fallen over the past five years, partially because many operators have been unable to increase room rates amid increased competition.

While the rate of construction and development to get new rooms on the market has not kept up with increased demand, operators have experienced substantial external competition from companies such as

Market Feasibility

Airbnb Inc. and VRBO. These services permit consumers to rent rooms, apartments or whole houses online rather than a traditional hotel room. Such services provide a wide range of options to consumers and can play into a variety of different price points.

This has forced many operators to offer competitive pricing to maintain high demand or to provide upscale amenities to compensate for the price difference.

Furthermore, the crippling effect on the industry from the coronavirus pandemic, which caused rapid declines in occupancy rates and revenue per available room, coupled with rising operating costs due to the implementation of pandemic-related sanitation measures, has also contributed to a sharp decline in profit.

Consequently, profit, measured as earnings before interest and taxes, is estimated to account for 3.1% of revenue in 2021, down from 18.4% in 2016.

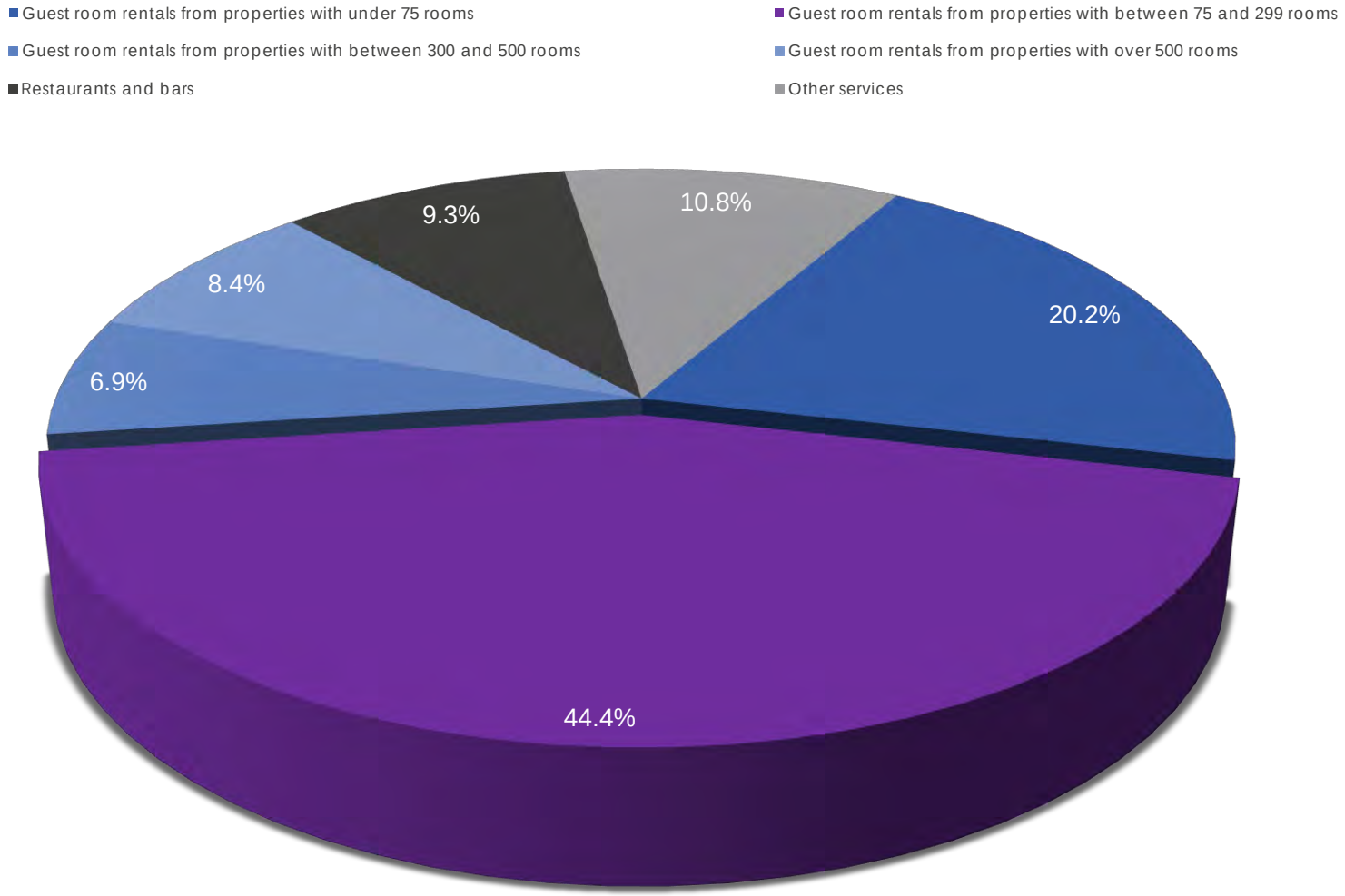
Declining revenue and profit have led many small operators to close locations either temporarily or permanently.

Consequently, the number of industry establishments has decreased an annualized 0.4% to 92,746 locations over the five years to 2021.

The decline in establishments resulting from the pandemic in 2020 is anticipated to outweigh strong establishment growth early during the period. Similarly, industry employment has decreased an annualized 3.3% to 1.4 million workers over the five years to 2021. IBISWorld estimates that industry employment declined 34.5% in 2020 alone.

Market Feasibility

Products & Services (Market Share)



Market Feasibility

Demand Determinants

Domestic travel

Demand for hotel and motel accommodation is dependent on factors that affect travel, such as disposable income, which is influenced by changes in general employment growth and movements in interest and tax rates.

Changes in disposable income affect the number of trips a household takes and its expenditures while traveling, which, in turn, affects the growth and economic effect of the hospitality tourism industry.

The COVID-19 (coronavirus) pandemic in 2020 resulted in a surge in the unemployment rate, widespread economic uncertainty and restrictions on domestic travel. These factors resulted in a decline in domestic travel in 2020.

Nonetheless, in 2021, demand from domestic travel is anticipated to rise from 2020 lows, as individuals seek to travel after a year where Consequently, demand for these products has increased among both nontraditional and travel was largely restricted.

The price of fuel is also important, which affects disposable income and general travel demand. When fuel prices increase, it reduces disposable income and consumers' willingness to spend on long car trips.

Changes in the availability of leisure time also affects the industry. As the unemployment rate falls, time available for leisure activities, such as travel also declines, despite the increased disposable income. It also adds more tradeoffs to consumers who have to use limited paid vacation days to travel. Holiday expenditure also competes with other leisure and recreational industries and competes for a share of household disposable income.

A longer-term influence on travel patterns is the cost of taking a domestic trip compared with an international one. The difference between the two is influenced by exchange rate movements, the availability of inexpensive airfares and holiday packages and the supply of airline seats. If traveling domestically becomes more expensive relative to international trips, individuals may choose to travel internationally, affecting the growth of domestic industry operators.

Finally, tourism promotions by private operators and federal and state governments, including through TV programs and special sporting events, also stimulates travel. However, individual state government promotions typically influence domestic travel patterns to favor only their state, rather than the entire industry.

Business travel

Business travel is greatly influenced by changes in economic growth, business confidence and corporate profit. Economic conditions directly affect the number of business trips taken, the length of stay and budgeted travel spending.

Market Feasibility

Business travel has experienced growth throughout most of the five years to 2021 as many corporations have benefited from the growth in the domestic economy.

However, the spread of the coronavirus throughout the United States in 2020 has resulted in a sharp contraction in business travel, as employees increasingly work from home and avoid nonessential travel.

Additionally, technology such as teleconferencing and conference calling has replaced business travel during the pandemic, as it is cost-effective and safer. In 2021 business travel levels have remained subdued due to the spread of the delta variant of the coronavirus and a continuation of many employees working from home.

This trend of companies restricting travel spending and conference attendance to focus more technology-based alternatives in an effort to preserve capital is likely to be continued during the outlook period, however at a decreasing rate.

International tourism

International tourism is one of the most competitive industries. International tourism is affected by factors similar to domestic travel and global economic conditions, especially changes in economic growth.

Furthermore, international tourism is affected by changes in the US dollar against other major currencies, which has an effect on the cost of travel and the relative attractiveness of traveling to competing destinations. The coronavirus pandemic has resulted in a sharp decline in international tourism. There are still restrictions placed on individuals attempting to enter the United States who have been in countries experiencing more severe outbreaks of the coronavirus.

Additionally, many states implemented stay-at-home mandates and restrictions on businesses, further reducing the allure of traveling to the United States in 2020. Widespread global economic uncertainty has also limited international tourism.

Although restrictions have been somewhat eased in 2021, international travel demand is anticipated to return at a slower rate compared with domestic travel.

Other factors, such as heightened geopolitical tensions including wars and terrorism, whether feared or actual, affect international travel plans. Many of the top tourist locations have struggled to regain traction for industry operators following terrorism or other negative events or geopolitical issues.

Promotional expenditures and activities, such as major or special events, on the part of governments and other organizations, can raise awareness and interest in travel. Finally, supply factors are also of critical importance, including the availability of airline flights and seats at the times people want to travel, and accommodations to and at their selected destination.

Market Feasibility

External factors

Several external factors can severely affect the industry either directly or indirectly. Such factors include public health crises, government regulation, geopolitical tensions and other macroeconomic factors.

Global or national pandemics can cause increased concern among US and international travelers.

Traveling amid public health crises may place consumers at further risk of catching the ailment, especially when staying at shared locations, such as hotels and motels, or traveling by airplane or train and other shared transportations.

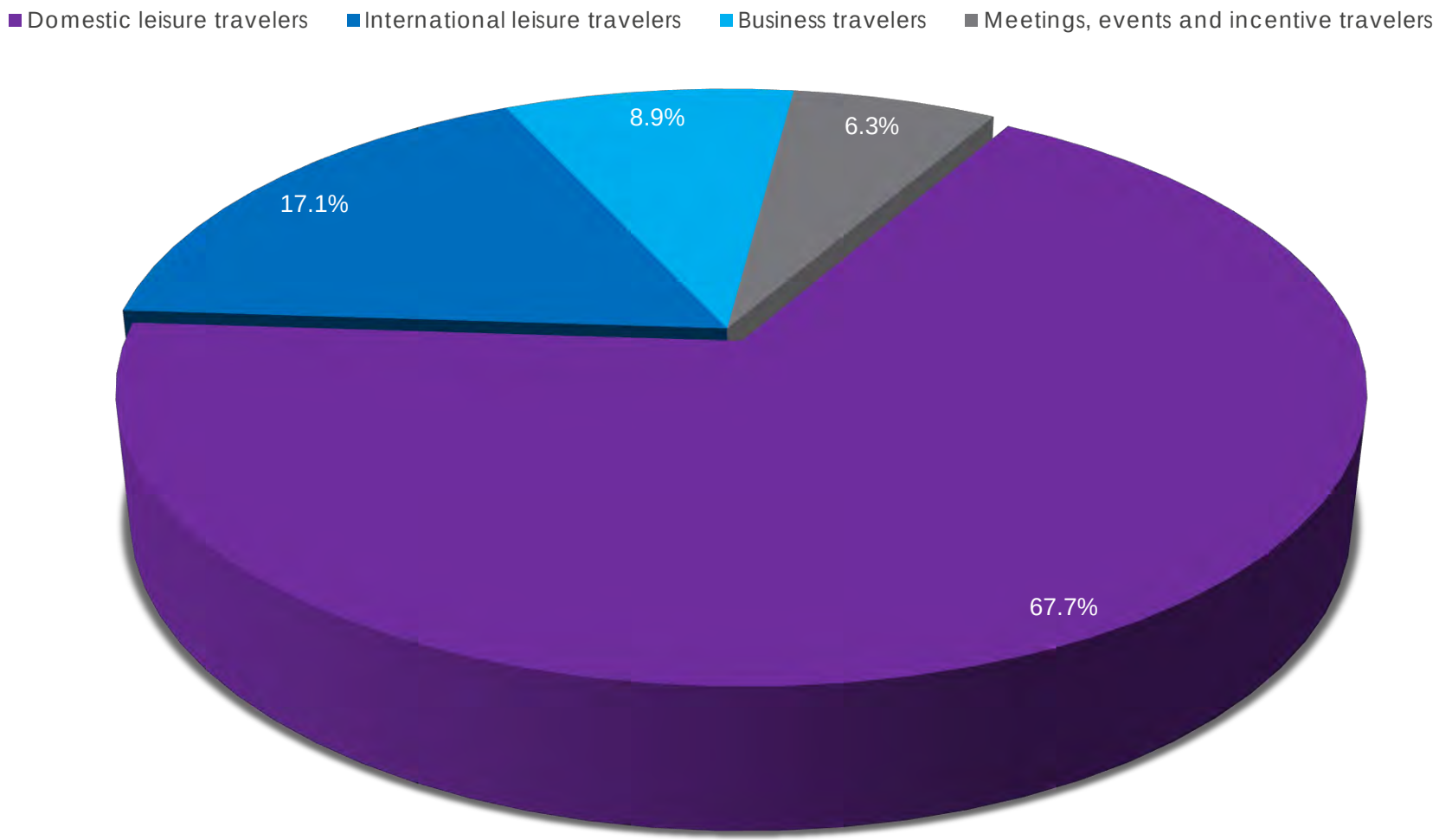
Many hotel and motel guests are traveling far distances, which is the reason they required accommodation services.

As health concerns increase, consumers are more inclined to stay closer to home, limiting demand for travel. Similarly, government regulations that effect travel indirectly influences demand for hotels and motels. When any government restricts travel for individuals to or within the United States, demand will likely be negatively affected, as it reduces the volume of consumers needing industry services.

This has been apparent with the effect of the coronavirus. Hotels and motels experienced a sharp decline in occupancy rates in 2020 as consumers opted to forego travel and stay at home.

Market Feasibility

Major Markets (Market Share)



Market Feasibility

Key Success Factors

Access to multiskilled and flexible workforce:

- Access to multiskilled and well-trained staff is vital to success in the industry.

Being part of a franchising chain:

- There are many benefits to being part of a chain or franchised group, namely brand recognition, national marketing and quality control.

Receiving the benefit of word-of-mouth recommendations:

- Good word-of-mouth recommendations are quite often the most successful promotional tool.

Proximity to key markets:

- The location, facilities and services offered to hotel and motel guests are very important.

Ability to quickly adopt new technology:

- It is essential to be aware of the new technology available in this industry for information, promotions, bookings and general management control systems

Ability to control stock on hand:

- Understanding the various room stock, availability and tariff mechanisms used in this industry is important.

Market Feasibility

Cost Structure Benchmarks

Profit

Profit, measured as earnings before interest and taxes, is expected to account for 3.1% of industry revenue in 2020, driven by the economic damage of the COVID-19 (coronavirus) pandemic.

Purchases

In 2019, wages are expected to account for 21.4% of industry revenue.

Wages

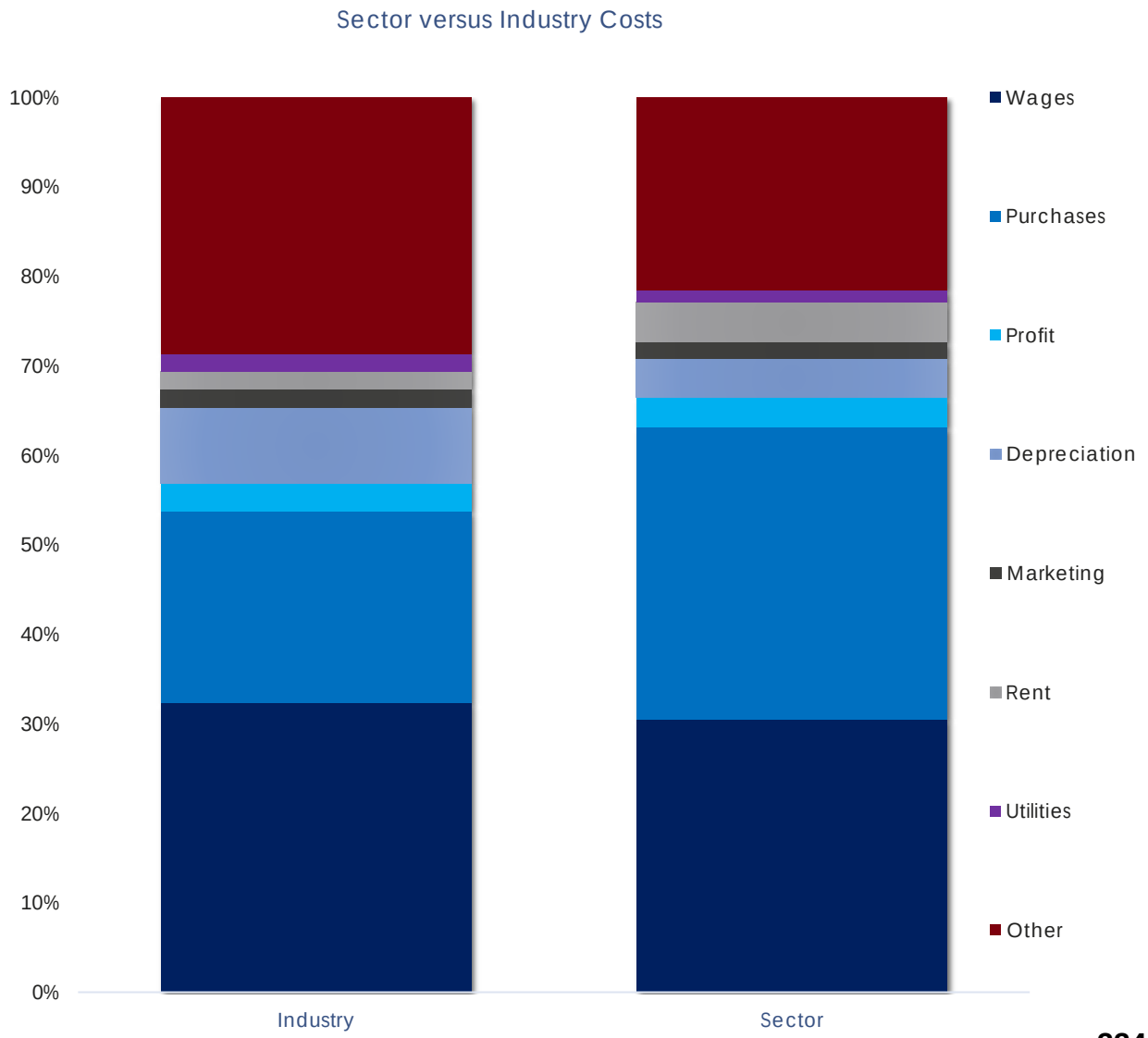
Wages represent 32.3% of industry revenue in 2020.

Marketing

Marketing costs account for 2.1% of industry revenue in 2021.

Depreciation

Depreciation represents an estimated 8.5% of industry revenue in 2020.



Market Feasibility

Major Companies

There are no major players in this industry.

Other Companies

Marriott International Inc.

Market Share: 0.4%

Marriott International Inc. (Marriott) is a lodging company based in Bethesda, MD, with 7,797 global properties in 80 countries and territories. The United States is home to 62.3% of Marriott's rooms.

Marriott operates and franchises its hotels under various brands, including Marriott, the Ritz-Carlton, Renaissance, Courtyard, TownePlace Suites and Bulgari. It also develops and operates vacation ownership resorts under the Marriott Vacation Club, Horizons, the Ritz-Carlton Club and Grand Residences brands, while also running Marriott Executive Apartments. The company employs an estimated 121,000 people worldwide across its various hotels and other locations in 2020 (latest data available).

Marriott's operations extend over most segments of the accommodation market, including luxury, full service and limited service, to suit a variety of travelers and budgets.

While such diversity typically provides some insulation from economic downturns, many of the company's hotels still endure severely cut room rates to remain competitive and maintain positive cash flow during difficult economic periods.

Consequently, Marriott has significantly expanded its US portfolio over the past five years to further inoculate itself from downturns and better position itself to compete with its traditional competitors and also with newer, nontraditional competitors, such as Airbnb Inc.

Most of this expansion has been through franchise operations. Franchise agreements are contracts that enable individuals to create a business establishment under the branding of an existing company. This often requires upfront fees, but enables individuals to take advantage of the parent company's network, branding and other features. While these establishments are considered independent enterprises, they have increased Marriott's operations across the United States.

Due to the nature of Marriott's business structure, with its focus on management, franchising and licensing,

IBISWorld uses company reported revenue from owned and leased locations to project the company's market share.

However, IBISWorld also reports and estimates total network sales. Network sales further include revenue generated by the company's franchise operations. In 2021,

Marriott is expected to generate $509.3 million in industry-relevant revenue. This includes an estimated decline in 2020 due to the COVID-19 (coronavirus) pandemic as domestic and

Market Feasibility

international travel sharply contracted amid travel restrictions and stay-at-home mandates. In 2021, the company is anticipated to experience a rebound in demand, driven primarily by robust leisure demand.

Hilton Worldwide Holdings Inc.

Market Share: 0.2%

Brand Names: Hilton, Hilton Garden Inn, Doubletree, Embassy Suites, Hampton, Homewood Suites by Hilton, Conrad

Hilton Worldwide Holdings Inc. (Hilton), formerly Hilton Hotels Corporation, is a McLean, VA-based lodging company that owns, manages or franchises more than 6,500 hotels with over 1.0 million rooms worldwide.

An estimated 71.0% of Hilton's rooms are based in the United States, which has increased over the five years to 2021. Hilton employs 141,000 people worldwide at its managed, owned, leased and corporate locations, while 173,000 individuals work in the company's franchised locations.

Hilton has undergone a series of ownership changes since it was first listed on the New York Stock Exchange in 1970. Most recently, the company was purchased by private equity firm Blackstone Group Inc. (Blackstone) in 2007 for $26.0 billion, initially pulling it off of public exchanges.

Blackstone took Hilton public again in late 2015, listing the company on the New York Stock Exchange under the name of Hilton Worldwide and using the proceeds to pay down the substantial debt the group had taken on during the initial purchase of Hilton. During its ownership tenure,

Blackstone increased the chain's room count, which was mainly achieved through franchised and managed hotels, which require limited capital investment. In February 2016, the company announced plans to break into three separate entities to capitalize on growth opportunities, increase its competitiveness within the Hotels and Motels industry and create internal efficiencies that would enable its core segments to act on opportunities faster than before. These spin-offs were completed in early 2017. The two new segments include Park Hotels & Resorts Inc. and Hilton Grand Vacations Inc. These segments comprised the company's previous timeshare rentals and various resorts segments. The company's remaining portfolio is focused on luxury and lifestyle hotel brands, with global properties remaining within the traditional company structure.

In 2021, Hilton is estimated to generate $219.5 million in industry-relevant revenue. This does not include revenue from its franchised operations, as Hilton does not release revenue figures for its franchised and managed locations in its publicly available financials.

The company's continued shift toward franchising has been a large driver behind its declining industry-relevant revenue. The company's revenue is expected to decline in 2020 due to the negative effect of COVID-19 (coronavirus) pandemic. However, based on

Market Feasibility

RevPAR figures and the company's reported number of rooms to determine its total system-wide sales, IBISWorld estimates that Hilton's US system-wide sales have grown throughout most of the five years to 2021, prior to the coronavirus pandemic, and system-wide sales remain important to Hilton's growth post-pandemic.

Moreover, Hilton is anticipated to experience an increase in demand in 2021 amid the easing of travel restrictions and anticipated pent-up travel demand amid the broader distribution of the coronavirus vaccination.

InterContinental Hotels Group PLC

Brand Names: InterContinental

InterContinental Hotels Group PLC (IHG) is a UK-based company and one of the largest hotel chains in the world as measured by total number of rooms. IHG owns, manages and franchises 5,964 hotels throughout 100 countries under major brands, including Holiday Inn, Kimpton Hotels, Crowne Plaza and InterContinental. It also employs more than 400,000 individuals across all hotels and countries. IHG divides its hotels into segments based on ownership and management structures. Hotels are either franchised, managed or owned.

Consistent with IHG's low-asset business model, most of the company's hotels operate under a franchise agreement or are managed by IHG on behalf of the owner. Due to the low capital investment and minimal wage costs required for franchising, the company's franchise business is its most profitable segment.

IHG's portfolio of brands covers a wide range of key consumer segments active in the Hotels and Motels industry. High-end luxury travelers visiting major cities are catered to by IHG's five-star InterContinental locations, while its Holiday Inn brand accommodates mid-market consumers traveling for business or leisure.

IHG's most recent project, Hotel Indigo, is a boutique hotel concept with 50 locations that targets travelers with a preference for edgy art and design. These locations are predominantly located in urban areas and target high-end consumers between the ages of 20 and 50. RevPAR for all of IHG's brands has increased strongly during most of the period, as travel across all major markets has increased.

Similar to other service industries, IHG was heavily affected by the onset of the COVID-19 (coronavirus) pandemic in the United States and throughout the globe.

As people self-isolated and sheltered in place, they canceled travel plans, and thus, did not book stays at hotels and motels, causing sharp declines in occupancy rates in 2020.

However, in 2021 IHG has experienced a recovery in its occupancy rates, which has been skewed toward domestic leisure markets where restrictions have been lifted. IHG's business market occupancy levels have remained an estimated 30.0% below pre-pandemic levels.

Market Feasibility

IHG's industry-relevant hotels are located within the company's Americas segment, which includes all properties located in North, South and Central America. The Americas segment represents over 4,200 hotels and 514,000 rooms. Properties located in the United States represent an estimated 58.0% of total properties.

While the United States still accounts for the majority of revenue within the Americas segment, Canada, Mexico and the Caribbean are also key players that significantly contribute to the company's profit, mainly because more than 90.0% of rooms in the Americas segment operate under a franchise business model.

IHG's asset-light business model means it owns nine hotels, as most hotels operate under a franchise agreement or are managed by IHG on behalf of owners. Additionally, the global effect of coronavirus is forecast to substantially affect the industry, further reducing growth.

Nonetheless, IHG experienced significant growth during the most of the period, which is expected to somewhat mitigate loss that has been incurred in 2020.

Therefore, the company is expected to generate $4.5 million in industry-relevant revenue in 2021. The figure is relatively low because industry-relevant revenue does not include franchise revenue, as franchises are considered independent operators, according to the Bureau of Labor Statistics.

Nonetheless, IHG's total network sales in the United States, which includes sales garnered from owned, leased and managed hotels and sales earned by third-party-owned franchised hotels, are estimated to fall over the five years to 2021 due to the coronavirus pandemic induced decline in 2020.

Wyndham Hotel and Resorts

Brand Names: Super 8 Motels, Knights Inn, Days Inn, Travelodge

Wyndham Hotels and Resorts (Wyndham), previously Wyndham Worldwide Corporation, is based in Parsippany, NJ, but operates globally. Wyndham is one of the largest franchised-hotel operators in the United States. In 2006, its parent company, Cendant Corporation, split into discrete companies operating in specific industries, and its hotel operation was renamed Wyndham Worldwide.

During the second quarter of 2017, the company decided to further divide the company, and announced its intent to spin-off of the hotel business segment. This spin-off was completed in June 2018 and resulted in the hotel business operation being held as its own publicly traded entity named Wyndham Hotel and Resorts. Wyndham states that the spin-off aimed to enable a greater focus on the individual functions of each business segment, enhancing their potential for success and growth.

In the United States, Wyndham has 8,941 properties with a total of 484,800 rooms. In 2021, IBISWorld estimates that Wyndham will derive 60.8% of its revenue in the United States.

Market Feasibility

Wyndham's brands include Days Inn, Knights Inn, Ramada, RCI, Super 8 Motels, Travelodge, Howard Johnson's and Wingate by Wyndham. Its two largest brands, Super 8 and Days Inn, have an estimated 2,000 locations each.

Wyndham's brands mainly cater to the economy and midscale markets. It is also involved in the timeshare market via its RCI and Fairfield Communities brands.

Wyndham earns one of the lowest RevPARs in the industry due to the budget-focused nature of its lodgings.

In 2021, Wyndham is expected to generate $2.9 million in industry-relevant revenue. This does not include revenue generated by the company's franchised establishments.

US-network sales have fallen over the five years to 2021. This is largely due to an anticipated decline in 2020, as many consumers throughout the globe and in the United States were placed under stay-at-home orders, and significantly reduced and canceled most traveling. However, in 2021,

Wyndham has benefited from strong demand from its business customers, which largely are comprised of truckers, contractors, construction workers, healthcare workers and others who must travel for work and do not have the ability to conduct their work remotely.

Consequently, the company's economy and midscale brands have outperformed the industry's higher-end brands during the pandemic. Moreover, leisure travel demand has recovered strongly in 2021, with occupancy rates reaching 95.0% of their pre-pandemic levels during the second quarter of 2021.

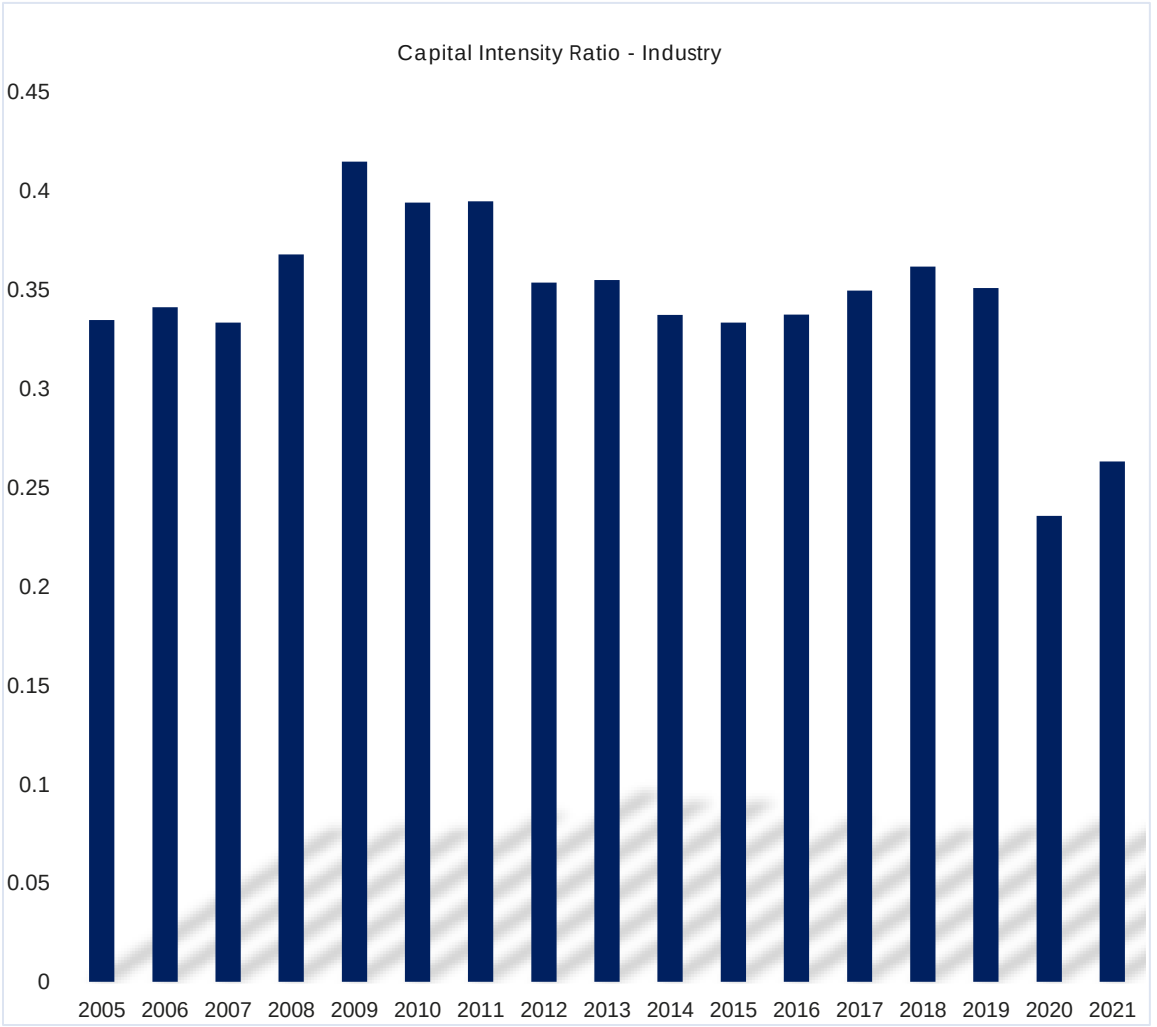
Market Feasibility

Operating Conditions

The level of capital intensity is Medium

The Hotels and Motels industry is subject to a moderate to level of capital intensity. In 2021, for every $1.00 spent on wages, the average industry operator is expected to spend an estimated $0.26 on capital. Capital intensity is expected to remain stable moving forward as labor and capital both play an important role in the industry.

As a service-based industry, hotel and resort operators are highly dependent on direct labor input across all areas of operation. Individuals are needed in areas such as front-desk service, reservations, room service and cleaning, food preparation, liquor and beverage service and back of house operational management. Due to the service-based nature of the industry, many of these labor-intensive functions cannot be substituted by technology or machinery and are a key foundation in the day-to-day functions. To meet customers' expectations of quality and provide a hospitable stay, trained staff are required.



Market Feasibility

Revenue Volatility

The level of volatility is Very High

Over much of the five years to 2021, Hotels and Motels industry revenue volatility has been moderate to very high.

Volatility was low during most of the period due to the consistent growth industry operators have been able to capitalize on. However, with the onset of the COVID-19 (coronavirus) pandemic, industry revenue is anticipated to rapidly decline in 2020 and strongly rebound in 2021, introducing greater volatility to the industry.

Industry revenue grew as much as 42.9% in 2021 and declined as much as 55.8% in 2020. Prior to 2020, there was little variability. However, this new instability in revenue growth derived from global economic and public health issues has affected the United States in 2020.

This has led to steep declines in the previously steady increase in inbound tourism, volumes of domestic travel and general weakening of economic conditions. The introduction and spread of coronavirus in the United States caused implementations of travel bans, limited domestic travel and a downturn in the US economy. However, revenue is estimated to rebound in 2021 in line with the cessation of domestic travel restrictions and an increase in the percentage of the domestic population which has been vaccinated. This moderate to high level of volatility is still subject to change if economic conditions change over the five years to 2026, especially as the effect of the virus is fully realized.

Regulation & Policy

The level of regulation is Medium and this trend is Steady.

The Hotels and Motels industry is subject to a medium and steady level of regulation at the federal and state level.

Several states regulate the activities of hospitality properties and restaurants, including safety and health standards, and the sale of liquor, by requiring licensing, registration, disclosure statements and compliance with specific standards of conduct. There are also extensive state and federal laws and regulations relating to selling and marketing timeshare intervals for those hotels that offer such arrangements.

LABOR RELATIONS

Operators of hotels and motels are also subject to laws governing their relationship with employees, including minimum wage requirements, overtime, working conditions and work permit requirements.

The industry employs a high number of young and low-skilled workers at hourly rates, and therefore, is subject to minimum wage and employee benefits regulations.

Workers in the United States are entitled to be paid no less than the statutory minimum wage, which is $7.25 per hour in 2021. Each state also formulates and regulates its own minimum

Market Feasibility

wage, with most states implementing rates higher than the federal rate. National operators that have establishments in various states must comply with each individual state's requirements for each location.

Food Safety And Standards

As many hotels and motels prepare and sell food on premises, the industry is subject to laws and regulations relating to the preparation and sale of food, including regulations regarding product safety, nutritional content and menu labeling.

The Food and Drug Administration (FDA) is the main agency responsible for providing guidance and regulation. The FDA's Model Food Code, which is a best-practice guide to food handling and presentation, applies to this industry and is updated each year.

The FDA Nutritional Value applies as well. Since 1996, the FDA regulations have set standards for nutritional values of individual foods and meals. If claims such as "low-fat" or "heart-healthy" are on a menu, an owner must be able to demonstrate to officials that there is a reasonable basis for the claim.

For instance, the meal may be based on a recipe from a health association or a recognized dietary group. Complete nutritional information, however, is not required to be on menus.

The Affordable Care Act requires restaurant companies to disclose calorie information on their menus.

The Food and Drug Administration has proposed rules to implement this provision that would require restaurants to post the number of calories for most items on menus or menu boards and to make available more detailed nutrition information upon request. FDA regulations require that restaurants and similar retail food establishments that are part of a chain with 20.0 or more locations are required to provide nutrition information for standard menu items on menus and menu boards.

However, during the coronavirus pandemic the FDA has granted restaurants flexibility in implementing these changes and will not object if establishments do not meet labeling requirements during the public health emergency.

Liquor Licensing

A license is required to serve liquor and the issuing of licenses may be restricted in some states, such as limiting the number of licenses in a given area or by population.

For example, in Wisconsin, there is a license quota of one license per 500 people. Additionally, states are able to mandate hours of operation, the price of each drink, which establishments are able to serve and how long an unfinished bottle of wine may be used in the bar. Hotel and motel operators must comply with state and local service laws, commonly called dram shop statutes. Dram shop statutes generally prohibit serving alcoholic beverages to certain persons such as an individual who is

Market Feasibility

intoxicated or a minor. In the United States, a person must be 21 years of age to be legally served alcohol, which has been in place since the passing of the National Minimum Drinking Age Act of 1984

Cybersecurity

After Wyndham Hotels and Resorts experienced a breach in its data systems, the Federal Trade Commission (FTC) has increased its powers and regulations on cybersecurity.

While no regulation has yet to be passed that outlines exactly the level of cybersecurity a hotel or motel must have, it has become increasingly pertinent. The FTC can still fine an operator if they experience a high-level security breech. This increases the need for hotels and motels to implement high level of data security.

Smoking Bans

Smoking laws are generally enforced at the state level as the US Congress has not attempted to enact any nationwide federal smoking ban.

Smoking is banned in restaurants, bars and non hospitality workplaces in many states and some local jurisdictions ban smoking in outdoor areas. Each jurisdiction has developed legislation separately; however, most laws are relatively consistent.

There are some differences pertaining to the circumstances in which ventilated smoking rooms are permitted and the distance smoking is banned outside a building.

A growing number of cities and states now require hotels to be 100.0% smoke-free indoors, including guest rooms. Currently, all hotels and motels, including guest rooms, must be smoke-free in Wisconsin, Michigan and Nebraska.

Over the past decade, smoke-free hotels have gone from being almost nonexistent to the national norm. The Westin, a Marriott International Inc. (Marriott) brand, announced the first national 100.0% smoke-free hotel policy for all its properties in the United States in 2006 following a report from the Surgeon General that exposure to secondhand smoke is damaging to health. This marked a turning point for the industry and a domino effect led Marriott to adopt a similar policy across its portfolio of brands.

Franchising Laws

A large proportion of industry establishments are operated under franchise agreements.

There are both federal and state laws governing franchising, which vary from state to state. Franchising is regulated at the federal level by the US Federal Trade Commission and applied in any region within the United States. At the state level, various state agencies regulate franchises and laws vary between states.

A state's franchise laws usually only apply if the sale of a franchise is made in the state and the business is located in the state. Laws generally fall into three categories, which include disclosure laws, registration laws and relationship laws.

Market Feasibility

Under the FTC Franchise Rule there are three elements of a franchise, which include the franchise has a trademark under which the franchisee is given the right to distribute goods and services; the franchisor has significant control of or provides significance to the franchisee's method of operation; and the franchisee is required to pay the franchisor at least $600.00 within the first six months of opening for business.

COVID-19

In early 2020, the United States was affected by the global COVID-19 (coronavirus) pandemic.

While many industries have been affected heavily by this pandemic, industries related to hospitality and tourism have been hit especially hard due to travel bans and stay-at-home restrictions.

There has been no direct legislation on hotels and motels in the United States, however, there has been broad sweeping regulation that affected industry operators and employees.

This included the Families First Coronavirus Response Act. This act required specified employers to provide their employees with paid sick leave or expanded family and medical leave for specified reasons related to coronavirus.

This regulation likely affected operators that fell under the designated categories specified by the act. However, the FFCRA leave requirements expired December 31st, 2020. In 2021, operators still are contending with regulations such as the limitation of foreign travelers into the United States. For example, as of August, U.S. borders remain closed to most European travelers, even those with vaccinations.

Industry Assistance

The level of industry assistance is Low and the trend is Increasing

As a whole, the Hotels and Motels industry does not receive on-going and continuous direct support from local or state governments.

In early 2020, however, many hotel and motel operators were given stimulus in the form of money from the US government due to the COVID-19 (coronavirus) pandemic.

The US Coronavirus Aid, Relief, and Economic Security (CARES) Act, which was introduced and signed into law in March 2020, is a $2.0 trillion economic relief package designed to provide direct economic assistance for American workers, families and small businesses as well as preserve jobs for American industries. The Paycheck Protection Program (PPP), which was established by the CARES Act, is implemented by the Small Business Administration (SBA) and provides small businesses with funds to pay up to eight weeks of payroll costs including benefits.

Funds can also be used to pay interest on mortgages, rent and utilities. Furthermore, in December 2020, the government passed an additional $900.0 billion in a COVID-19 (coronavirus) relief bill. The legislation included another $300.0 billion for the PPP and

Market Feasibility

expanded the kinds of businesses that can qualify for forgivable loans and grants. Lastly, in March 2021, a third, $1.9 trillion coronavirus relief plan was signed into law.

The plan provides $15.0 billion to the Emergency Injury Disaster Loan program, which provides long-term, low-interest loans from the SBA. Moreover, the PPP will receive an additional $7.0 billion in funds under this relief plan.

Many industry operators were severely affected by the coronavirus pandemic as travel from many international locations was suspended for months and domestic travel declined as people were ordered to quarantine and self-isolate at home throughout most of the United States.

Aside from direct stimulus provided on rare occasions, the industry receives other indirect assistance regularly. In many states, some of the funds collected by lodging taxes are spent on promoting local tourism, which can directly and indirectly benefit the Hotels and Motels industry. This tax is often used to promote tourism within the state. Thus, the industry is an indirect beneficiary of any promotional tourism spending by governments, to which operators may or may not have contributed funds. The more local tourism is promoted, the more likely people might be to travel to that location which typically benefits the region's overall economy.

Trade groups such as the American Hotel & Lodging Association also lobby on the industry's behalf. This is the sole national association that represents all components of the lodging industry. This association includes individual hotel property members, hotel companies, training organizations, students and suppliers. Its activities incorporate national advocacy, public relations and image management, education and research and information. It also operates through 43 partner state associations to provide local representation to members.

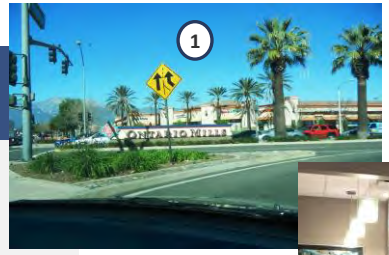
Nature and Extent of the Market and Market Area

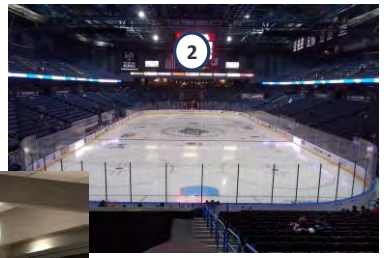
VERITAS | DEVELOPMENT ADVISORS

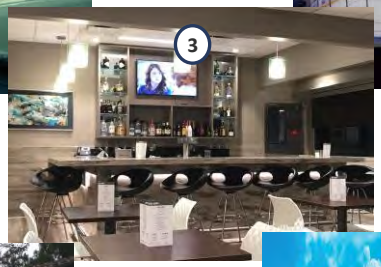
Market Feasibility

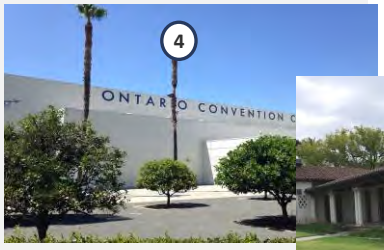
Top 10 things to do in Ontario, CA (per TripAdvisor)

No	Name
1	Ontario Mills
2	Toyota Arena
3	Escape Lounge
4	Ontario Convention Center
5	Museum of History and Art, Ontario
6	Animanga
7	Cucamonga-Guasti Regional Park
8	Treasures N Junk
9	K1 Speed Ontario
10	Scandia







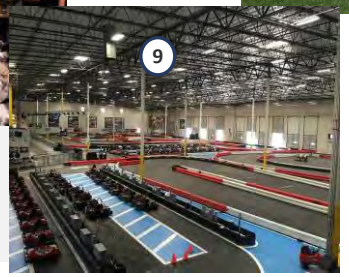












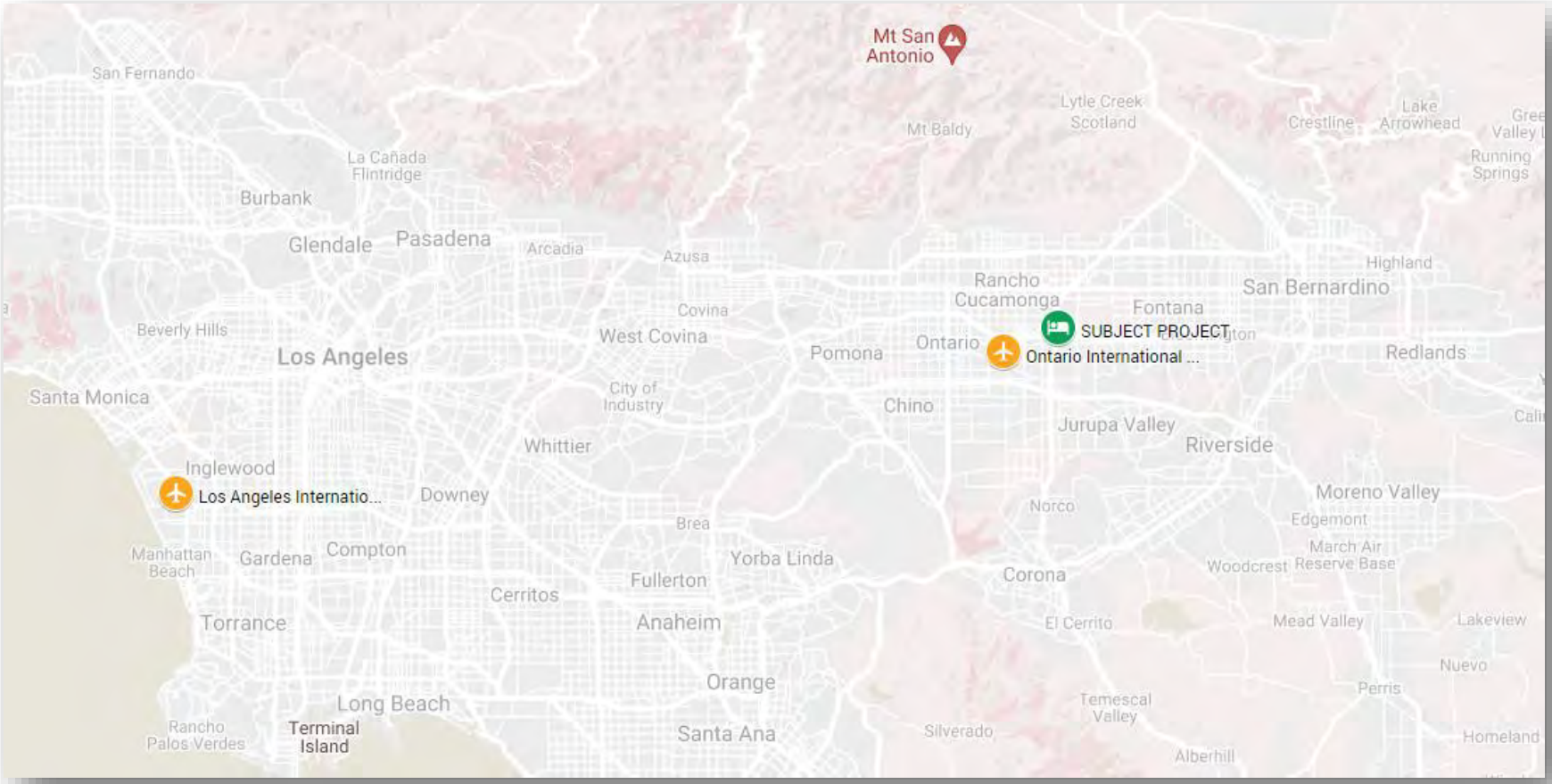


Source: Veritas Development Advisors Primary Research

Market Feasibility

Major Airports Near the Subject Project Data Table and Map

No.	Name	Address	Miles Away from the Subject Project
1	Ontario International Airport	Ontario, CA 91761	3.2
2	Los Angeles International Airport	1 World Way, Los Angeles, CA 90045	58.5

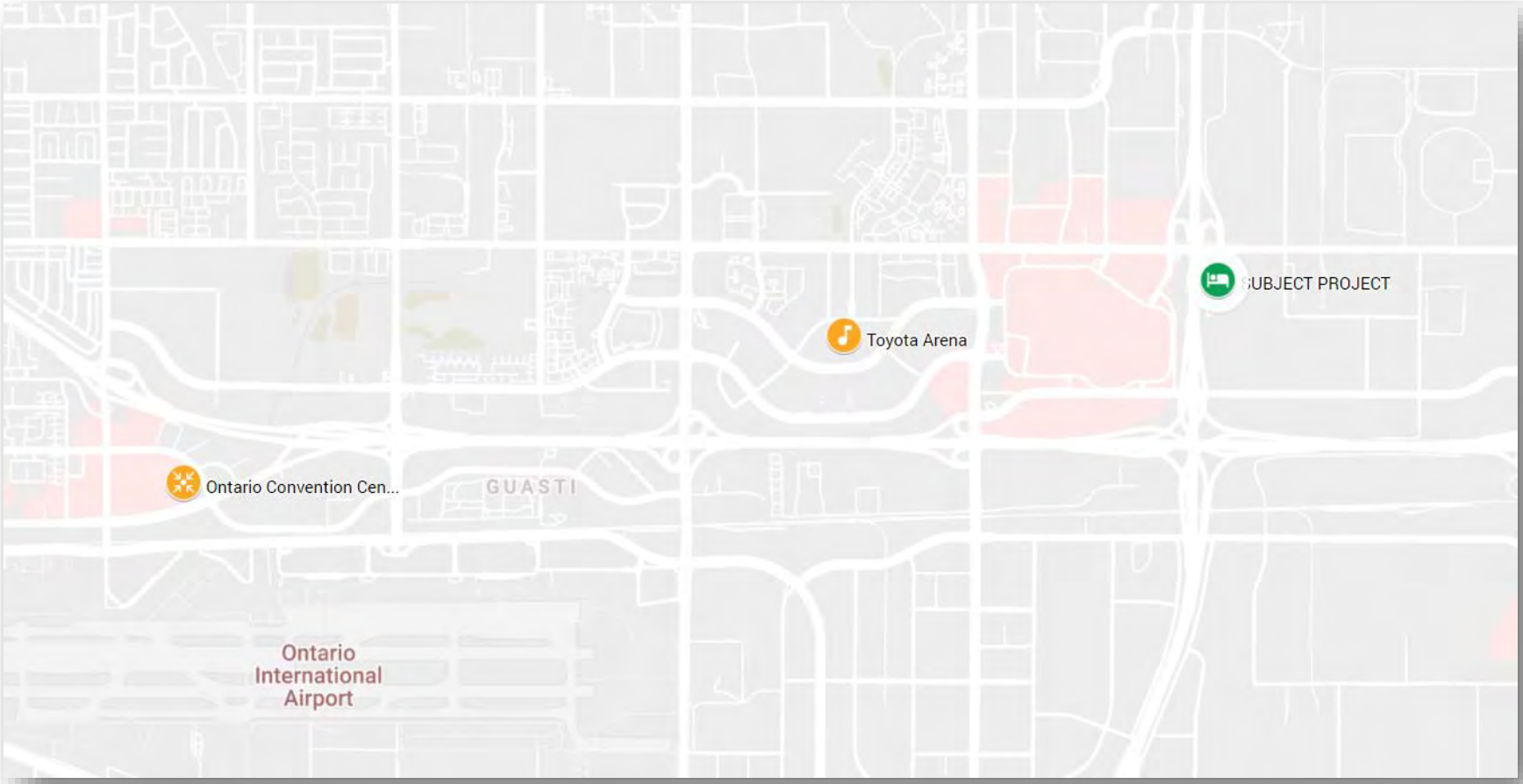


Source: Google Maps, Veritas Development Advisors Primary Research Analysis

Market Feasibility

Significant Demand Generators Near the Subject Project Data Table and Map

No.	Name	Address	Miles from Subject Project	Overnight Stays Demanded Annually
1	Toyota Arena	4000 Ontario Center, Ontario, CA	1.6	Left voice msg with Ontario Econ. Dev.
2	Ontario Convention Center	2000 E Convention Center Way, Ontario, CA	4.9	Left voice msg with Ontario Econ. Dev.



Source: Google Maps, Veritas Development Advisors Primary Research Analysis

Market Feasibility

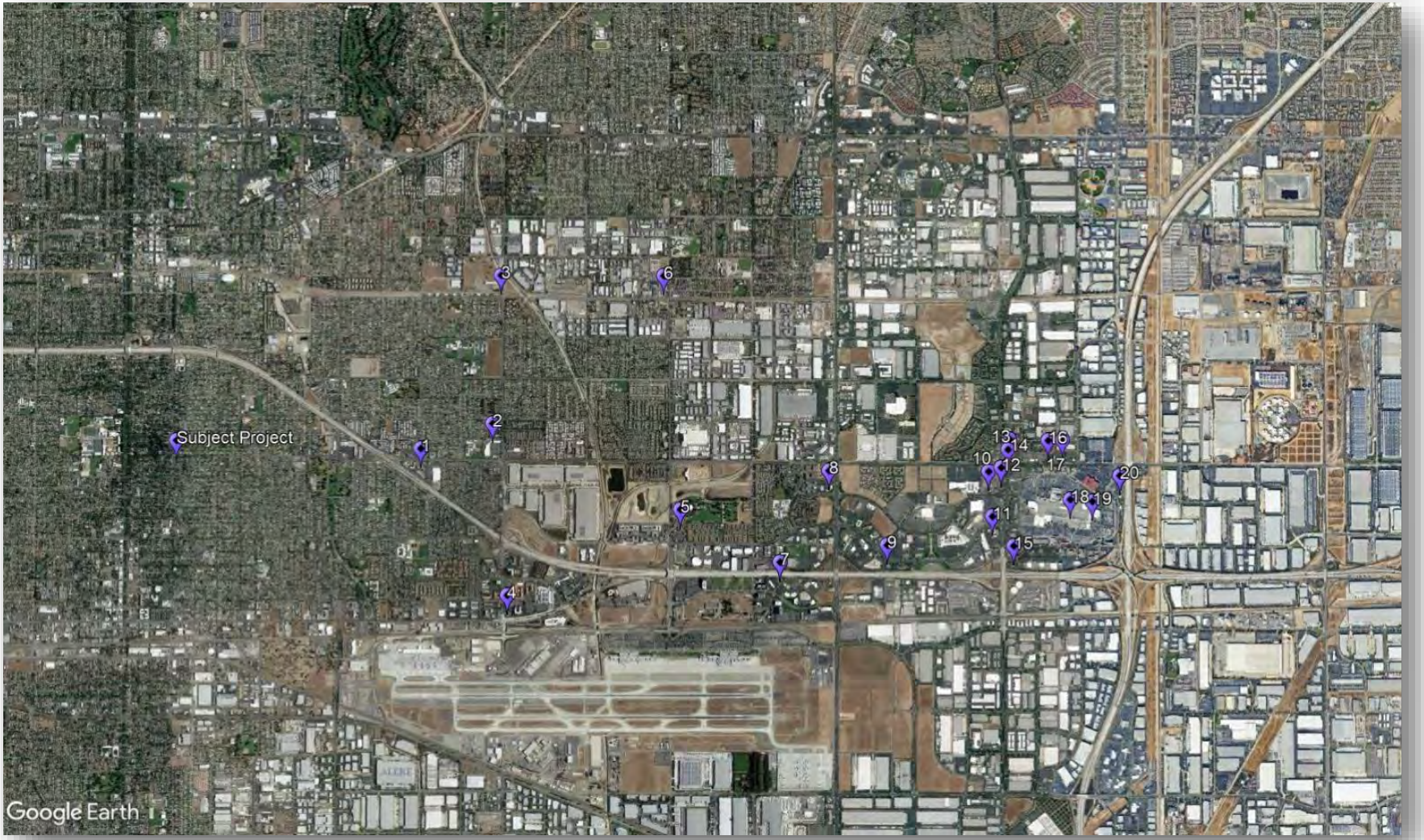
Restaurants Near the Subject Project Data Table

No.	Name	Address	Miles Away from the Subject Project
1	El Chilitos Mexican Restaurant	1630 E 4th St K, Ontario, CA 91764	1.49
2	Zeke's Eatin' Place	1855 E 4th St, Ontario, CA 91764,	1.92
3	Johnny O's Café	8890 8th St, Rancho Cucamonga, CA 91730	2.20
4	Spires Restaurant	104 N Vineyard Ave, Ontario, CA 91764	2.25
5	Ontar Thai Restaurant	750 Archibald Ave, Ontario, CA 91764	3.10
6	Chasqui	8880 Archibald Ave, Rancho Cucamonga, CA 91730	3.12
7	Panda Inn	3223 E, N Centre Lake Dr, Ontario, CA 91761	3.77
8	Jikan Japanese Restaurant	3495 Concours St suite e, Ontario, CA 91764	3.97
9	Benihana	3760 Inland Empire Blvd, Ontario, CA 91764	4.39
10	@ Home Thai Fusion bistro	4275 Concours St Suite 130, Ontario, CA 91764	4.93
11	Chili Bistro-湘巴佬	765 N Milliken Ave ste a, Ontario, CA 91764	4.98
12	Applebee's Grill + Bar	1021 N Milliken Ave, Ontario, CA 91764	5.02
13	Olive Garden Italian Restaurant	4403 Mills Cir, Ontario, CA 91764	5.07
14	Big Wok Mongolian Grill BWRC	11334 Fourth St Ste 103, Rancho Cucamonga, CA 91730	5.08
15	In-N-Out Burger	4310 Ontario Mills Pkwy, Ontario, CA 91764	5.13
16	BJ's Restaurant & Brewhouse	11520 Fourth St, Rancho Cucamonga, CA 91730	5.28
17	Lazy Dog Restaurant & Bar	11560 Fourth St, Rancho Cucamonga, CA 91730	5.40
18	The Sweet Spot	Ontario, CA 91764	5.45
19	Rainforest Café	4810 Mills Cir, Ontario, CA 91764	5.59
20	Rubio's Coastal Grill	980 Ontario Mills Dr Suite A, Ontario, CA 91764	5.71

Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

Restaurants Near the Subject Project Map



Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

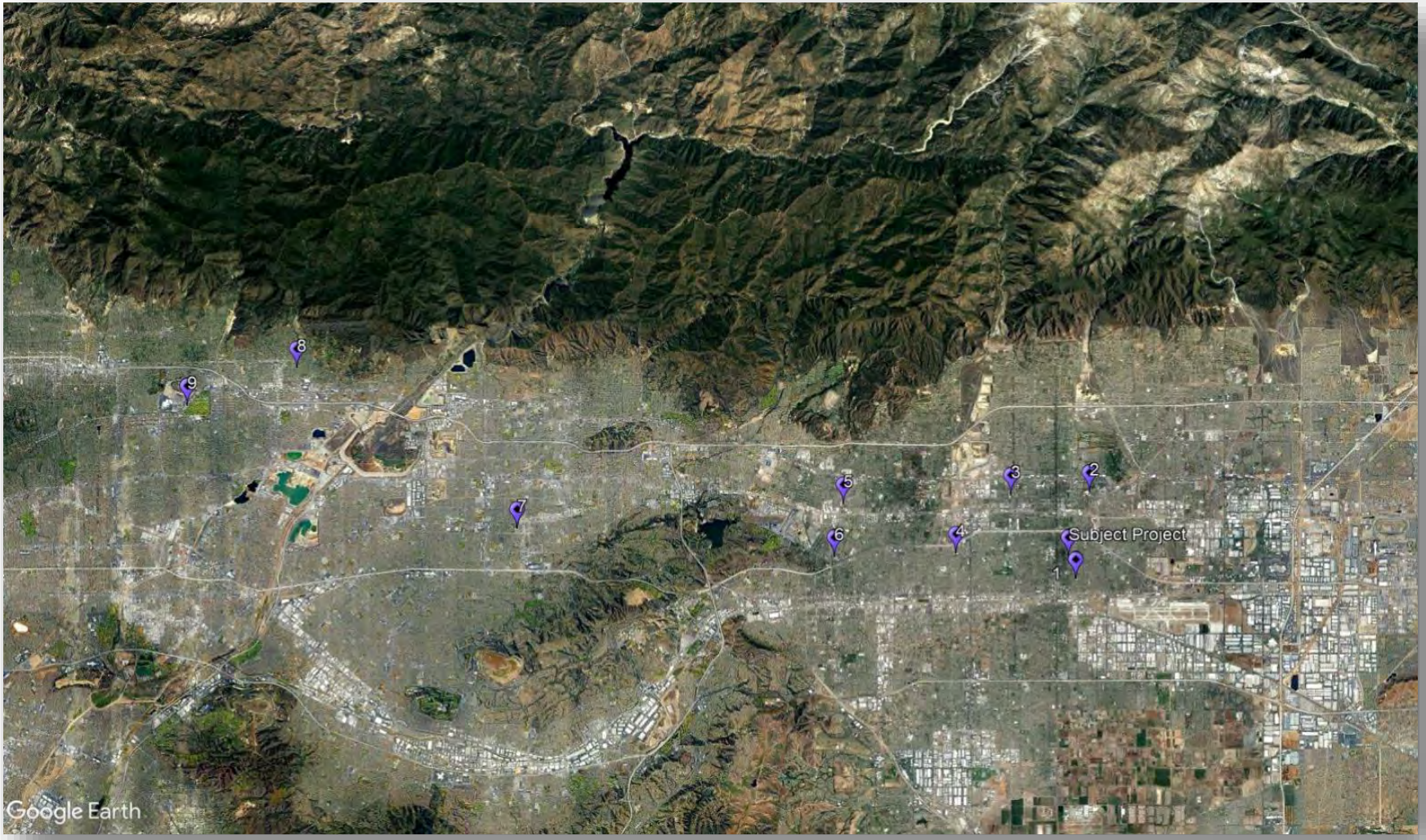
Medical Facilities Near the Subject Project Data Table

No.	Name	Address	Miles Away from the Subject Project
1	Kindred Hospital Ontario	550 N Monterey Ave, Ontario, CA 91764	0.71
2	San Antonio Regional Hospital	999 San Bernardino Rd, Upland, CA 91786	1.66
3	Chaparral Medical Group	585 N Mountain Ave, Upland, CA 91786	2.09
4	Montclair Hospital Medical Center	5000 San Bernardino St, Montclair, CA 91763	2.87
5	Casa Colina Hospital and Centers for Healthcare	255 E Bonita Ave, Pomona, CA 91767	5.70
6	Pomona Valley Hospital Medical Center	1798 N Garey Ave, Pomona, CA 91767	6.10
7	Emanate Health Inter-Community Hospital	210 W San Bernardino Rd, Covina, CA 91723	14.18
8	Monrovia Memorial Hospital	323 S Heliotrope Ave, Monrovia, CA 91016	20.05
9	Methodist Hospital	300 Huntington Dr, Arcadia, CA 91007	22.54

Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

Medical Facilities Near the Subject Project Map



Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

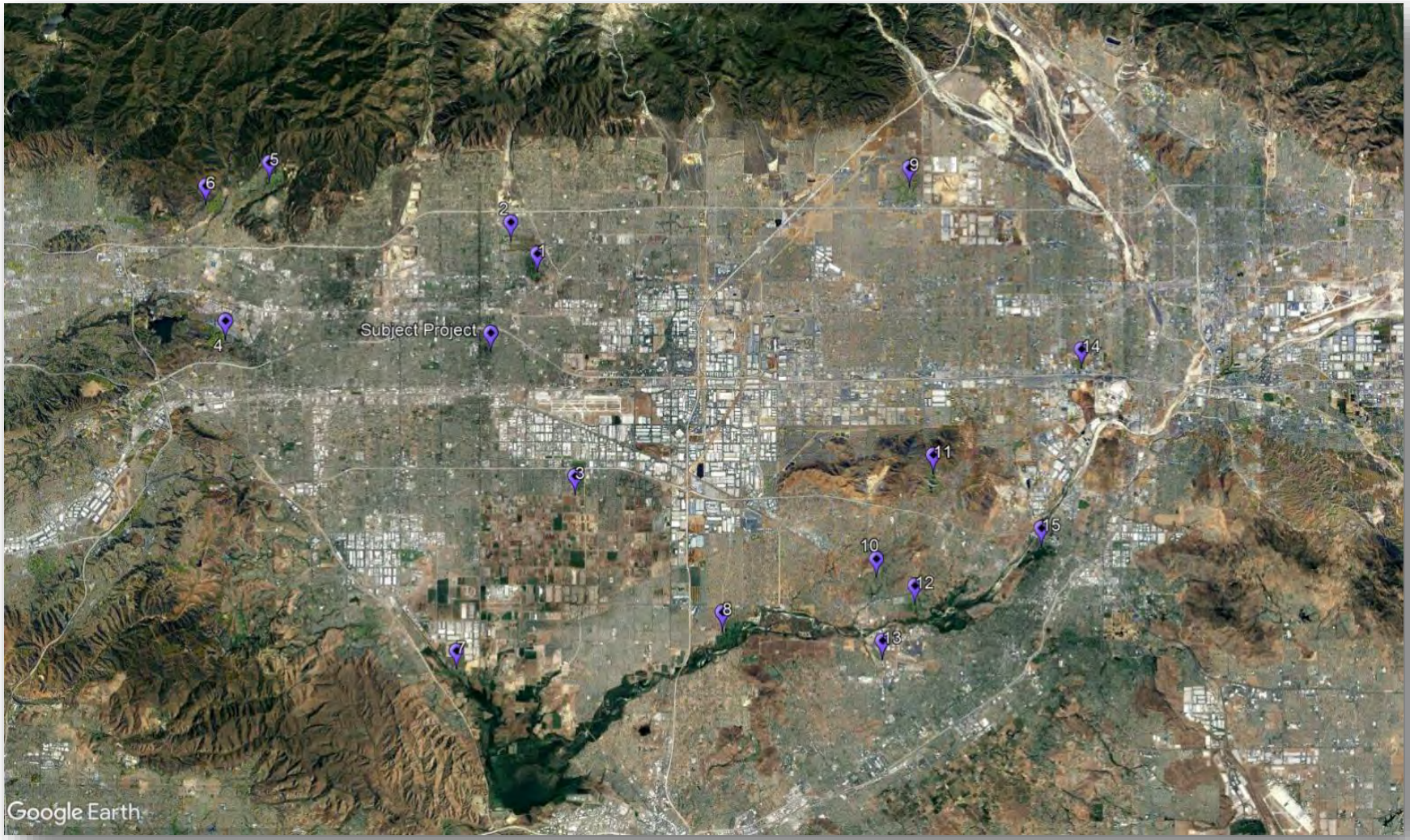
Golf Courses Near the Subject Project Data Table

No.	Name	Address	Miles Away from the Subject Project
1	Red Hill Country Club	8358 Red Hill Country Club Dr, Rancho Cucamonga, CA 91730	2.09
2	Upland Hills Country Club	1231 E 16th St, Upland, CA 91784	2.60
3	Whispering Lakes Golf Course	2525 E Riverside Dr, Ontario, CA 91761	5.23
4	Mountain Meadows Golf Course	1875 Fairplex Dr, Pomona, CA 91768	7.37
5	Marshall Canyon Golf Course	1135, 6100 Stephens Ranch Rd, La Verne, CA 91750	7.45
6	San Dimas Canyon Golf Course	2100 Terrebonne Ave, San Dimas, CA 91773	8.69
7	El Prado Golf Courses	6555 Pine Ave, Chino, CA 91708	9.61
8	Goose Creek Golf Club	11418 68th St, Mira Loma, CA 91752	10.72
9	Sierra Lakes Golf Club	16600 Clubhouse Dr, Fontana, CA 92336	12.41
10	Indian Hills Golf Club	5700 Club House Dr, Riverside, CA 92509	12.79
11	Oak Quarry Golf Club	7151 Sierra Ave, Riverside, CA 92509	12.96
12	Jurupa Hills Country Club	6161 Moraga Ave, Riverside, CA 92509	14.13
13	Van Buren Golf Center	6720 Van Buren Boulevard, Riverside, CA 92503	14.28
14	Colton Golf Course	1901 W Valley Blvd, Colton, CA 92324	16.49
15	Fairmount Golf Course	2681 Dexter Dr, Riverside, CA 92501	16.51

Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

Golf Courses Near the Subject Project Map



Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

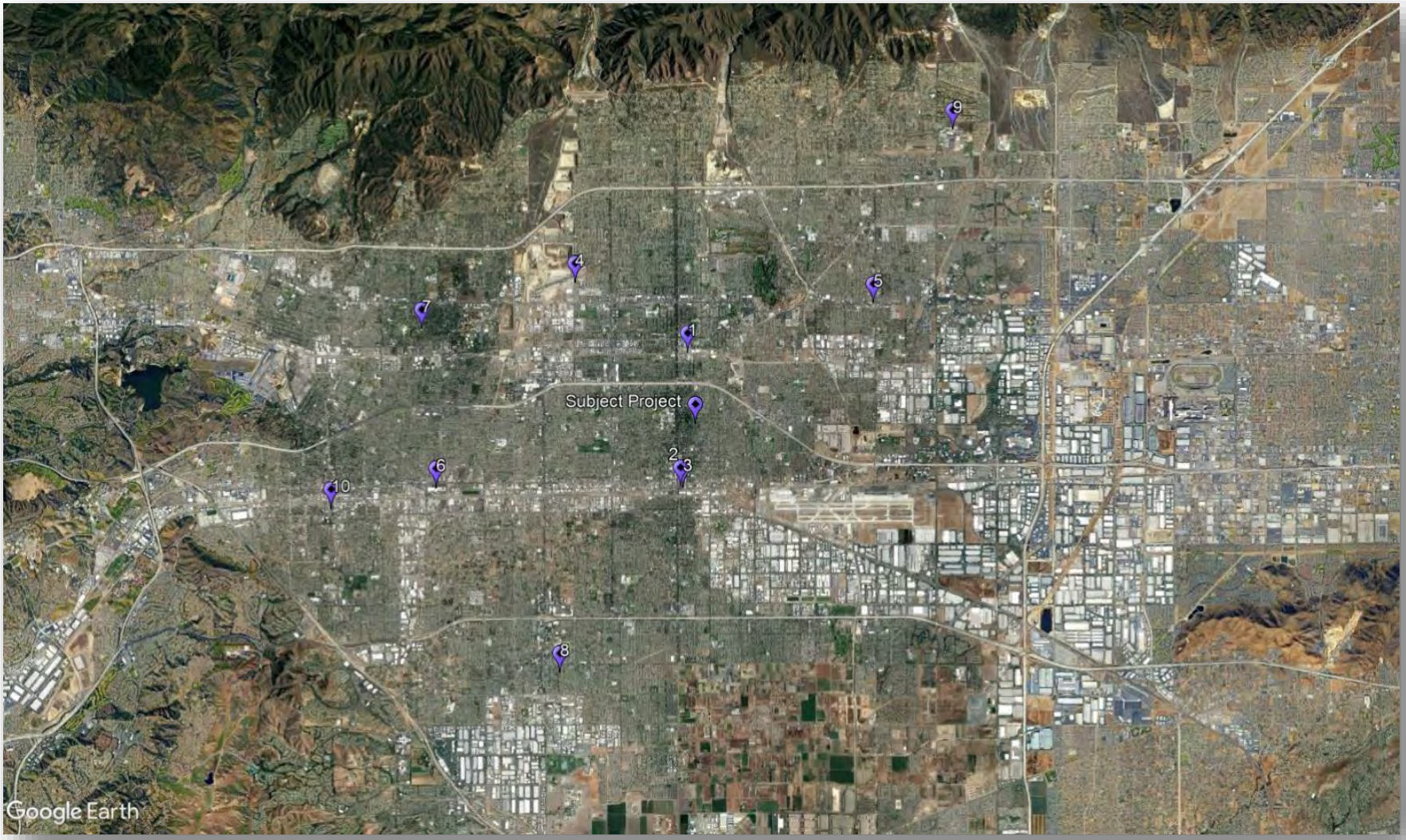
Museums Near the Subject Project Data Table

No.	Name	Address	Miles Away from the Subject Project
1	Cooper Regional History Museum	217 E A St, Upland, CA 9178	0.82
2	Ontario Museum of History & Art	225 Euclid Ave, Ontario, CA 91762	1.48
3	Chaffey Community Museum of Art	217 S Lemon Ave, Ontario, CA 91761	1.49
4	Sasse Museum of Art	1334 N Benson Ave STE D, Upland, CA 91786	2.79
5	Cucamonga Service Station	9670 Foothill Blvd, Rancho Cucamonga, CA 91730	3.38
6	The African-American Museum of Beginnings	1460 E Holt Ave Suite 188, Pomona, CA 91767	4.56
7	Petterson Museum of Intercultural Art	730 Plymouth Rd, Claremont, CA 91711	4.70
8	Chino's Old Schoolhouse Museum	5493 B St, Chino, CA 91710	5.19
9	Wignall Museum & Gallery	5885 Haven Ave, Rancho Cucamonga, CA 91737	6.19
10	Latino Art Museum	281 S Thomas St, Pomona, CA 91766	6.31

Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

Museums Near the Subject Project Map



Source: Google Map, Veritas Development Advisors Primary Research Analysis

Market Feasibility

4th Street Hotel **(Subject Project)**

Site Info	
Location	5060 E. 4th Street, Ontario, California 91764
Rooms	128 (planned)
Room Types	61 Queen Suites 61 DBL Queen Suites 3 ADA DBL Queen Suites 3 ADA Queen Suites
Site Area	• 80,000 sq. ft
GBA	• 55,250 sq. ft
Story	• Four
Parking Area	• 19,106 sq. ft
Meeting Room	• 1,824 sq. ft
Seating Area	• 300 sq. ft
Café/Snack	• 331 sq. ft
Fitness	• 331 sq. ft
Pool Deck/Spa	• 2,353 sq. ft
Lobby	• 504 sq. ft
Reception	• 110 sq. ft
Laundry	• 437 sq. ft

SUITE AMENITIES INCLUDE

Spacious Kitchens

- Stove
- Microwave Oven
- Toaster
- Refrigerator (Full)
- Icemaker In Refrigerator
- Dishwasher
- Pots/Pans/Serving Dishes
- Plates/Glassware
- Silverware
- Dining Table

Flexible Workspaces

- Work Desk With Lamp
- Desk Level Electrical Outlet
- Spare Electrical Outlet at Desk

Connectivity

- Wired Internet Available in Rooms, Suites, Business Center, Public Areas and Meeting Convention Spaces.
- Wireless Internet Available in Rooms, Suites, Business Center, Public Areas and Meeting Convention Spaces.
- Standard Wireless Internet service is free for all members
- Two-Line Phone
- Phone with Voicemail

HOTEL AMENITIES INCLUDE

Connectivity

- Wired Internet Available in Rooms, Suites, Business Center, Public Areas and Meeting Convention Spaces.
- Wireless Internet Available in Rooms, Suites, Business Center, Public Areas and Meeting Convention Spaces.

Housekeeping and Laundry Services

- On-site Guest Self-Laundry Facilities
- Weekly Housekeeping
- Housekeeping Full Service
- Full service - complete room clean.

Market Feasibility

Business Services

- On-Site Business Center
- Business Services are available
- Copying
- Office supplies available
- Printer
- Scanner

Entertainment and Recreation

On-site Fitness Center Available

- Limited Offering
- Available Equipment: Elliptical Machines, Treadmill, Free Weights, Stationary Bicycle

Outdoor Pool Available

- Outdoor Gazebo Grill



Competitive Market Area Analysis

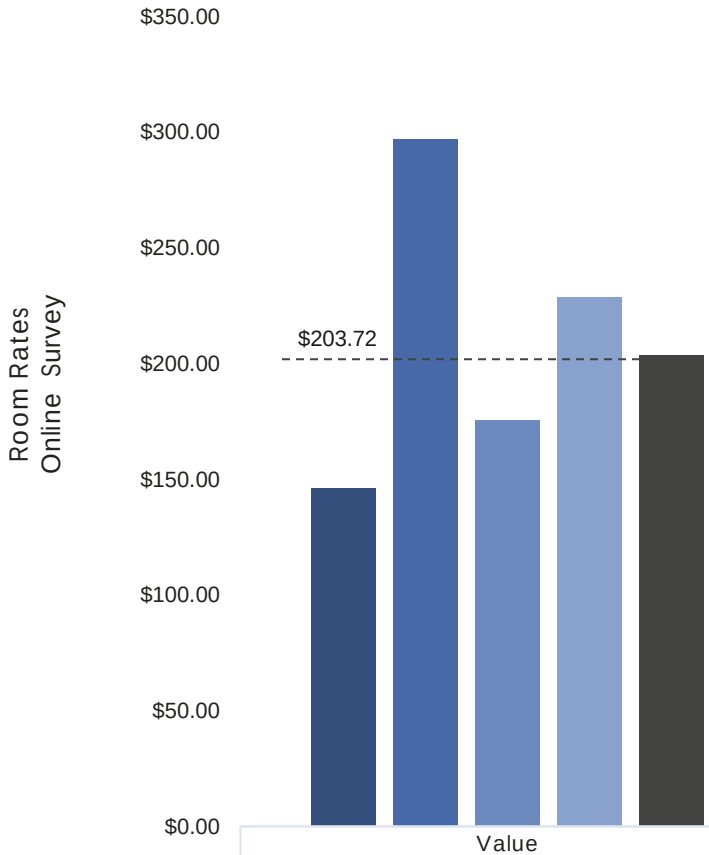
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Market Feasibility

Home2 Suites by Hilton Azusa

Site Info	
Location	229 S Azusa Ave , Azusa, CA 91702
Room	110
Built	July 2017
Miles (away) from the Subject Project	15.23
Room Types	• King Studio Suite -Hearing Accessible • King Studio Suite- Non-Smoking • King Studio Suite -Mobility Access/Non-Smoking • One-bedroom King Suite - Non-Smoking • King Suite - Mobility Accessible/Non-Smoking • King Accessible Roll In Shower Suite With Sofa Bed - Non-Smoking • King Suite -Hearing Accessible/Non-Smoking





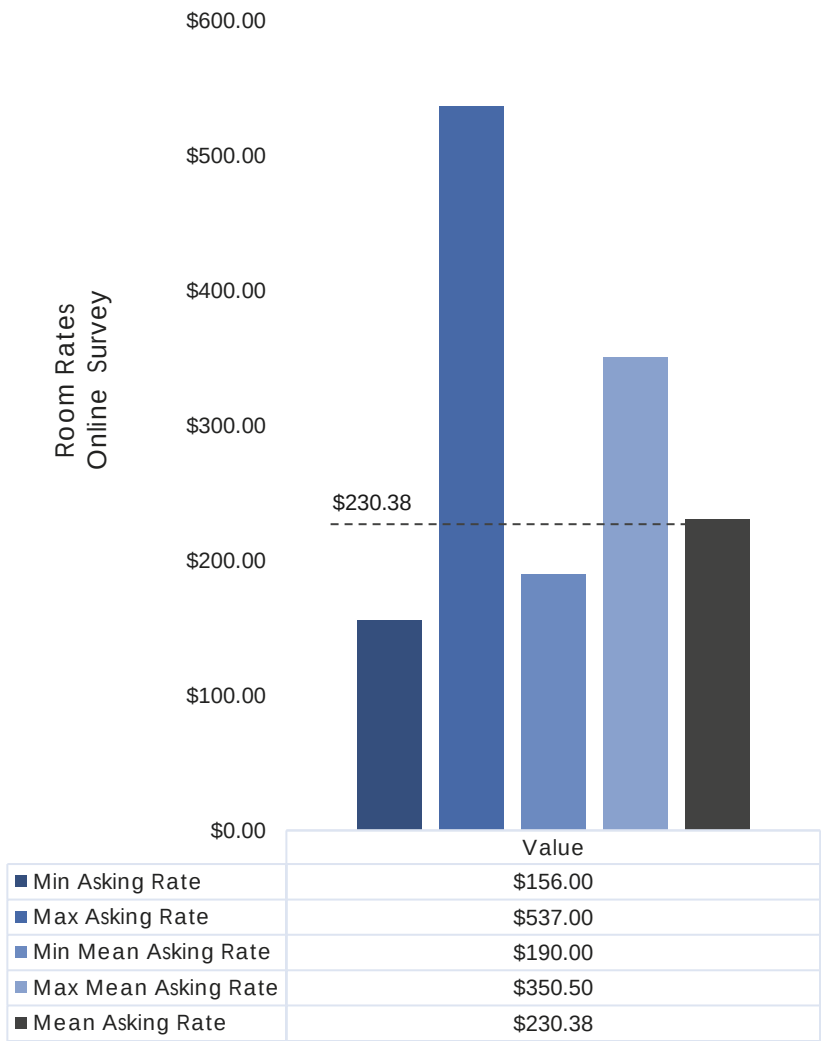
	Value
Min Asking Rate	$146.00
Max Asking Rate	$297.00
Min Mean Asking Rate	$175.44
Max Mean Asking Rate	$228.86
Mean Asking Rate	$203.72

Market Feasibility

Homewood Suites by Hilton Ontario Rancho Cucamonga

Site Info	
Location	11433 Mission Vista Drive, Rancho Cucamonga, CA 91730
Room	103
Built	November 2005
Miles (away) from the Subject Project	5.14
Room Types	• Studio Suite, 1 Queen Bed, Non-smoking • Suite, 2 Queen Beds, Non-Smoking • Suite, 2 Queen Beds, Accessible , Bathtub (Mobility & Hearing) • Suite, 1 King Bed, Non-Smoking • Suite, 1 King Bed, Hearing Accessible • Suite, 1 King Bed, Accessible, Bathtub (Mobility & Hearing) • Suite, 1 King Bed, Accessible (Mobility & Hearing , Roll In Shower) • Premium Suite, 1 King Bed, Accessible, Bathtub • Premium Suite, 1 King Bed, Accessible , Non- Smoking (Hearing) • Room. 2 Bedrooms. Non-Smoking • Suite, Accessible, Non - Smoking • Suite, 2 Queen Beds, Accessible (Roll-in Shower





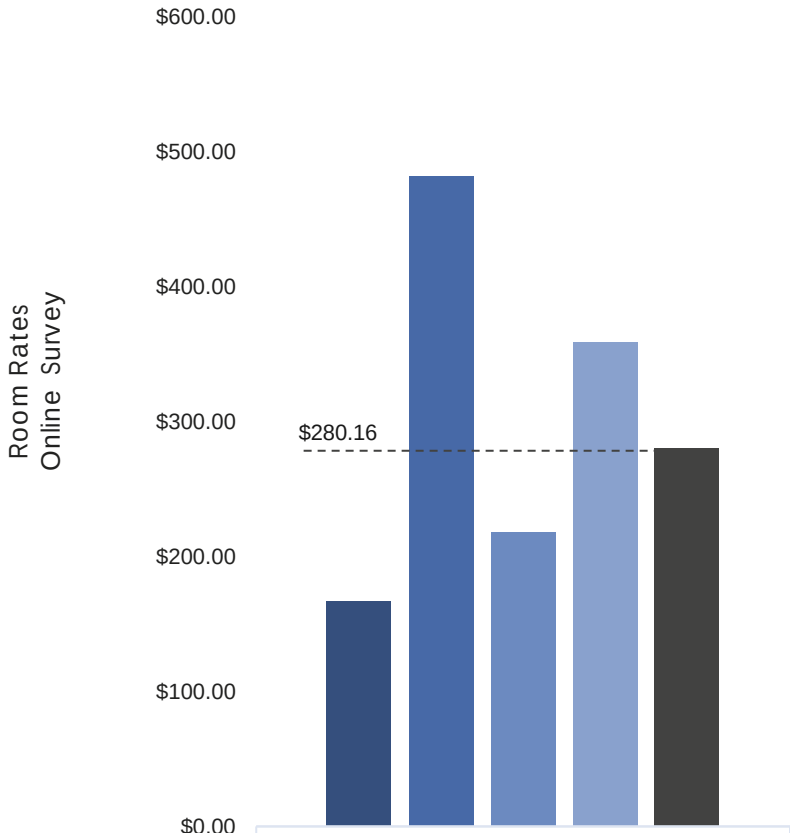
	Value
Min Asking Rate	$156.00
Max Asking Rate	$537.00
Min Mean Asking Rate	$190.00
Max Mean Asking Rate	$350.50
Mean Asking Rate	$230.38

Market Feasibility

TownePlace Suites Ontario Airport

Site Info	
Location	9625 Milliken Avenue, Rancho Cucamonga, CA 91730
Room	112
Built	November 2005
Miles (away) from the Subject Project	5.05
Room Types	• Studio, 1 Queen Bed, Non-Smoking • Studio, 2 Queen Beds, Non-Smoking • Suite, 1 Bedroom, Non-Smoking • Suite 2 Bedrooms, Non-Smoking





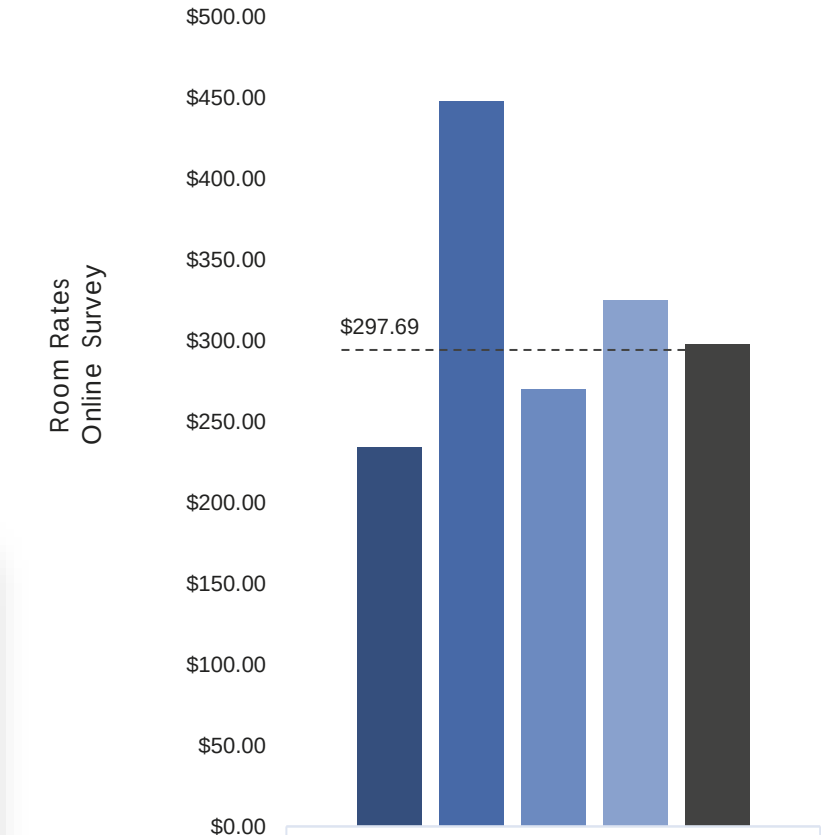
	Value
Min Asking Rate	$167.00
Max Asking Rate	$482.00
Min Mean Asking Rate	$218.09
Max Mean Asking Rate	$359.00
Mean Asking Rate	$280.16

Market Feasibility

Residence Inn Ontario Rancho Cucamonga

Site Info	
Location	9299 Haven Avenue, Rancho Cucamonga, 91730
Room	126
Built	December 2018
Miles (away) from the Subject Project	4.11
Room Types	• Studio, 1 King Bed, Non-Smoking • Studio, 2 Queen Beds, Non-Smoking • Suite, 1 Bedroom, Non-Smoking





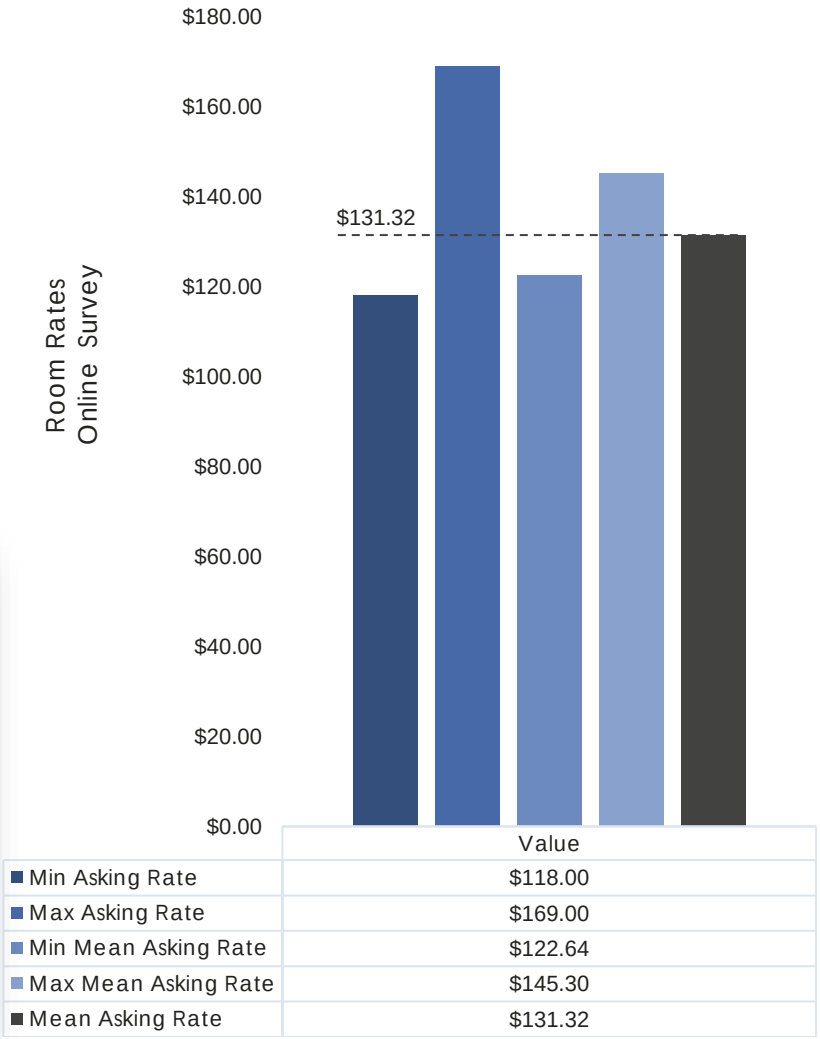
	Value
Min Asking Rate	$234.00
Max Asking Rate	$448.00
Min Mean Asking Rate	$269.91
Max Mean Asking Rate	$324.82
Mean Asking Rate	$297.69

Market Feasibility

Extended Stay America Los Angeles - Ontario Airport

Site Info	
Location	3990 Inland Empire Blvd, Guasti, CA 91764
Room	127
Built	May 1997
Miles (away) from the Subject Project	4.49
Room Types	• Studio, 1 Queen Bed, Non-Smoking • Studio, 1 Queen Bed, Accessible Non-Smoki • Studio, 1 King Bed, Non-Smoking • Studio, 2 Double Beds, Non-Smoking





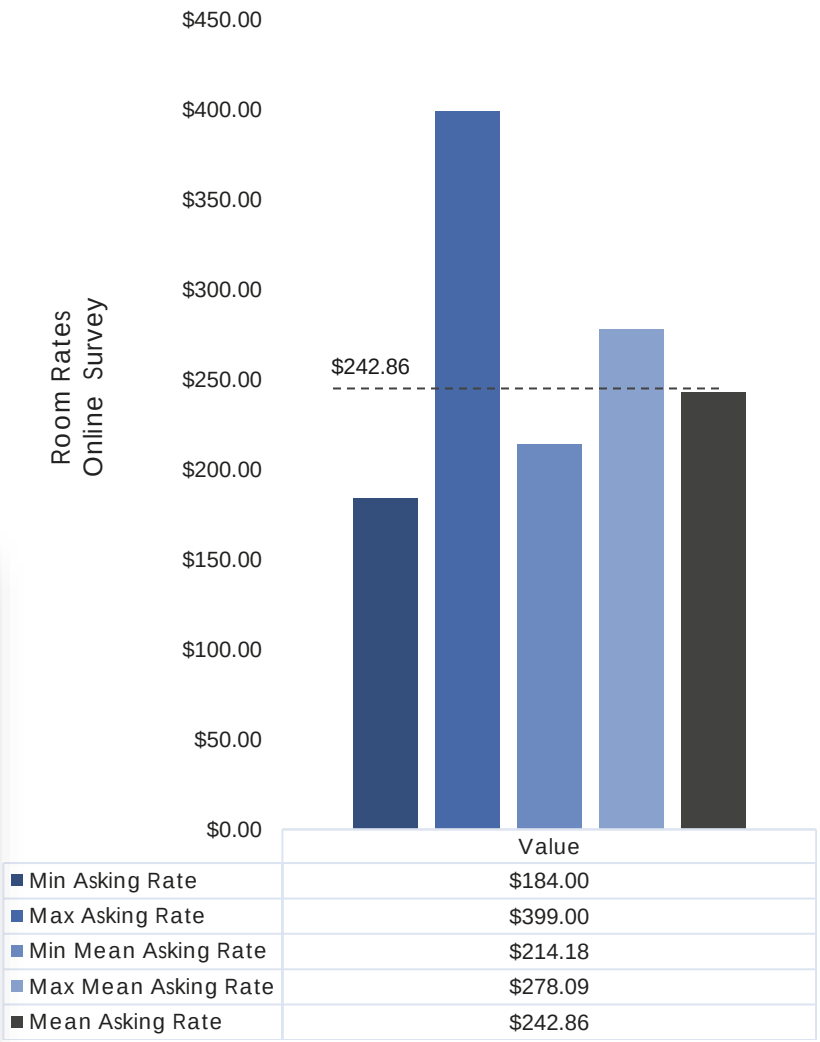
	Value
Min Asking Rate	$118.00
Max Asking Rate	$169.00
Min Mean Asking Rate	$122.64
Max Mean Asking Rate	$145.30
Mean Asking Rate	$131.32

Market Feasibility

Element Ontario

Site Info	
Location	900 Via Piemonte, Ontario, 91764
Room	131
Built	May 2020
Miles (away) from the Subject Project	4.65
Room Types	• Room,1 King Bed, Non-Smoking • Studio,1 King Bed, Non-Smoking • Studio,1 King Bed, Non-Smoking • Suite, 1 Bedroom, Non-Smoking

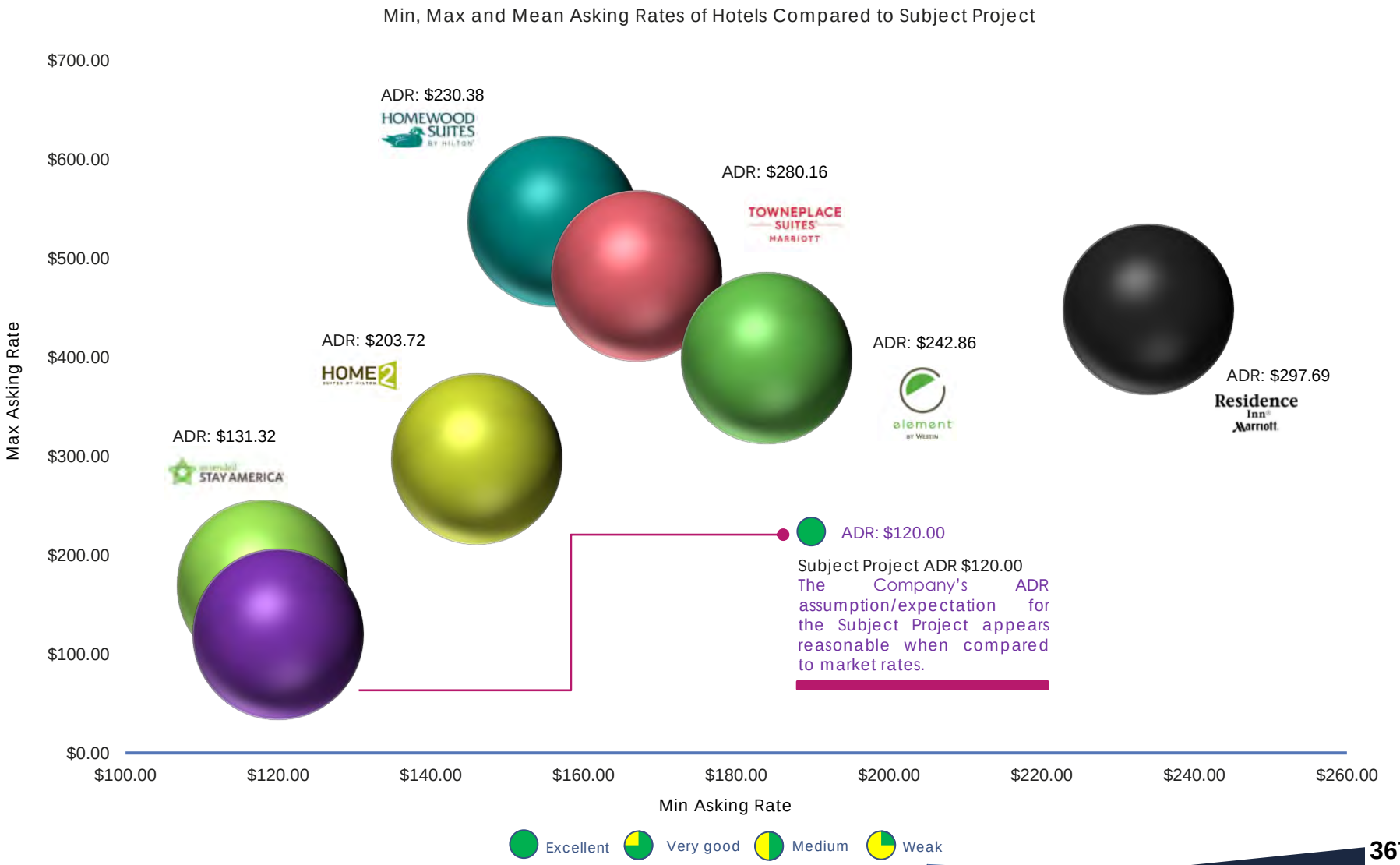




	Value
Min Asking Rate	$184.00
Max Asking Rate	$399.00
Min Mean Asking Rate	$214.18
Max Mean Asking Rate	$278.09
Mean Asking Rate	$242.86

Market Feasibility

Summary of ADR in the Market

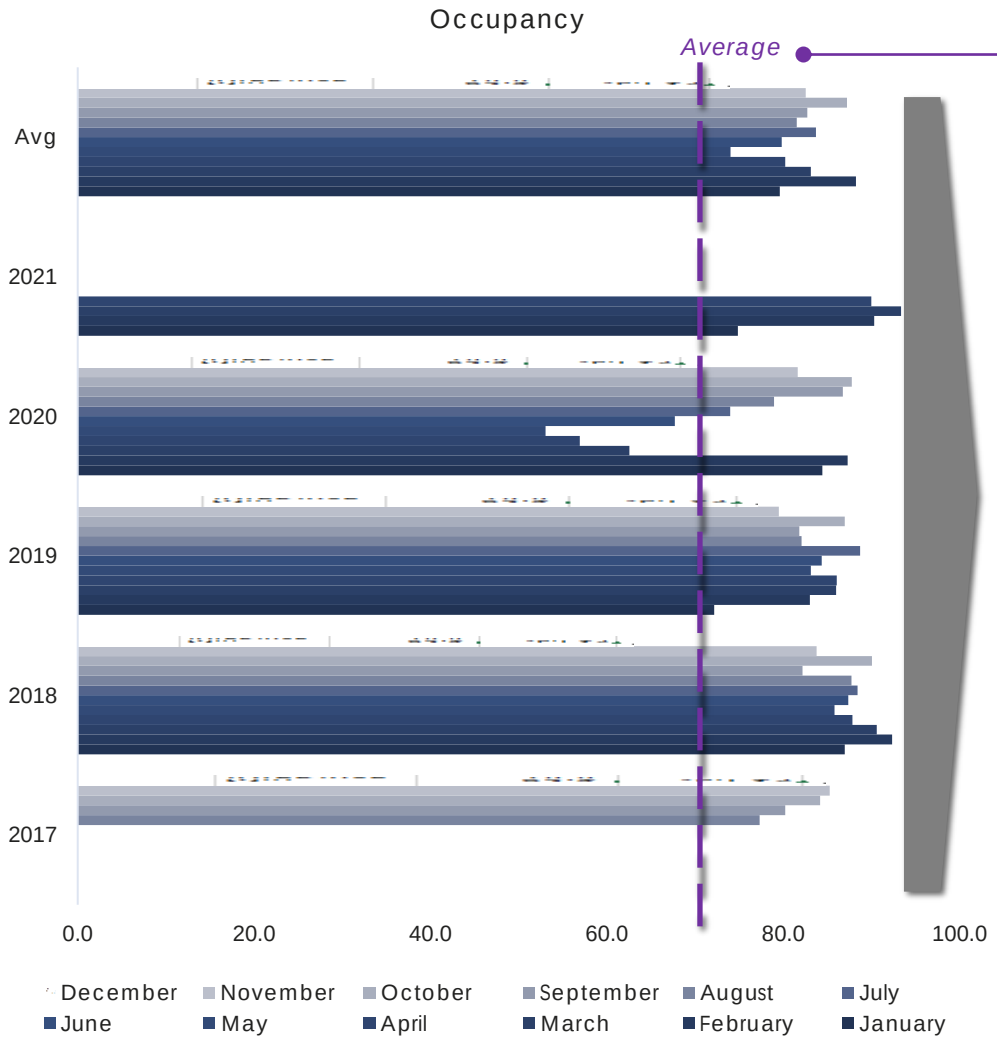


Smith Travel Research Report Analysis

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Market Feasibility

Smith Travel Research STR Report – Hotels in the Market Area



53.1 Percent
May 2020

Min Occupancy

93.4 Percent
March 2021

Max Occupancy

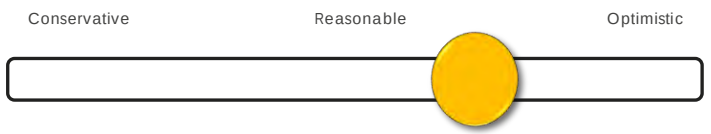
81.5 Percent
Aug 2017 – April 2021

Avg. Occupancy

82.0 – 85.0 Percent
Stabilized

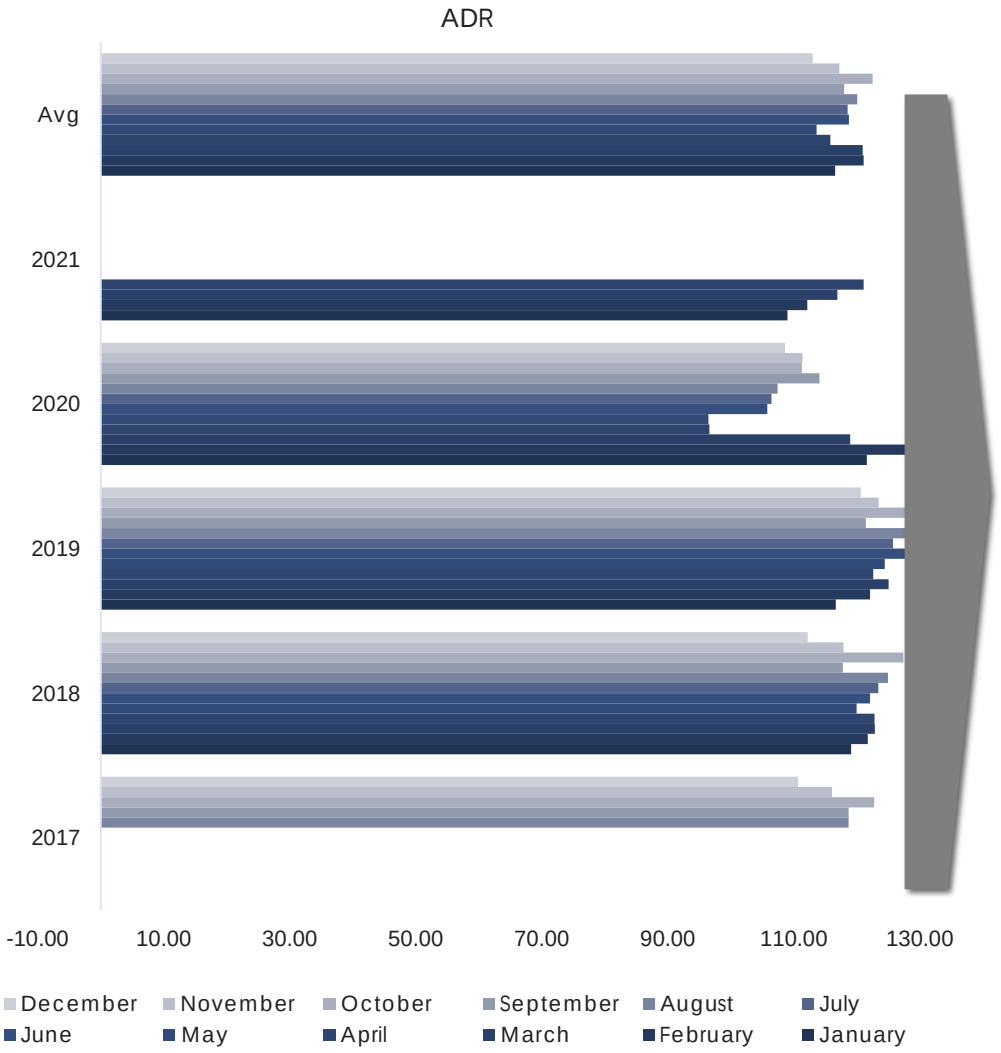
Company Expectations

Company Projections Vs. Market Area



Market Feasibility

Smith Travel Research STR Report – Hotels in the Market Area



$96.44
May 2020

Min ADR

$129.26
August 2019

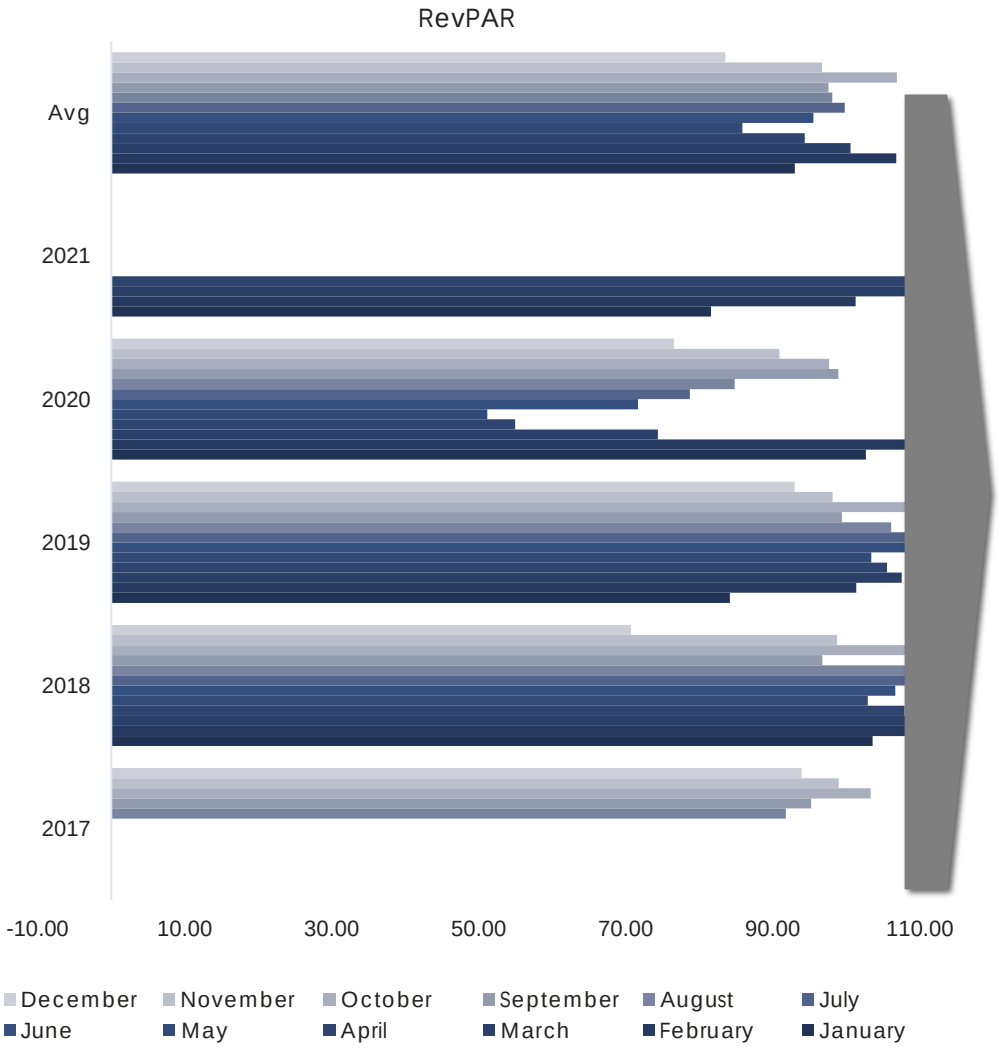
Max ADR

$118.10
Aug 2017 – April 2021

Avg. ADR

Market Feasibility

Smith Travel Research STR Report –Hotels in the Market Area



$51.17
May 2020

Min RevPAR

$114.72
October 2018

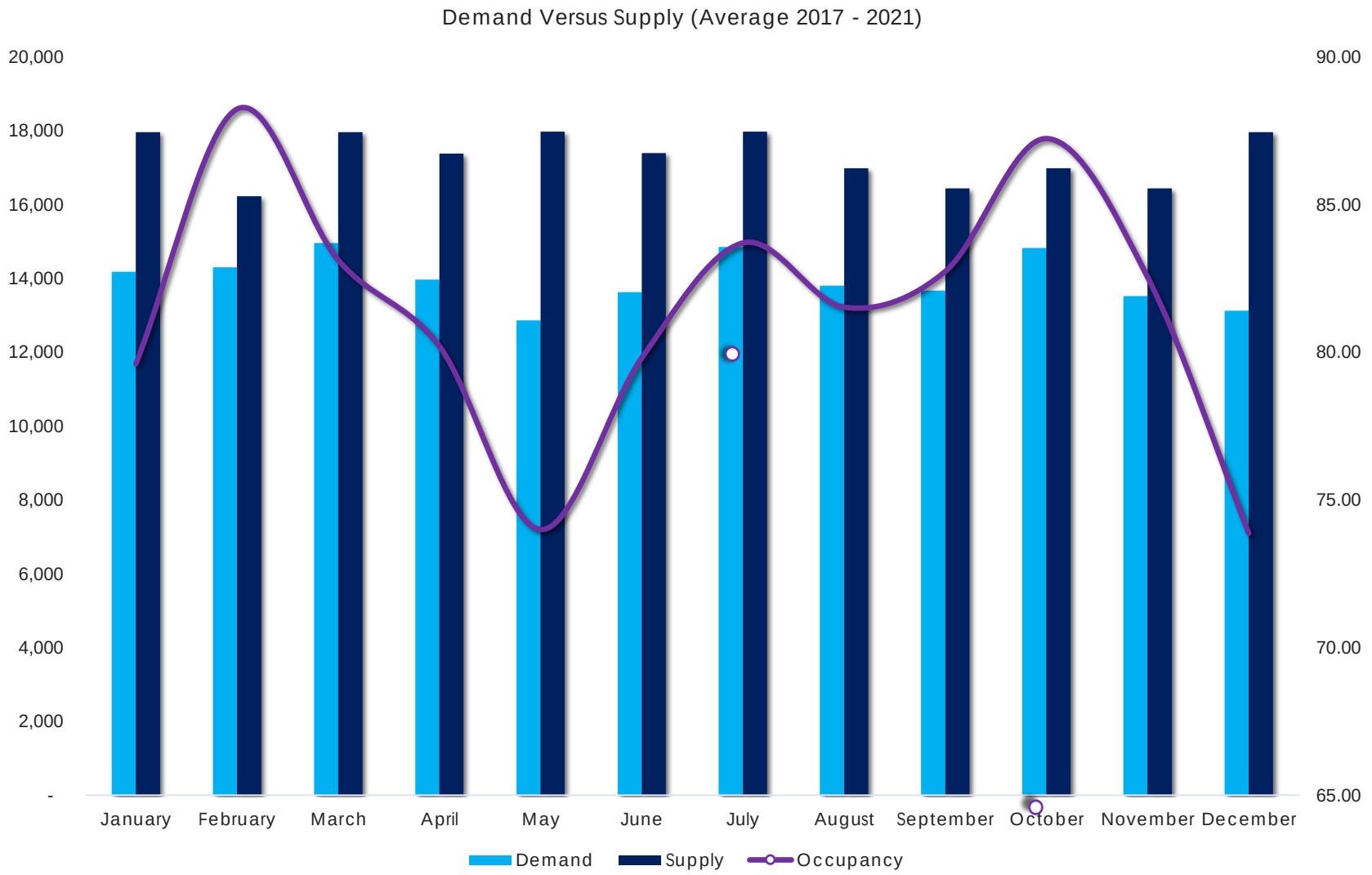
Max RevPAR

$96.76
Aug 2017 – April 2021

Avg. RevPAR

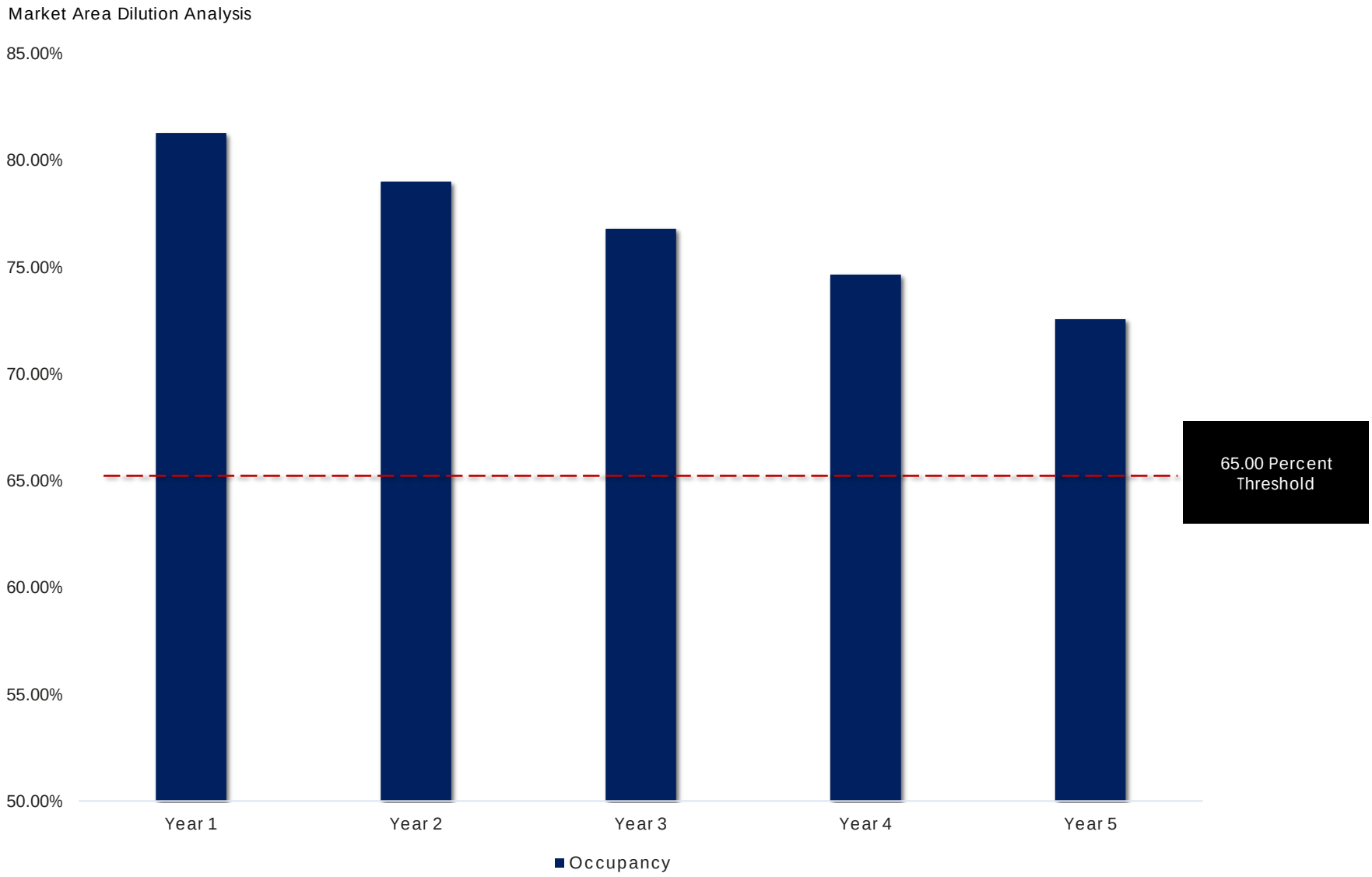
Market Feasibility

Smith Travel Research STR Report – Hotels in the Market Area



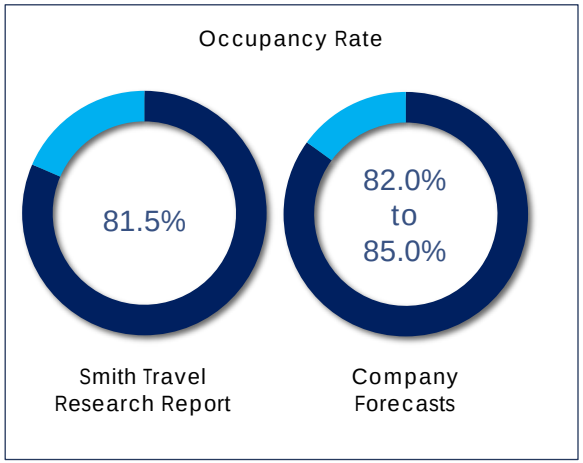
Market Feasibility

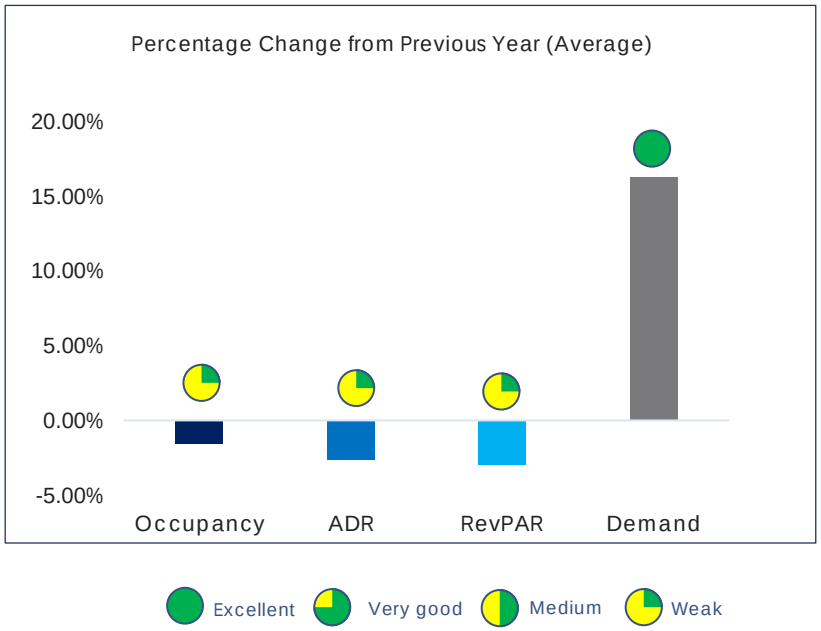
Based on the supply and demand analysis (pre-COVID) within the market area, it appears as though occupancy will likely remain above 65 percent over the next five years.



Market Feasibility

Summary of Occupancy, RevPAR, ADR and Demand in the Market Area

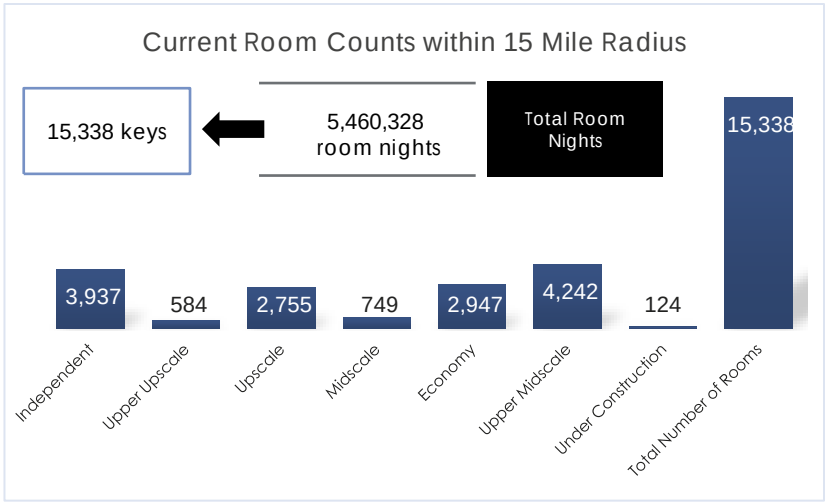




Based on the STR report, the Subject **Project's** rooms are expected to be absorbed in the market area.

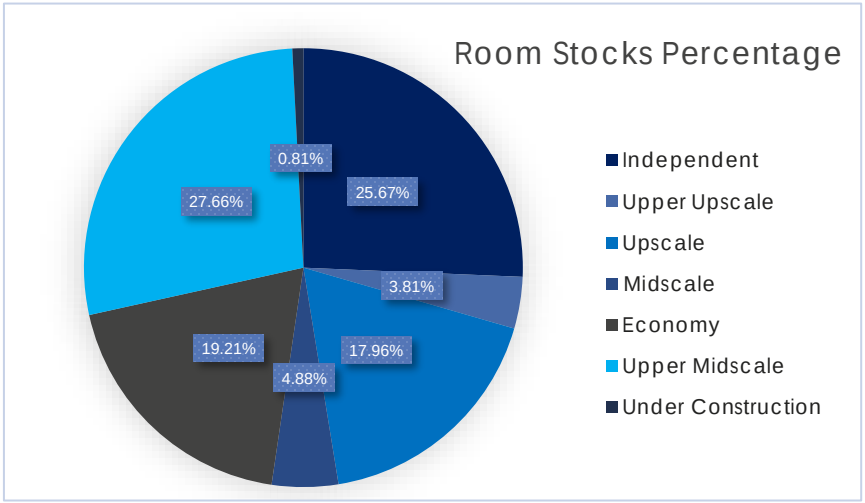
80.4 Percent	Weekend Occupancy
78.4 Percent	Weekday Occupancy
No Risks Identified	All Key Parameters
Approx. 124-Keys Construction Pipeline	New Hospitality Supply Units
Room: 124 Room Nights: 45,260	Subject Project

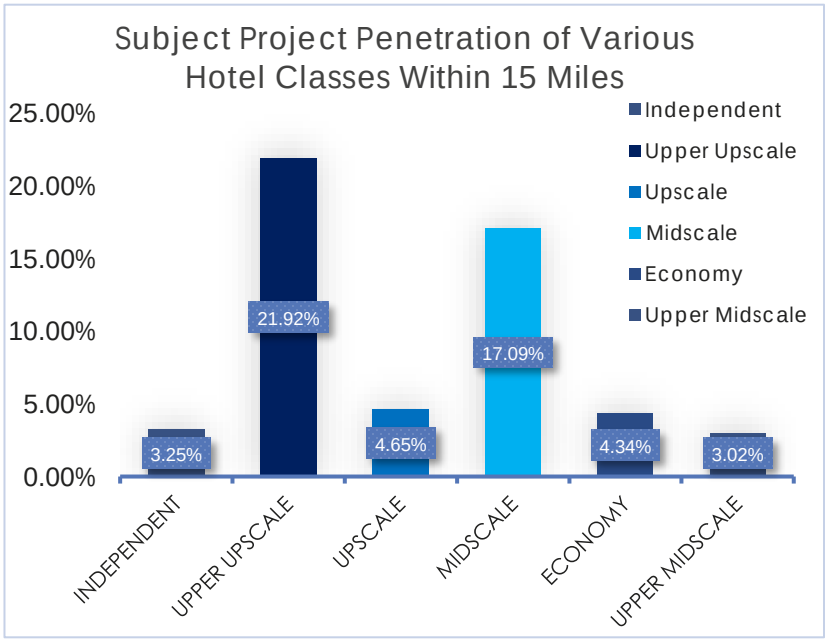
Market Feasibility



0.80 Percent of the total market area

Subject Project Market Share





Subject Project Penetration Rate:

- The graph, derived from data obtained from Smith Travel Research, shows hotel types and room counts in a 15-mile radius from the Subject Project.
- This geographic footprint contains about 15,338 total rooms which accounts for about 5,460,328 total room nights.
- The Subject Project plans call for 128 keys, which is 46,720 room nights, and represents a penetration rate of ~ 0.8 percent of the total market.
- Based on the STR report, it appears as though the Subject Project rooms will be absorbed in the market area as the demand for the market appears to be growing at a CAGR of ~16.30 percent.

Market Feasibility

Discuss adequacy of management (experience, training, and education of management).

Leadership Team

Hero Hotels, LLC	The Company is a fully integrated real estate development company specializing in hotel development with a focus in the California and Texas market areas. The Company also specializes in asset management, hotel property management, and revenue management, with a strong focus on an aggressive sales and marketing strategies, so that their hotels are run at maximum efficiencies. Company principals have owned, operated, and developed real estate assets for the last thirty years and have partnered with well-known franchises such as Holiday Inn Express, Best Western, Days Inn, Ramada, Four Points and Choice.
Dipak Patel| Founder & Principal- Operations	Focus: Hotel Operations Education: UCLA, Bachelors of Science- Bachelors of Science in Economics Other: Owner and Operator of Hotels for 30 plus years in Southern California; liaison to the community relations and experience entrepreneur.
Amar Patel| Founder & Principal- Development	Focus: Acquisitions, real estate development, construction, design & architecture Education: University of Southern California (USC), Bachelors in Business Administration, Real Estate Finance, Masters of Science (USC) for Construction Management Other: USC Construction Alumni Group, Founder; 10 plus years in Project Management with RD Olson Construction.

Market Feasibility

A complete listing of proposed facilities, amenities, and services (i.e.: number and type of rooms, meeting space square footage, recreational amenities, business services such as data ports-workstations-etc., refrigerators in room, laundry service, restaurant-coffee shop-food service, etc.);
See PP55, 56.

History of proposed developer and potential operators (i.e.: years in business, principals, capitalizing, experience, listing of projects, number of units owned, average rates charged, occupancy rates, etc.);
See P73.

Analysis of economic environment projecting likely future economic conditions as they relate to the operation of the subject hotel;
See PP9-17.

Subjects competitive market (i.e.: identification of their market, 3 and 5 year history of occupancy, average daily rate, revenue per available room trends for that market, estimated share of the market the hotel will capture during the first five years of operation, etc.);
See PP57-72.

Analysis of the economic impacts on existing hotel markets within Ontario (i.e.: estimate of the dilution of the market due to addition of proposed hotel, etc.). Note: new hotel projects should only be approved if competitive market occupancy remains at or above 65 percent for a five year projection period;
See PP70-72.

Relationship to demand generators (i.e.: airport, convention center, corporate market, shopping and entertainment);
See PP45-54.

Public cost/revenue projections.
This item does not apply to the Subject Project as planned.

Project Experience (Partial List)

- Upscale Hotels in California
- Midscale Hotels in California
- Midscale Hotels in Arizona
- Luxury Hotels in Florida
- Luxury Hotels in California
- Midscale Hotels in Texas
- Upper Midscale Hotels in California
- Cannabis Grow House Expansion in Florida
- Hydroponic Facility acquisition in Puerto Rico
- Hydroponic in Florida
- Retail Fruits and Vegetables project in Hurst, Texas
- Indoor Sports Complex in Texas
- Indoor Sports Complex in North Carolina
- Indoor Game Center in New Jersey
- Squash Academy in New Jersey
- Neighborhood Retail Center in Florida
- Biofuel Facility in Hawaii
- Hospitals in Louisiana
- Mobile Home Parks in Louisiana
- Cold Storage Facility in Wisconsin
- Cold Storage Facility in New Jersey
- Self Storage Facility in Texas
- Car Wash in California
- Medical Waste to Energy in Rhode Island
- Wheat, Corn and Forage Operation
- Frac Sand Manufacturing Plant
- 52 Oil and Gas Wells in Kentucky
- Golf Center and Hotel in Colorado
- Indoor Gym & Wellness Center in Idaho
- Indoor Sports Complex in North Carolina
- Nursery and Landscaping in Maryland
- Assisted Living and Memory Care in Michigan
- Marina Expansion in Kentucky
- Apartment Complex in Texas
- Football Stadium in Riyadh
- Pipe Factory in Sweden

Resume of the Analyst

Awais Dilawer, B.E, MBA eq, FMVA, CMSA, CBCA, IM&A, M&AP, American Appraisal Institute Certified, CFA Investment Foundations Certificate Holder, Completed Level I in 2021 (1st Attempt), CFA Level II (Candidate)

Over fifteen years of experience in investment, venture capital, business management and consulting with a demonstrated record of consistent achievements across different organizations globally. Specialties include feasibility and due diligence of investment opportunities, business strategy and planning, investment strategy development, deal negotiation and structuring.

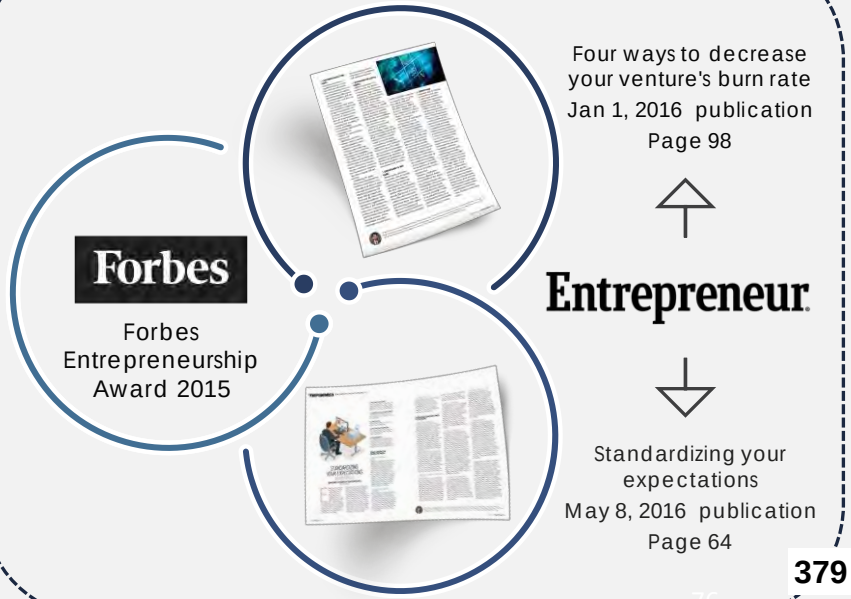
Education/Courses/Certifications

- Investment Foundations certificate by CFA Institute, ID: 204095
- Financial Modelling and Valuation Analyst, ID: 21257732
- Capital Market and Securities Analyst, ID: 22013916
- Certified Banking and Credit Analyst, ID: 22717302
- Hotel Valuation, American Appraisal Institute, ID: 2637
- Forecasting Revenue, American Appraisal Institute, ID: 2637
- CFA level 1 (Passed), ID: 9445336
- Project Management (University of New South Wales), ID: 3250978
- Business Management (University of New South Wales), ID: 3250978
- Crystal Ball (Oracle), ID: 41909
- University of New South Wales, Australia– Master with Business Management, ID: 3250978
- University of Engineering and Technology, ID: 100312
- International Merger & Acquisition Expert ID: 592
- Merger & Acquisition Professional ID: 593

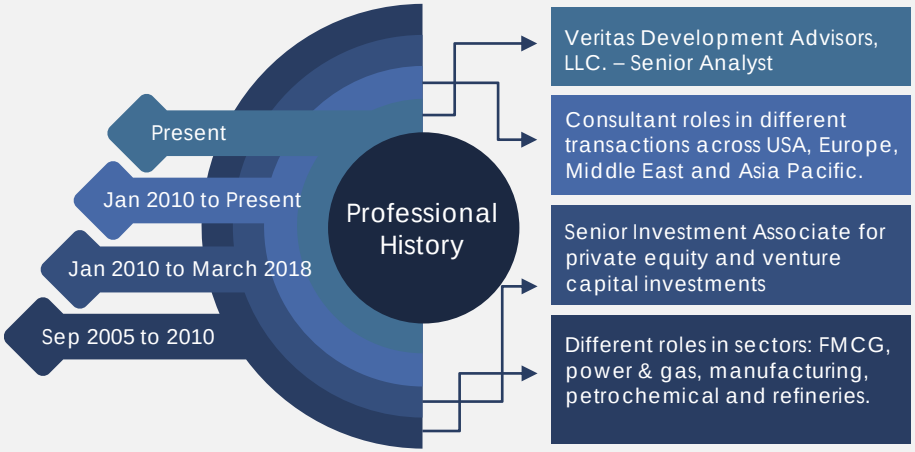
Certifications



International Publications/Awards



Resume of the Analyst



Key Success

Led *due diligence and feasibility study* of a biotech based in California. The transaction involved arranging financing. The target company listed on Nasdaq with the market cap of more than a billion dollar.

Worked on the *due diligence and feasibility study* on an electric vehicle startup with the transaction valued more than $100 million. The target company is listed in Hong Kong Exchange with the market cap of 400 million dollar.

Successfully conducted *feasibility study and due diligence* of a Dutch based EV charging station company for a private equity fund. The Company is listed on Amsterdam Exchange with the market cap of 170 million dollar..

Key Experience

- Prepared and supervised feasibility study, due diligence and business plan of various complexities across USA, EU and other regions.
- Built and recommended investment committee and board in managing real estate portfolio of million US Dollars in value (commercial malls, hospitals, stadiums, hotels, residential apartments, villas, etc.)
- Experienced in performing in depth transaction financial and commercial diligence using internal and external resources
- Assessed risk and impact analysis for different business opportunities and proposing solutions to deal with potential threatening investment risks.
- Analyzed, reviewed and evaluated reports in the area of ICT, Renewable Energy, Life Sciences Health Care and manufacturing sector in the deals pipeline
- Conducted equity valuations both for transactions and financial reporting purposes
- Developed Investment MEMO's and deal reports for board and potential investors especially for the private equity and venture capital funds.
- Advised clients on financial feasibilities of large projects and conducted market research studies.
- Hands on experience in preparation of legal documents in coordination with internal and external resources.
- Experienced in identifying and sourcing investments in private equity and venture capital funds.
- Managed a team of different resources and contributed to their professional development. Extensive experience of talent management, coaching, development and mentoring.
- Led equity investment projects, help structuring and negotiating transactions from start to close.

Resume of the Analyst

Key Projects throughout his career include:

Manufacturing:

- Battery Manufacturing, WA
- Operational Assessment Steel Plant, ME
- Dairy Farm, GA
- Shrimp Farm, AZ,
- Solar Cells Manufacturing, CA
- Aseptic Packaging Food & Beverage Plant, WV
- Bunker Fuel Oil Processing Plant, TX
- Oil and Gas Drill Fuel Wastewater Plant, OH
- Dairy Biogas Digester, WI, TX, AZ
- Yard Waste Disposal and Composting Facility, FL
- Charcoal Manufacturing, OK
- Aluminum processing facility, TX
- Hydroponics, TX, PR
- Concrete Manufacturing Plant, USVI
- Water Bottling Factory, ME
- Chip Manufacturing, ME
- Biofuel Processing, HI
- Medical Waste, RI
- Oil and Gas Wells, KY
- Frac Sand Facility, OK
- Pipe factory, EU
- Automotive, ME
- Solar Panels Coating, EU

Healthcare & Life science:

- Addiction Center, MD, PA
- Biotech, CA
- Assisted Living & Memory Care, WI, UT, TX, FL, MI, CO
- Therapy and Skilled Day School Facility, FL
- Child Day Care, NV
- Hospitals, LA
- Biosimilars Manufacturing, MA
- Vaccine Manufacturing Plant, WA
- Diabetes Center, ME
- Health Information System, MO

Real Estate:

- Self Storage & RV Storage, NV, PA
- Outdoor Soccer Facility, NM
- Car Wash, CA, NV, TX
- Multicomplex Apartments, TX, LA, CA
- Leadership School, UT
- Equestrian Center, TX
- Cold Storage, FL, WI
- Primrose Schools, MD, VA
- Historic Park, IL, KY
- Indoor Sports Complex, NC, NM, TX, ID
- Gas Station with Convenience Store, UT, CA
- Nursey and Landscaping, MD
- RV Park, FL
- Indoor Shooting Range, VA
- Golf Sports Complex, CO
- Distribution & Shipping Facility, TX
- Marina, KY
- Mobile Home Park, LA
- Neighborhood Shopping Center, FL
- Squash Academy, NJ
- Private School, WA, EU
- Stadium, ME

Restaurant:

- Culver, AZ
- Independent Restaurants, UT, NM
- Buffalo Wings, KY
- Dairy Queen, GA
- Cinnabon, ME
- McDonald, ME
- Subway, ME

Hotels & Resorts:

- Baymont Inn & Suites, AZ
- Hilton Hotel, PA, CA, AZ
- Best Western, CA,
- Best Western Plus, TX
- Fairfield Inn& Suites, CA
- Mainstay Suites, TN
- Holiday Inn, TX
- Motel 6, CA
- Independent Hotels, CA, FL, UT
- Resort, NY
- Dual Branded Hotel, AL
- Banquet Hall, CA
- Event Center, TX
- Comfort Suites, CA
- Hampton Inn & Suites, CA
- Marriot, CA

Contact Us

Veritas Development Advisors, LLC ("VDA")

Steve Alves, Managing Partner

Email: salves@veritasda.com

Ph: 240-626-1209



Exhibit L—PARKING STUDY

(Document follows this page)

TRAMES SOLUTIONS INC.
4225 Oceanside Blvd., #354H
Oceanside, CA 92056
(760) 291 - 1400

October 21, 2021

Roger Barbosa
Milestone Management
9891 Irvine Center Dr., Suite #200
Irvine, CA 92618

Subject: Extended Stay Hotel Parking Study (JN 0365-0001)

Dear Mr. Barbosa:

Trames Solutions Inc. is pleased to submit the following parking evaluation for the proposed Extended Stay Hotel development. It is our understanding that the site is proposed to be developed with a 128 room hotel. The project site is located at 5060 E. Fourth St. in the City of Ontario.

INTRODUCTION

The proposed project consists of a 128-room hotel with an 1,824 sf meeting room, and a 331 sf cafe. Attachment A contains the site plan that shows a total of 118 parking spaces consisting of 106 regular spaces, 5 handicap spaces, and 7 electric vehicle spaces.

The intent of this parking evaluation is to determine the parking requirements of the proposed uses based on the City's parking code and the potential requirements of the project due to the nature of the proposed land uses.

CITY OF ONTARIO PARKING CODE REQUIREMENTS

Proposed Project

The following parking rate is based on the City of Ontario for the use associated with the proposed site:

- Hotel = 1 space per room

Therefore, according to the City's requirements, the following number of parking spaces would be required for the proposed project:

Hotel: 128 rooms x (1 space per room) = 128 spaces

PARKING REDUCTION MEASURES

The proposed project will consist of several factors that can reduce the number of parking spaces required for the site. These "mode and noncaptive adjustment" factors include the location of the project (urban environment), provision/proximity to public transit opportunities, and ride hailing opportunities.

The typical patron of the proposed hotel use is anticipated to arrive from the Ontario International Airport (about 5 miles away) to attend a conference or meeting in the adjacent area or attend an event at the Ontario Convention Center. Rather than renting a car, it is anticipated that the patrons will arrive at the hotel via a ride hailing service since the cost and convenience of such services outweigh the difficulty and expense of renting a vehicle.

Ride Hailing Services

Uber/Lyft provide on-demand transportation services for a reasonable cost. Once at the hotel, guests can use the Uber/Lyft services to travel to their nearby meetings/conferences rather than renting a vehicle.

Public Transit

Public bus service is provided by Omnitrans Route 61 and can be taken to the Ontario Airport or other various amenities.

Urban Location

The urban environment promotes pedestrian mobility in lieu of vehicles. Many of the restaurants/attractions are within walking distance of the hotel. Sidewalks and signalized intersections provide controlled crossings.

Urban Land Institute (ULI) Recommended Reduction Measures

The Urban Land Institute has provided mode and noncaptive parking reduction percentages for a hotel based on the factors listed above. ULI has indicated a 41% reduction factor during the weekday and a 31% reduction factor during the weekend in visitor parking for a hotel located in the vicinity of a suburban location (**Shared Parking**, 3rd Edition, Urban Land Institute, 2020, Figure 4-18 Suggested Mode and Noncaptive Adjustment Factors for Hotels). Since the hotel will contain an 1,824 sf meeting room and a 331 sf cafe, these uses were also accounted for in the parking calculations. Furthermore, parking demands at hotels peak at different times of day/different months of the year. ULI's publication Shared Parking, 3rd edition (2020) provides the peaking factors by time of day and month. For the analysis provided in this report, the highest peaks (worst case conditions) were used.

The peak parking demands can be determined by applying the factors and peak demands by time of day/month for the proposed hotel use as shown below. Based on the application of these factors, the hotel will have a peak demand of 94 spaces at 8 AM on a weekday and 105 spaces at 8 AM on a weekend. Attachment B contains the summary of the project's peak parking demands based on the ULI factors.

Weekday at 8 AM

Suburban Hotel:

Rooms (128 rooms x 1 space/room)	= 128 spaces
Adjustment due to ride hailing/public transit/suburban location (41% reduction)	= -52 spaces
Peak hour adjustment (10% reduction)	= -8 spaces
Subtotal	= 68 spaces
Employees (128 rooms x .15 space/room)	= 19 spaces
Subtotal	= 19 spaces
Meeting Room (1,824 sf x 8.72 space/tsf)	= 16 spaces
Peak hour adjustment (70% reduction)	= -11 spaces
Employees (2,155 sf x 1.39 space/tsf)	= 3 spaces
Peak hour adjustment (40% reduction)	= -1 space
Subtotal	= 7 spaces
Total	**= 94 spaces**

Weekend at 8 AM

Suburban Hotel:

Rooms (128 rooms x 1 space/room)	= 128 spaces
Adjustment due to ride hailing/public transit/suburban location (31% reduction)	= -40 spaces
Peak hour adjustment (10% reduction)	= -9 spaces
Subtotal	= 79 spaces
Employees (128 rooms x .15 space/room)	= 19 spaces
Subtotal	= 19 spaces
Meeting Room (1,824 sf x 6.78 space/tsf)	= 12 spaces
Peak hour adjustment (70% reduction)	= -8 spaces
Employees (2,155 sf x 1.41 space/tsf)	= 3 spaces
Peak hour adjustment (40% reduction)	= -1 space
Subtotal	= 6 spaces
Total	**= 104 spaces**

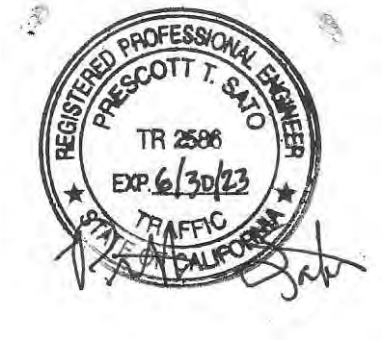
CONCLUSIONS

Based on the City's requirements, a total of 128 parking spaces would be required for the proposed 128 room hotel project. The City's parking code does not differentiate between the various hotel types nor where they are located. For example, a resort/family hotel may require more parking spaces than a suburban hotel located near a hotel since renting a passenger vehicle may be more economical/convenient for a family on vacation than using a ride hailing service.

As indicated in this study, a reduction in the number of parking spaces for a suburban hotel has been determined due to the close proximity to the Ontario Airport, the economic advantage and convenience of ride hailing services, and the availability of public transit services. The analysis indicates that a total of 94 parking spaces on a weekday and 104 parking spaces on a weekend would be the peak parking demands of the proposed hotel due to the factors described above. Since the project is proposed to provide 118 spaces for the hotel, a surplus of 14 parking spaces would be provided for the hotel during the peak demand timeframe.

If there are any questions regarding this evaluation, please do not hesitate to call me at (949) 244-2436.

Respectfully submitted,
Trames Solutions Inc.



Scott Sato, P.E.
Vice President

Attachment A – Site Plan
Attachment B - Shared Parking Summary

ATTACHMENT A

SITE PLAN

NEW 4-STORY BRANDED EXTENDED STAY / RESIDENCE INN HOTEL DEVELOPMENT (128 ROOMS)

5060 E. FOURTH ST., ONTARIO, CA 91764

Project Directory

DEVELOPER:
ROGER BARBOSA (PRINCIPAL)
MILESTONE MANAGEMENT
9891 IRVINE CENTER DR., SUITE #200
IRVINE, CA 92618
TEL.: (714) 321-8557

ARCHITECT & CIVIL ENGINEER:
W&W LAND DESIGN CONSULTANTS INC.
WINSTON LIU P.E., TOM LAU, AIA
2335 W. FOOTHILL BLVD., SUITE I
UPLAND, CA 91786
TEL.: (909) 608-7118
FAX.: (909) 946-1137

LANDSCAPE ARCHITECT:
PHILMAY LANDSCAPE ARCHITECT
PHILMAY
1937 W. 9TH ST.,
UPLAND, CA 91786
TEL.: (909) 373-1959
FAX.: (909) 373-1958

Abbreviations

&	AND	F.F.	FLOOR FINISH	PL.	PLATE
∠	ANGLE	FDN.	FOUNDATION	P.LAM.	PLASTIC LAMINATE
@	AT	FIN.	FINISH	PLAS.	PLASTER
℄	CENTERLINE	FL.	FLOOR	PLYWD.	PLYWOOD
⌀	DIAMETER OF ROUND	FLASH'G	FLASHING	PR.	PAIR
#	POUND OR NUMBER	FLUOR.	FLUORESCENT	PT.	POINT
(E)	EXISTING	F.O.C.	FACE OF CONCRETE	PTN.	PARTITION
(R)	RELOCATED	F.O.F.	FACE OF FINISH		
(N)	NEW	F.O.S.	FACE OF STUDS	Q.T.	QUARRY TILE
		FPRF.	FIREPROOF	QSR	QUICK SERVE RESTAURANT
A.F.F.	ABOVE FINISH FLOOR	F.S.	FLOOR SINK		
A.D.	AREA DRAIN	FT.	FOOT OR FEET	R/RAD.	RADIUS
ADJ.	ADJUSTABLE	FTG.	FOOTING	R.D.	ROOF DRAIN
AGGR.	AGGREGATE	FURR.	FURRING	REF.	REFERENCE
AL.	ALUMINUM	FUT.	FUTURE	REFR.	REFRIGERATOR
APPROX.	APPROXIMATE			RGTR.	REGISTER
ARCH.	ARCHITECTURAL	G.A.	GAUGE	REINF.	REINFORCED
ASB.	ASBESTOS	GALV.	GALVANIZED	REQ'D	REQUIRED
ASPH.	ASPHALT	GL.	GLASS	RESIL.	RESILIENT
		GR.	GRADE	RM.	ROOM
BD.	BOARD	GSM	GALVANIZED SHEET METAL	R.O.	ROUGH OPENING
BITUM.	BITUMINOUS	GYP.	GYPSUM	RWD.	REDWOOD
BLDG.	BUILDING	GYP. BD.	GYPSUM BOARD	R.W.L.	RAIN WATER LEADER
BLKG.	BLOCKING				
BM.	BEAM	H.B.	HOSE BIBB		
BOT.	BOTTOM	H.C.	HOLLOW CORE		
		HCP	HANDICAP	S.C	SOLID CORE
CAB.	CABINET	HDWD.	HARDWOOD	SCHED.	SCHEDULE
CEM.	CEMENT	HDWE.	HARDWARE	S.D.	SOAP DISPENSER
CER.	CERAMIC	H.M.	HOLLOW METAL	SECT.	SECTION
C.I.	CAST IRON	HORIZ.	HORIZONTAL	SH.	SHELF
CLG.	CEILING	HR.	HOUR	SHR.	SHOWER
CLKG.	CAULKING	HGT.	HEIGHT	SHT.	SHEET
CLO.	CLOSET			SIM.	SIMILAR
CLR.	CLEAR	I.D.	INSIDE DIAMETER	SL.	SLOPE
C.O.	CASED OPENING	INSUL.	INSULATION	SPEC.	SPECIFICATION
COL.	COLUMN	INT.	INTERIOR	SQ.	SQUARE
CONC.	CONCRETE			S.ST.	STAINLESS STEEL
CONN.	CONNECTION	JT.	JOINT	STD.	STANDARD
CONSTR.	CONSTRUCTION			STL.	STEEL
CONT.	CONTINUOUS	KIT.	KITCHEN	STOR.	STORAGE
CTSK.	COUNTERSUNK	LAMINATE	LAM.	STRL.	STRUCTURAL
CNTR.	COUNTER	LAV.	LAVATORY	SYM.	SYMMETRICAL
CTR.	CENTER	LT.	LIGHT		
				T.B.S.	TO BE SPECIFIED
DBL.	DOUBLE	MAX.	MAXIMUM	TRD.	TREAD
DEPT.	DEPARTMENT	M.C.	MEDICINE CABINET	T.B.	TOWEL BAR
DET.	DETAIL	MECH.	MECHANICAL	T.C.	TOP OF CURB
DIA.	DIAMETER	MEMB.	MEMBRANE	TEL.	TELEPHONE
DIM.	DIMENSION	MET.	METAL	TER.	TERRAZZO
DISP.	DISPENSER	MFR.	MANUFACTURER	T.& G.	TONGUE & GROOVE
DN.	DOWN	MIN.	MINIMUM	THK.	THICK
D.O.	DOOR OPENING	MIR.	MIRROR	T.P.	TOP OF PAVEMENT
DR.	DOOR	MISC.	MISCELLANEOUS	T.P.D.	TOILET PAPER DISPENSER
DWR.	DRAWER	M.O.	MASONRY OPENING	T.V.	TELEVISION
D.S.	DOWNSPOUT	MTD.	MOUNTED	T.W.	TOP OF WALL
DWG.	DRAWING	MUL.	MULLION	TYP.	TYPICAL
				UNF.	UNFINISHED
E.	EXISTING	N.	NEW	U.O.N.	UNLESS OTHERWISE NOTED
EA.	EACH	N.I.C.	NOT IN CONTRACT		
E.J.	EXPANSION JOINT	NO./#	NUMBER	VERT	VERTICAL
EL.	ELEVATION	NOM.	NOMINAL		
ELEC.	ELECTRICAL	N.T.S.	NOT TO SCALE	W.	WEST
E.P.	ELECTRICAL PANELBOARD	O.A.	OVERALL	W/	WITH
EQ.	EQUAL	OBS.	OBSCURE	W.C.	WATER CLOSET
EQPT.	EQUIPMENT	O.C.	ON CENTER	WD.	WOOD
EXST.	EXISTING	O.D.	OUTSIDE DIAMETER	W/O	WITHOUT
EXP.	EXPANSION	OFF.	OFFICE	WP.	WATERPROOF
EXT.	EXTERIOR	OPNG.	OPENING	WSCT.	WAINSCOT
		OPP.	OPPOSITE	WT.	WEIGHT

Legal Description

LOT PARCEL 5 OF PARCEL MAP 15953. IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 202 PAGE 44-47 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Planning Dept. Notes

1) SITE PLAN SHALL MEET ALL ENGINEERING & NPDES REQUIREMENTS.
2) SIGNAGE UNDER SEPARATE SUBMITTAL.
3) FIRE SPRINKLER (NFPA 13) & ALARM (NFPA 72) UNDER SEPARATE PERMIT.

Sheet Index

T	PROJECT DATA, EXISTING SITE/SURVEY, VICINITY MAP
A1.01	PROPOSED SITE PLAN
A1.02	CONDITIONS OF APPROVAL
A1.03	FIRE ACCESS PLAN, TRASH/RECYCLE ENCLOSURE
A1.04	ENLARGED PAVING PLAN
A2.01	PROPOSED FIRST FLOOR PLAN
A2.02	PROPOSED SECOND FLOOR PLAN
A2.03	PROPOSED THIRD FLOOR PLAN
A2.04	PROPOSED FOURTH FLOOR PLAN
A2.05	PROPOSED ROOF PLAN
A3.01	PROPOSED BLD'G ELEVATION (NORTH)
A3.02	PROPOSED BLD'G ELEVATIONS (WEST & SOUTH)
A3.03	PROPOSED BLD'G ELEVATION (EAST)
A4.01	BUILDING SECTIONS & LINE OF SIGHT STUDIES
A4.02	WALL SECTIONS
A4.03	WALL SECTIONS
A4.04	WALL SECTIONS
L-1	COVER SHEET
L-2	PRELIMINARY LANDSCAPE PLAN
C-1	SITE UTILIZATION MAP
C-2	CONCEPTUAL GRADING/DRAINAGE PLAN
C-3	PROPOSED WQMP EXHIBIT
C-4	UTILITIES SYSTEMS MAP
C-5	SOLID WASTE HANDLING PLAN

Project Data

ADDRESS:	5060 E FOURTH ST., ONTARIO, CA 91764
APN#:	0238-012-30-0000
GENERAL PLAN USE:	GENERAL COMMERCIAL (0.4 FAR)
ZONING (SP):	FC FREEWAY COMMERCIAL (THE EXCHANGE) PSP02-002
PROPOSED OCCUPANCY:	R-1 (HOTEL > 10 PERSON) 50,364 S.F. B (BUSINESS) 4,886 S.F.
(E) SITE AREA (GROSS):	80,000 S.F. (1.837 ACRE)
SITE AREA (NET):	80,000 S.F. (1.837 ACRE)
PROPOSED BUILDING:	55,250 S.F. (4-STORY)
TYPE OF CONSTRUCTION:	VA (1/F TO 4/F)
SPRINKLER:	FULLY SPRINKLERED (NFPA 13) (UNDER SEPARATE PERMIT)
FIRE ALARM:	YES, (NFPA 72) (UNDER SEPARATE PERMIT)
BUILDING HEIGHT:	40'-0" (MAIN ROOF), +53'-0" (TOWER)
PARKING AREA:	19,106 S.F.
PARKING LANDSCAPE:	12,000 S.F. (15.00%)
SHARED DRIVEWAY:	5,516± S.F. (0.127± ACRE)

A) SETBACK REQUIREMENTS:

	PARKING SETBACK REQUIRED	PARKING SETBACK PROVIDED	BUILDING SETBACK REQUIRED	BUILDING SETBACK PROVIDED
I-15 FWY	= 5'(MIN.)	= 5'	= 20'	= >20'
	=15'(AVE.)	= 15.04' (SEE CAL. ON A1.01)		
FOURTH ST.	= 25'	= >25'	= 30'	= >30'

B) PARKING COMPUTATION

	REQUIRED	(PROVIDED)
128 ROOMS	129 STALLS	118 STALLS (91.5%)
	TOTAL	118 STALLS (INCL. 5 HCP & 7 EV)

C) FLOOR AREA RATIO (0.5 MAX.) = 0.5
55,250 S.F./80,000 S.F. = 0.691
LOT COVERAGE
13,250 S.F./80,000 S.F. = 16.56%
LANDSCAPE AREA = 14,190 S.F. (INCL. POOL)
14,190 S.F./80,000 S.F. = 17.74%

D) GUESTROOM AREA BREAKDOWN:

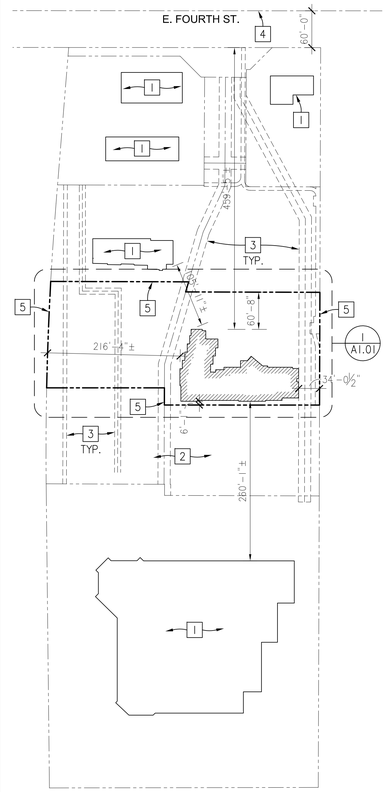
RM. TYPE	QUEEN SUITE	D.Q. SUITE	ADA QQ QUEEN	ADA QUEEN
4/F 14,000 S.F. (36)	18	16	1	1
3/F 14,000 S.F. (36)	18	16	1	1
2/F 14,000 S.F. (36)	18	16	1	1
1/F 13,250 S.F. (20)	7	13		
55,250 S.F.(128)	61	61	3	3
SUB-TOTAL 128 ROOMS				

E) AMENITY AREA BREAKDOWN SUMMARY

MEETING ROOM (1/F)	1,194+630 = 1,824 S.F.
SEATING AREA (2/F, 3/F & 4/F)	300 S.F.
CAFE/SNACK (1/F)	331 S.F.
FITNESS (1/F)	331 S.F.
AMENITY SUB-TOTAL	2,786 S.F.
AMENITY REQUIRED: 128x15 S.F. = 1,920	
OUTDOOR SEATING	400 S.F.
POOL DECK/POOL/SPA	2,353 S.F.

FIRST FLOOR BREAKDOWN

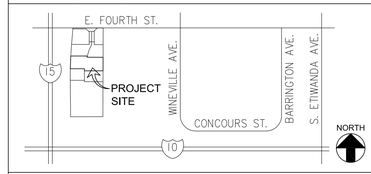
LOBBY	504 S.F.	CART	31 S.F.
RECEPTION	110 S.F.		
STAFF LAUNDRY	437 S.F.	STORAGE	26 S.F.
ELEC. RM.	224 S.F.	GUEST LAUNDRY	319 S.F.
PUBLIC RESTROOM	61 S.F.	ENGINEERING RM.	187 S.F.
TRAINING	148 S.F.	ELEV. MECH.	53 S.F.



1 Overall Site Dimension Plan SCALE: 1"=100'-0"

Vicinity Map

SCALE: N.T.S.

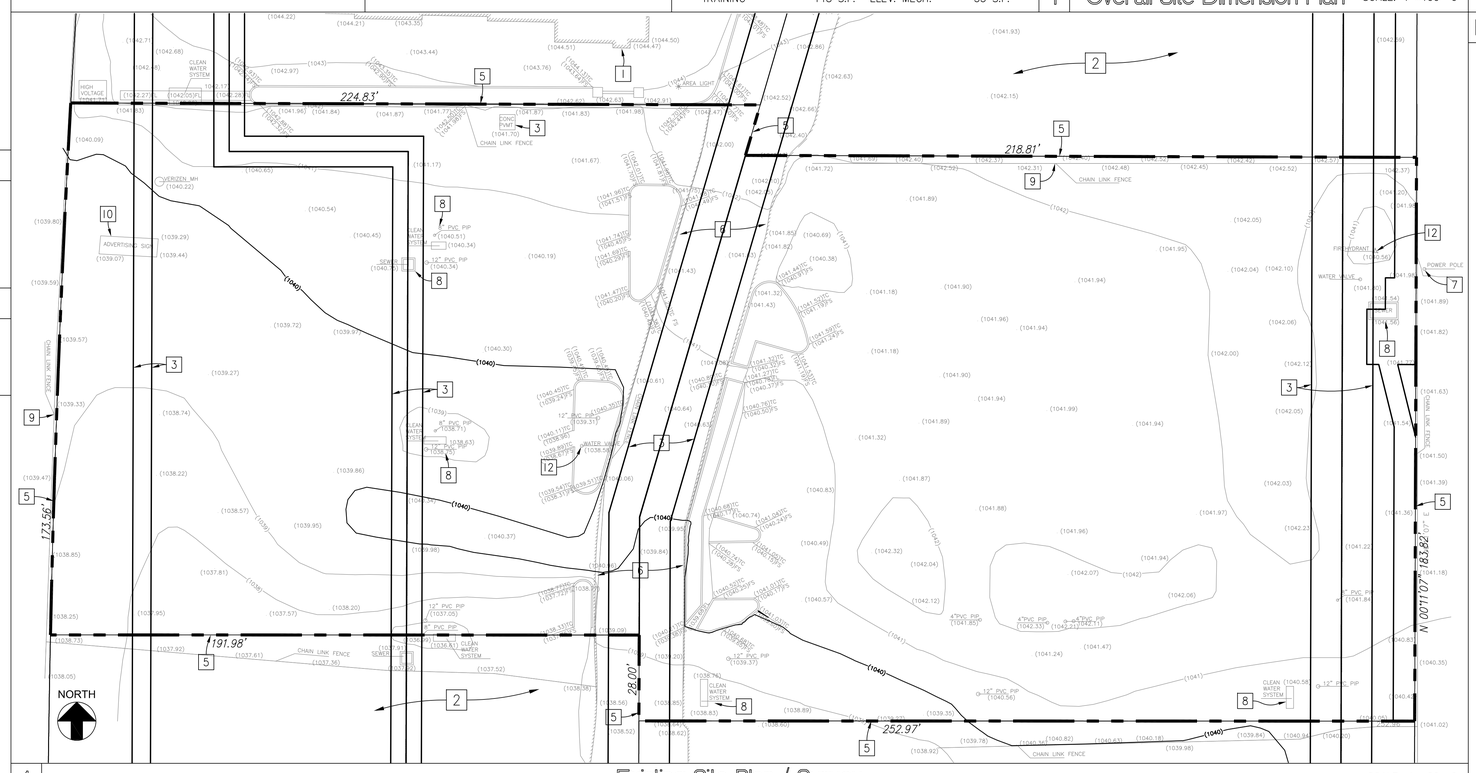


Project Description

NEW DEVELOPMENT OF 4-STORY 128 ROOMS EXTENDED STAY/ RESIDENCE INN HOTEL, 118 ON-SITE PARKING SPACES (INCL. 5 HCP & 7 EV). TOTAL BUILDING AREA IS 55,250 S.F.
HOTEL SIGNAGE UNDER SEPARATE APPLICATION.
HOURS OF OPERATION: 24x7
NUMBER OF EMPLOYEE: 6 EMPLOYEES (FULL & PART TIME)
3 @ DAY/2 @ NIGHT/1 GRAVE YARD SHIFT

Reference Notes

1. (E) COMMERCIAL BUILDING, NOT A PART.
2. (E) VACANT LAND, NOT A PART.
3. (E) UTILITY EASEMENT, SEE CIVIL PLAN.
4. (E) CENTER LINE OF STREET.
5. (E) PROPERTY LINE.



1 Existing Site Plan / Survey SCALE: 1"=20'-0"

Reference Notes

1. (E) COMMERCIAL BUILDING, NOT A PART.
2. (E) VACANT LAND, NOT A PART.
3. (E) UTILITY EASEMENT, SEE CIVIL PLAN.
4. (E) CENTER LINE OF STREET.
5. (E) PROPERTY LINE.
6. (E) 30'-0" WIDE ASPHALT PAVED ROAD TO REMAIN.
7. (E) POWER POLE & GUY WIRE TO REMAIN.
8. (E) SITE DRAINAGE SYSTEM, SEE CIVIL PLAN.
9. (E) METAL FENCE.
10. (E) PYLON SIGN TO REMAIN.
11. REMOVE & DISPOSE (E) METAL FENCE.
12. (E) FIRE HYDRANT.

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W&W LAND DESIGN CONSULTANTS INC.
ARCHITECTURE, CIVIL ENGINEERING & INTERIOR
2335 W. FOOTHILL BLVD., STE 1, UPLAND, CA 91786
PHONE: (909) 608-7118 FAX: (909) 946-1137

PROJECT: NEW DEVELOPMENT OF 4-STORY BRANDED EXTENDED STAY / RESIDENCE INN HOTEL (128 ROOMS)
ADDRESS: 5060 E. 4TH ST., ONTARIO, CA 91764
CLIENT: ROGER BARBOSA (PRINCIPAL), MILESTONE MANAGEMENT, 9891 IRVINE CENTER DR., SUITE #200, IRVINE, CA 92618, TEL.: (714) 321-8557

SHEET TITLE: PROJECT DATA, DIRECTORY, VICINITY MAP, ABBREVIATIONS, OVERALL SITE DIMENSION PLAN & REFERENCE NOTES

KEY MAP:

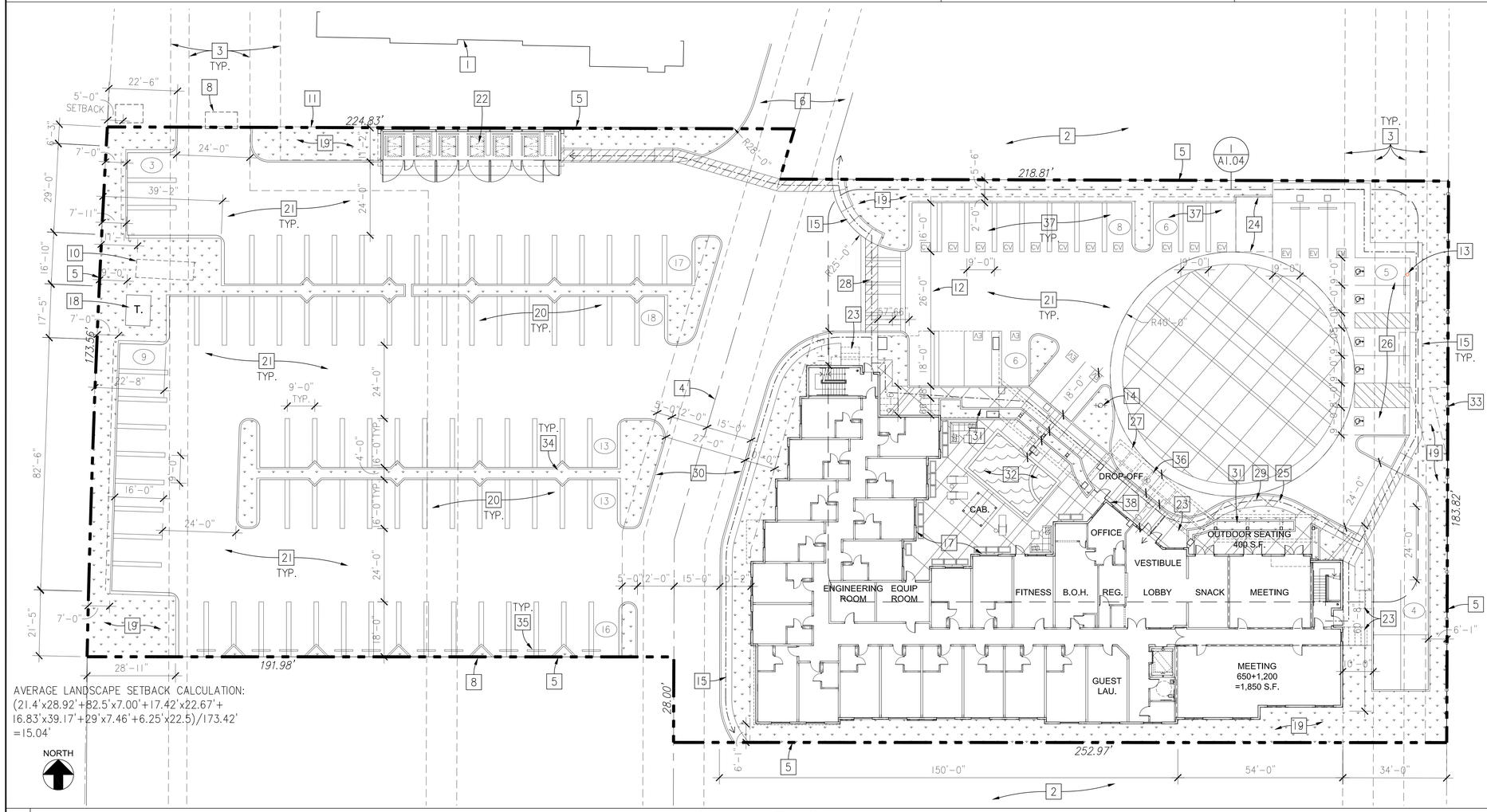
SEAL/STAMP

JOB NO.	2108AR
DRAWN BY:	CL
SUPERVISED BY:	TL
CHECKED BY:	TL
PLAN CHECK	
PERMIT SET	__/__/____
BID SET	__/__/____

REVISIONS

PLANNING SUBMITTAL	JUN 4, 2021
PLANNING MEETING	JUL 27, 2021
PLANNING OFF-SITE	AUG 12, 2021
OWNER REVIEW	AUG 20, 2021
PLANNING REVIEW	SEP 10, 2021
PLANNING RE-SUBMITTAL	SEP 22, 2021

SHEET NO: T OF SHEETS
SHEET



AVERAGE LANDSCAPE SETBACK CALCULATION:
(21.4'x28.92'+82.5'x7.00'+17.42'x22.67'+
16.83'x39.17'+29'x7.46'+6.25'x22.5)/173.42'
=15.04'

NORTH

1 Proposed Site Plan

SCALE: 1/16"=1'-0"

Reference Notes

1. (E) COMMERCIAL BUILDING, NOT A PART.
2. (E) VACANT LAND, NOT A PART.
3. (E) UTILITY EASEMENT, SEE CIVIL PLAN.
4. (E) CENTER LINE OF STREET.
5. (E) PROPERTY LINE.
6. (E) 30'-0" WIDE ASPHALT PAVED ROAD TO REMAIN.
7. (E) POWER POLE & GUY WIRE TO REMAIN.
8. (E) SITE DRAINAGE SYSTEM, SEE CIVIL PLAN.
9. (E) METAL FENCE TO REMAIN, NOT A PART.
10. (E) PYLON SIGN TO REMAIN.
11. REMOVE & DISPOSE (E) METAL FENCE.
12. 26'-0" FIRE LANE.
13. (E) FIRE HYDRANT TO RELOCATE.
14. (N) FIRE HYDRANT.
15. (N) SIDEWALK.
16. REMOVE & DISPOSE (E) CURB & GUTTER, SEE CIVIL PLAN.
17. PROPOSED NEW HOTEL BUILDING, SEE A2.01 FLOOR PLAN.
18. PROPOSED TRANSF. PAD (8'x10').
19. PROPOSED LANDSCAPE AREA.
20. PROPOSED ASPHALT PAVED PARKING AREA.
21. PROPOSED ASPHALT PAVED DRIVEWAY.
22. PROPOSED TRASH ENCLOSURE PER CITY STD, SEE (2 / A1.03)
23. PROPOSED BIKE PARKING/STORAGE AT 12 LOCATIONS. (5% LONG-TERM + 5% SHORT-TERM)
24. PROPOSED LOADING/UNLOADING (12'-0"x18'-0").
25. 4' WIDE POURED IN PLACE CONC. WALKWAY, SCORE EVERY 4' TO 6', BROOM-SWEPT FINISH, SEE HARDSCAPE PLAN.
26. PROPOSED ADA PARKING & LOADING AT FIVE LOCATIONS.
27. PROPOSED ENTRY CANOPY, SEE FLOOR PLAN.
28. PROPOSED CROSS WALKWAY TO PUBLIC RIGHT OF WAY.
29. PROPOSED PATH OF TRAVEL.
30. PROPOSED 27'-0" DRIVEWAY.
31. PROPOSED 2'-0" HT. PLANTER W/ 4'-0" HT. GLASS PANEL.
32. PROPOSED POOL AND WHIRLPOOL/SPA.
33. PROPOSED 6'-0" HT. DECORATIVE W.I. FENCE.
34. PROPOSED 5'-0"x5'-0" TREE WELL.
35. WHEEL STOP.
36. PROPOSED PASSENGER LOADING/UNLOADING AREA.
37. PROPOSED CV/VAN POOL SPACE AT 11 LOCATIONS.
38. PROPOSED LOCATION FOR RECESSED MAILBOX, SIZE DETERMINED BY POST OFFICE.

Legend

- PATH OF TRAVEL
- (E) FIRE HYDRANT
- FIRE DEPT. CONNECTION
- (N) FIRE HYDRANT & CONNECTION
- (E) CHAIN LINK FENCE
- LANDSCAPE AREA

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ADDRESS: 5060 E. 4TH ST., ONTARIO, CA 91764

CLIENT: ROGER BARBOSA (PRINCIPAL)
MILESTONE MANAGEMENT
9893 IRVINE CENTER DR., SUITE #200
IRVINE, CA 92618
TEL.: (714) 321-8557

SHEET TITLE: PROPOSED SITE PLAN (OPTION 'A')

KEY MAP:

SEAL/STAMP

JOB NO.	2108AR
DRAWN BY:	CL
SUPERVISED BY:	TL
CHECKED BY:	TL
PLAN CHECK	
PERMIT SET	__/__/____
BID SET	__/__/____

REVISIONS

1	PLANNING SUBMITTAL	JUN 4, 2021
2	PLANNING MEETING	JUL 27, 2021
3	PLANNING OFF-SITE	AUG 12, 2021
4	OWNER REVIEW	AUG 20, 2021
5	PLANNING REVIEW	SEP 10, 2021
6	PLANNING RE-SUBMITTAL	SEP 22, 2021

SHEET NO:

A1.01

OF SHEETS

SHEET

ATTACHMENT B

ULI PEAK PARKING DEMAND SUMMARY

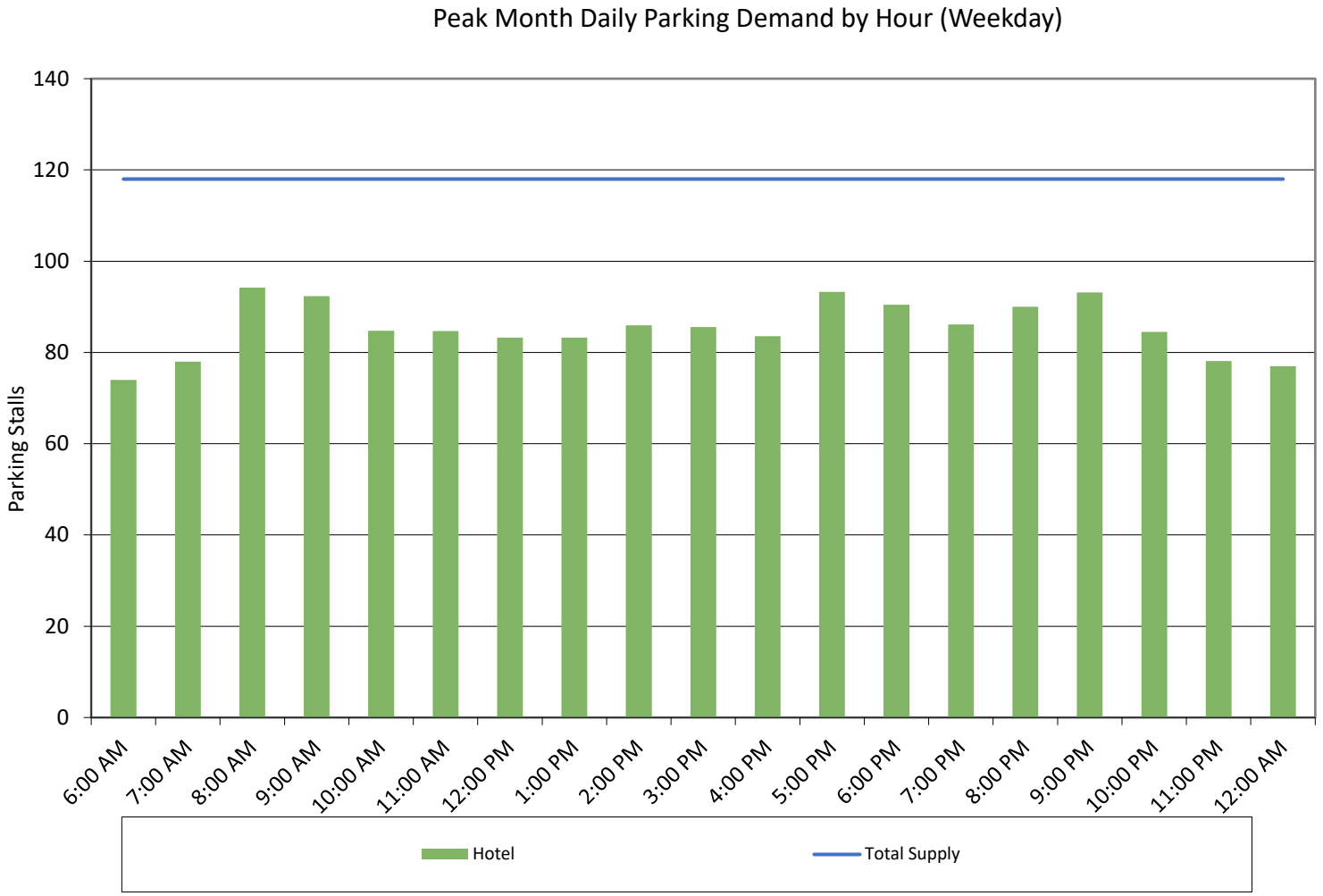
Copyright © 2020 All rights reserved. The Urban Land Institute, International Council of Shopping Centers, and National Parking Association.

Project: Extended Stay
Description: 128 room hotel

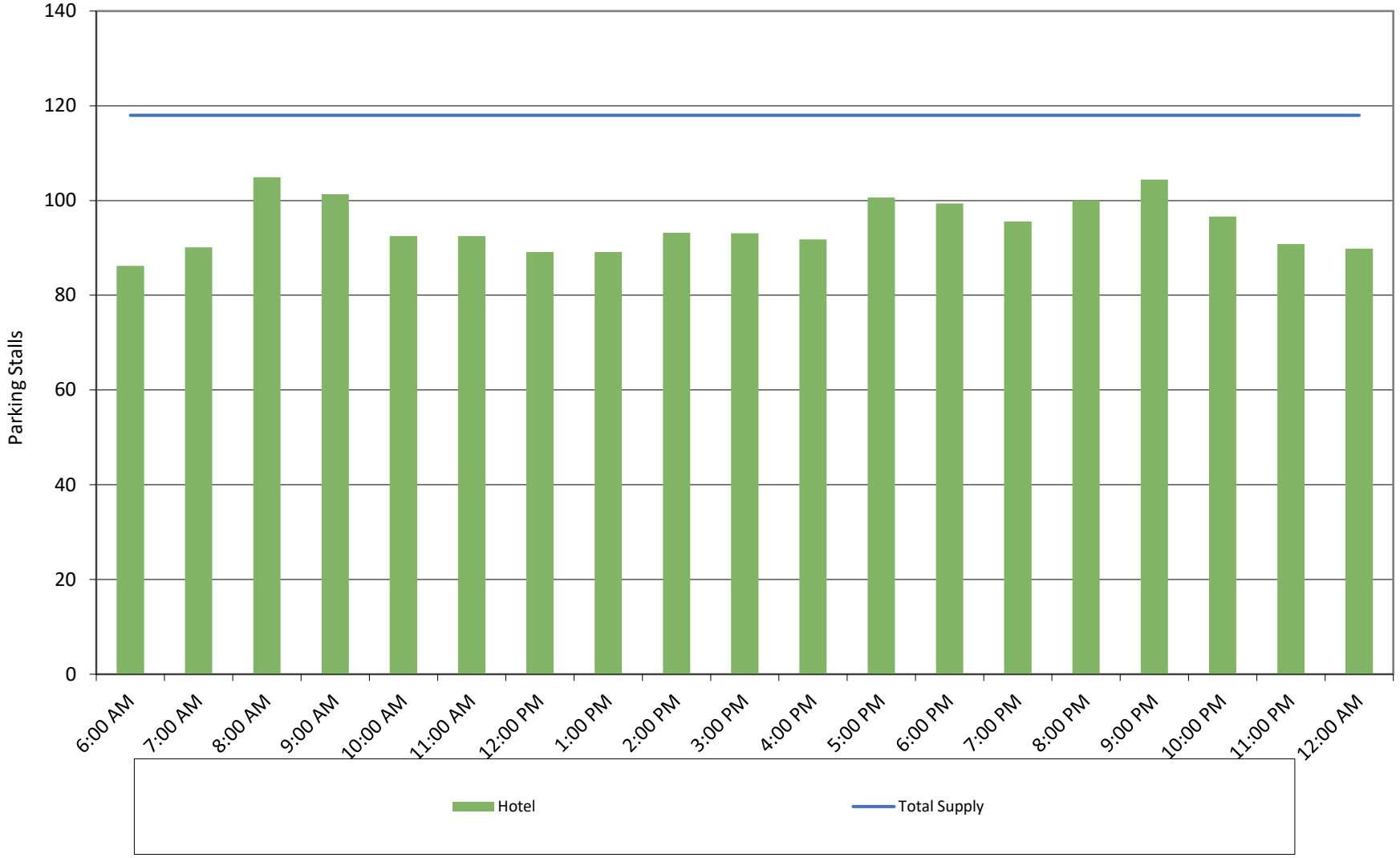
Shared Parking Demand Summary
Peak Month: MARCH -- Peak Period: 8 AM, WEEKEND

Land Use	Project Data		Weekday					Weekend					Weekday			Weekend		
	Quantity	Unit	Base Ratio	Driving Adj	Non-Captive Ratio	Project Ratio	Unit For Ratio	Base Ratio	Driving Adj	Non-Captive Ratio	Project Ratio	Unit For Ratio	Peak Hr Adj 8 AM	Peak Mo Adj March	Estimated Parking Demand	Peak Hr Adj 8 AM	Peak Mo Adj March	Estimated Parking Demand
Retail																		
Food and Beverage																		
Entertainment and Institutions																		
Hotel and Residential																		
Hotel-Business		keys	1.00	59%	100%	0.59	key	1.00	69%	100%	0.69	key	80%	90%	-	80%	90%	-
Hotel-Leisure	128	keys	1.00	59%	100%	0.59	key	1.00	69%	100%	0.69	key	90%	100%	68	90%	100%	79
Hotel Employees	128	keys	0.15	100%	100%	0.15	key	0.15	100%	100%	0.15	key	100%	100%	19	100%	100%	19
Restaurant/Lounge	331	sf GLA	6.67	63%	90%	3.78	ksf GLA	7.67	54%	30%	1.24	ksf GLA	30%	95%	-	30%	95%	-
Meeting/Banquet (0 to 20 sq ft/key)	1,824	sf GLA	21.38	68%	60%	8.72	ksf GLA	14.25	68%	70%	6.78	ksf GLA	30%	100%	5	30%	100%	4
Meeting/Banquet (20 to 50 sq ft/key)		sf GLA	0.00	68%	60%	0.00	ksf GLA	0.00	68%	70%	0.00	ksf GLA	30%	100%	-	30%	100%	-
Meeting/Banquet (50 to 100 sq ft/key)		sf GLA	0.00	68%	60%	0.00	ksf GLA	0.00	68%	70%	0.00	ksf GLA	30%	100%	-	30%	100%	-
Convention (100 to 200 sq ft/key)		sf GLA	0.00	68%	60%	0.00	ksf GLA	5.50	68%	70%	2.62	ksf GLA	50%	90%	-	50%	90%	-
Convention (> 200 sq ft/key)		sf GLA	5.50	68%	60%	2.24	ksf GLA	5.50	68%	70%	2.62	ksf GLA	50%	90%	-	50%	90%	-
Restaurant/Meeting Employees	2,155	sf GLA	1.39	100%	100%	1.39	ksf GLA	1.41	100%	100%	1.41	ksf GLA	60%	100%	2	60%	100%	2
Office																		
Additional Land Uses																		

Customer/Visitor	73	Customer	83
Employee/Resident	21	Employee/Resident	21
Reserved	-	Reserved	-
Total	94	Total	104


Peak Month Daily Parking Demand by Hour (Weekday)
Parking Stalls
140
120
100
80
60
40
20
0
6:00 AM
7:00 AM
8:00 AM
9:00 AM
10:00 AM
11:00 AM
12:00 PM
1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
7:00 PM
8:00 PM
9:00 PM
10:00 PM
11:00 PM
12:00 AM
Hotel
Total Supply

Peak Month Daily Parking Demand by Hour (Weekend)



RESOLUTION NO. PC22-011

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING APPROVAL TO CITY COUNCIL FOR FILE NO. PCUP21-009, A CONDITIONAL USE PERMIT TO ESTABLISH AND OPERATE A LIMITED-SERVICE HOTEL ON 1.83 ACRES OF LAND LOCATED AT 5060 EAST FOURTH STREET, WITHIN THE FREEWAY COMMERCIAL LAND USE DISTRICT OF THE EXCHANGE SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0238-012-30.

WHEREAS, ROGER BARBOSA ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. PCUP21-009, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan, and the site is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Freeway Commercial land use district of The Exchange Specific Plan and is developed with a multi-tenant retail building. The property to the east is within the Open Space zoning district and is developed with Southern California Edison transmission lines. The property to the south is within the Freeway Commercial land use district of The Exchange Specific Plan and is currently vacant. The property to the west is Interstate 15; and

WHEREAS, on June 4, 2021, the Applicant submitted File No. PCUP21-009, a Conditional Use Permit application requesting approval to establish and operate a limited-service hotel land use on the Project site; and

WHEREAS, the proposed Conditional Use Permit was submitted for concurrent processing with File No. PDEV21-021, a Development Plan to construct a 4-story, 128-room Extended Stay Hotel on the Project site; and

WHEREAS, in 2003, the City approved The Exchange Specific Plan, a 23.60-acre master plan for the project area. The Exchange Specific Plan is composed of two land use districts, including the Freeway Commercial land use district, which comprises the northerly 12.03 acres of the Specific Plan, and the Industrial Park land use district, which comprises the southerly 11.57 acres of the Specific Plan; and

WHEREAS, the City's Development Code requires that all new hotels must be reviewed under concurrently filed Conditional Use Permit and Development Plan applications. The purpose of the Conditional Use Permit application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure the use will not be detrimental to the public health, safety, or

welfare, or materially injurious to uses, properties or improvements in the vicinity. More specifically, in the case of hotels, the Conditional Use Permit is required to establish the project's market feasibility and ensure on-going compliance with the minimum amenity package required by the Development Code; and

WHEREAS, in fulfillment of the requirements of Development Code Section 5.03.250.C (Market Feasibility Report Required), the Applicant has submitted a Market Feasibility Study, which demonstrates that the local market can support the development of a new hotel. The Study, prepared by Veritas Development Advisors (dated October 21, 2021), includes analysis and market research related to the proposed project. The Study found that the local market can support a limited-service hotel on the Project site. The study's conclusions are based primarily upon the growth in the Inland Empire, the area's proximity to the Los Angeles area, the Ontario Convention Center, the Ontario International Airport, California Speedway in Fontana, and the Project's proximity to the Ontario Mills Mall. The report includes an analysis of other similar hotels in the area, long-term viability, and overall demand due to new businesses and activities in and around the City; and

WHEREAS, the proposed Project has met or exceeded the minimum amenity package requirements, as stipulated by Section 5.03.250.D (Minimum Amenity Package) of the City's Development Code; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; 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 February 7, 2022, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB22-007, recommending that the Planning Commission recommend the City Council approve the Application; and

WHEREAS, on February 22, 2022, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: ***Environmental Determination and Findings.*** As the recommending authority for the Project, the Planning Commission 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 Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, which consists of: (a) the Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations; (b) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (c) the Project site

has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the Project site is adequately served by all required utilities and public services; 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 Planning Commission.

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 authority for the Project, the Planning Commission 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as "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 authority for the Project, the Planning Commission 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 PLANNING COMMISSION, 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 Planning Commission during the above-referenced hearing,

and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and The Exchange Specific Plan, and the scale and intensity of land uses intended for the Freeway Commercial land use district in which the use is proposed to be located. Furthermore, the proposed 128-room, hotel land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines of the Freeway Commercial land use designation of The Exchange Specific Plan; and

(2) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed 128-room hotel land use will be located within the Planned Commercial land use district of the Policy Plan Land Use Map, and the Freeway Commercial land use district of The Exchange Specific Plan. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan; and

(3) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.*** The proposed 128-room hotel land use is located with the Freeway Commercial land use district of The Exchange Specific Plan and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and The Exchange Specific Plan; and

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

SECTION 5: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," 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.

SECTION 8: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

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The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of February 2022, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC22-011, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on February 22, 2022, by the following roll call vote, to wit:

AYES: Anderson, Dean, DeDiemar, Gage, Lampkin, Ricci, Willoughby

NOES: None

ABSENT: None

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PCUP21-009
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Date Prepared: 1/24/2022

File No: PCUP21-009

Related Files: N/A

Project Description: A Conditional Use Permit (File No. PCUP21-009) to establish and operate a limited-service hotel use on 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan. (APN: 0238-012-30); submitted by Roger Barbosa.

Prepared By: Luis E. Batres, Senior Planner
Phone: 909.395.2431 (direct)
Email: Lbatres@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 (https://www.ontarioca.gov/Planning/Applications) or from the Planning Department/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. Conditional Use Permit approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Conditional Use Permit 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 shall provide a total of 118 parking spaces. In the future, if it is determined by the Planning Department as a result of complaints received that additional parking is necessary, the Applicant shall enter into a reciprocal parking agreement with adjacent developments to provide the additional parking (additional 10 parking spaces).

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP21-009, A CONDITIONAL USE PERMIT TO ESTABLISH AND OPERATE A 128-ROOM LIMITED-SERVICE HOTEL ON 1.83 ACRES OF LAND LOCATED AT 5060 EAST FOURTH STREET, WITHININ THE FREEWAY COMMERCIAL LAND USE DISTRICT OF THE EXCHANGE SPECIFIC PLAN AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 0238-012-30.

WHEREAS, ROGER BARBOSA ("Applicant") has filed an Application for the approval of File No. PCUP21-009, a Conditional Use Permit as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan, and the site is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Freeway Commercial land use district of The Exchange Specific Plan and is developed with a multi-tenant retail building. The property to the east is within the Open Space zoning district and is developed with Southern California Edison transmission lines. The property to the south is within the Freeway Commercial land use district of The Exchange Specific Plan and is currently vacant. The property to the west is Interstate 15; and

WHEREAS, on June 4, 2021, the Applicant submitted File No. PCUP21-009, a Conditional Use Permit application requesting approval to establish and operate a limited-service hotel on the Project site; and

WHEREAS, the proposed Conditional Use Permit was submitted for concurrent processing with File No. PDEV21-021, a Development Plan to construct a four-story, 128-room Extended Stay Hotel on the Project site; and

WHEREAS, in 2003, the City approved The Exchange Specific Plan, a 23.60-acre master plan for the project area. The Exchange Specific Plan is composed of two land use districts, including the Freeway Commercial, which comprises the northerly 12.03 acres of the Specific Plan, and the Industrial Park land use district, which comprises the southerly 11.57 acres of the Specific Plan; and

WHEREAS, the City’s Development Code requires that all new hotels must be reviewed under concurrently filed Conditional Use Permit and Development Plan applications. The purpose of the Conditional Use Permit application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. More specifically, in the case of hotels, the Conditional Use Permit is required to establish the

project's market feasibility and ensure on-going compliance with the minimum amenity package required by the Development Code; and

WHEREAS, Development Code Section 5.03.250.D (Minimum Amenity Package) stipulates that no Conditional Use Permit shall be approved for a hotel, motel, residence inn, or other similar traveler accommodation, unless certain specific amenities are provided and permanently maintained, as described below:

(1) Each guestroom shall include voicemail, wired or wireless internet access, desk with chair, hairdryer, retractable magnifying (10X) and lighted makeup mirror, iron and ironing board, high-definition television, and alarm clock or wake-up service. Compliance with these requirements will be verified by the Planning Department during Building Department plan check and at time of final building inspection; and

(2) For limited-service hotels, meeting space equal to 15 square feet per guestroom shall be provided, requiring that Project provide a minimum of 1,920 square feet of meeting/gathering area. The Project exceeds the minimum requirement, incorporating a total of 2,250 square feet of available meeting/gathering area; and

(3) Both active and passive leisure amenities are required. At a minimum, the Project must provide a swimming pool, whirlpool/spa or furnished cabana, and fitness room. The Project exceeds the minimum requirement, providing a pool and spa, poolside cabana, outdoor seating areas, and a fitness room; and

(4) A guest courtesy lounge for the serving of light meals and snacks is required to be provided in conjunction with limited-service hotels. The Project has provided a 331-square-foot café/snack room for hotel guests, meeting the minimum requirement; and

WHEREAS, in fulfillment of the requirements of Development Code Section 5.03.250.C (Market Feasibility Report Required), the Applicant submitted a Market Feasibility Study, which demonstrates that the local market can support the development of a new hotel. An initial Market Feasibility Study (dated October 21, 2021) was prepared Veritas Development Advisors for the proposed extended stay hotel. The study found that the local market can support the proposed hotel. The market area for the hotel appears stable. The hotel rooms are expected to be absorbed in the market area based on the Smith Travel Research report analysis conducted for the project site. Based on the supply and demand analysis (pre-COVID) within the market area, it appears as though occupancy will likely remain above 65 percent over the next five years. Analyses of the market appears to indicate that development of the Subject Project, as planned, would yield about a 0.8 percent market share in the Subject Project's market area. The study's conclusions are based primarily upon the growth in the Inland Empire, the area's proximity to the Los Angeles area, the Ontario Convention Center, the Ontario International Airport, California Speedway in Fontana, and the Project's proximity to the Ontario Mills Mall (see Exhibit K- Hotel Market Study of the attached Planning Commission Staff Report). The report includes an analysis of other similar hotels in the area, long-term viability, and overall demand due to new businesses and activities in and around the City; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject Application; 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 February 7, 2022, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB22-007, recommending that the Planning Commission recommend the City Council approve the Application; and

WHEREAS, on February 22, 2022, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date, voting unanimously (7-0) to issue Resolution No. PC22-011 recommending that the City Council approve the Application; and

WHEREAS, at the April 19, 2022 City Council meeting, this Application was considered by the City Council and recommended to be continued indefinitely and requested that the scope of the prepared Market Feasibility Study for the hotel, be widened to also analyze full service and select and limited-service hotels within the Ontario market area. A Supplemental Market Feasibility Study was prepared by Veritas Development Advisors (See Exhibit "A" Market Feasibility Study-Supplemental Report -

July 13, 2022). The Study concluded that in review of full-service, select-/limited-service, and extended stay supply and demand, the proposed 128-Room extended stay hotel would be anticipated to maintain average occupancies of about 80% based on overall penetration of the demand. Extended stay demand is correlated to longer duration travel (~32% of demand). Full-service and select-/limited-service demand most often correlates with corporate travel (~39% of overall demand), leisure travel (~16% of overall demand), and group travel (~12% of overall demand). Extended stay demand appears to have been stable through the Pandemic–showing a decrease of ~20% through the pandemic that appears to have bounced back surpassing pre-pandemic occupancies and rates. Full-service and select-/limited-service demand generators appear to have increased within the last year and appear to be reaching pre-pandemic levels for occupancy and average daily rates. Select-/limited-service hotels also appear to have nearly reached pre pandemic occupancy and average daily rate levels with the recovery of leisure and corporate demand. In contrast, full-service hotels do not appear to have fully recovered (likely due to lack of recovery of Group demand). It is anticipated that the proposed extended stay hotel will penetrate extended stay demand, which has shown growth in the post-pandemic market with increased worker travel for longer durations. Extended stay supply makes up about 20% of the entire hotel market supply while demand for extended stay is about 30% across the entire market. There appears to be a need for additional extended stay supply in the market area which the proposed hotel would provide; and

WHEREAS, on September 6, 2022, the City Council of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ontario, as follows:

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

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, which consists of: (a) the Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations; (b) the proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; (c) the Project site has no value as habitat for endangered, rare, or threatened species; (d) approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water

quality; and (e) the Project site is adequately served by all required utilities and public services; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the City Council.

SECTION 2: 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 City Council 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 City Council 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 City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the City Council hereby concludes as follows:

(1) The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district. The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and The Exchange Specific Plan, and the scale and intensity of land uses intended for the Freeway Commercial land use district

in which the use is proposed to be located. Furthermore, the proposed 128-room extended stay hotel will be established and operated consistent with the objectives and purposes, and development standards and guidelines of the Freeway Commercial land use designation of The Exchange Specific Plan, which meets the Specific Plans goal of providing a balance of employment, shopping and service opportunities, reducing the need for long commutes; and

(2) The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed 128-room extended stay hotel will be located within the Planned Commercial land use district of the Policy Plan Land Use Map, and the Freeway Commercial land use district of The Exchange Specific Plan. A hotel land use within the Freeway Commercial land use is conditionally permitted with the approval of a Conditional Use Permit. Furthermore, the development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan; and

(3) The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development. The proposed 128-room extended stay hotel is located with the Freeway Commercial land use district of The Exchange Specific Plan and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use is consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and The Exchange Specific Plan; and

(4) The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood. The establishment, maintenance, and operation of the proposed 128-room extended stay hotel at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood. The project site is located within the Freeway Commercial land use designation of the Exchange Specific Plan and a hotel use is a conditionally permitted use. In addition, certain safeguards are required and certain conditions of approval have been imposed, which have been established to ensure that: (i) the purposes of The Exchange Specific Plan are maintained; (ii) the project will not endanger the public health, safety or general welfare; (iii) the project will not result in any significant environmental impacts; and (iv) the project will be in harmony with the surrounding area in which it is proposed to be located.

SECTION 5: City Council Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the City Council hereby APPROVES the herein described Conditional Use Permit subject to each and every condition set forth in the

Department reports, attached hereto as Exhibit “A” 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 City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of September 2022.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2022- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held September 6, 2022, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2022- duly passed and adopted by the Ontario City Council at their regular meeting held September 6, 2022.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:
Conditions of Approval

(Document follows this page)

CITY OF ONTARIO PLANNING DEPARTMENT

LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Date Prepared: 1/24/2022

File No: PCUP21-009

Related Files: N/A

Project Description: A Conditional Use Permit (File No. PCUP21-009) to establish and operate a limited-service hotel use on 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan. (APN: 0238-012-30); **submitted by Roger Barbosa.**

Prepared By: Luis E. Batres, Senior Planner
Phone: 909.395.2431 (direct)
Email: Lbatres@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 (https://www.ontarioca.gov/Planning/Applications) or from the Planning Department/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. Conditional Use Permit approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Conditional Use Permit 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 shall provide a total of 118 parking spaces. In the future, if it is determined by the Planning Department as a result of complaints received that additional parking is necessary, the Applicant shall enter into a reciprocal parking agreement with adjacent developments to provide the additional parking (additional 10 parking spaces).

CITY OF ONTARIO POLICE DEPARTMENT
MEMORANDUM

TO: **Luis Batres, Senior Planner**

FROM: **Officer Savannah Thompson, C.E.T. Unit**

DATE: **March 31, 2022 (Revised)**

SUBJECT: **FILE NO. PCUP21-009 – The Extended Stay Hotel – 5060 E Fourth Street**

The Police Department is placing the following conditions:

This location has **NOT** applied for an alcohol license. The following **alcohol** conditions are only in effect when the representative has the appropriate Alcohol Licensing from the Department of Alcoholic Beverage Control (ABC). **Security conditions apply regardless of the applicant obtaining an alcohol permit.**

ABC Conditions

1. Proprietor to provide an "intent of use statement" as related to the sales of alcoholic beverages.
2. Alcohol sales may occur between 12:00 P.M. to 01:00 A.M., daily, limited to bona fide registered guests.
3. Sales and service of alcohol beverages will only be to guests that are 21 and over and have a bona fide ID.
4. No alcohol sales or service to minors.
5. No sales or service to intoxicated patrons.
6. No alcoholic beverages are to be sold or removed from the establishment for outside consumption.

7. No Smoking inside of establishment is permitted, including electronic nicotine delivery devices.
8. No narcotic sales or usage on the premises at any time.
9. No self-serve alcohol displays allowed.
10. Employees engaged in serving alcohol beverages must be 21 years of age or older.
11. Patrons are not allowed to supply their own alcohol.
12. The service commonly known as "Bottle Service" is prohibited.
13. The applicant shall be responsible for maintaining premises free of graffiti to the premises over which the applicant has control and shall be responsible for its removal within 72 hours of its appearance or upon notice of its appearance to the applicant.
14. No loitering shall be permitted on any property adjacent to the licensed premise, which is under the control of the applicant, and signs must be posted.
15. Applicant, security, and all employees serving alcohol must attend an Alcohol Beverage Control (ABC) L.E.A.D. training class or a certified responsible beverage service class, which has been approved by ABC and Ontario Police Department, within three months of this dated conditional use permit. Proof of re-certification is required every 3 years.
16. Restrooms must be kept free of graffiti.
17. If the banquet hall is utilized, all events will be required to have a signed agreement stating what type of event, estimated amount of people attending, food to be served and type of entertainment. It will also state the amount of security guards that will be needed for this event. The business to apply for a temporary use permit with the Planning Department.

POOL AREA CONDITIONS

1. Alcohol consumption by guests may occur between the hours of 12:00 P.M. to 01:00 A.M., daily in the pool area.
2. Signs will be posted advising no glass containers allowed in the pool area.
3. Alcoholic beverages may only be consumed while a member of staff is monitoring.
4. Alcohol beverages may only be served in the pool area by an employee authorized to serve alcohol beverages.
5. Guests are not allowed to transport alcoholic beverages from the establishment into the pool area or from the pool area into the establishment.

PATIO CONDITIONS

1. Patio walls need to be raised in height to a minimum of 10 feet using Plexiglas or solid block walls, which will allow the sales and consumption of alcohol in the patio area.
2. If the patio height requirements are not met, alcohol may not be served.
3. Patio exits must be gated and always closed. Emergency sounding devices and panic hardware must be installed on gates.
4. Outdoor tables shall not be removed or rearranged to increase occupancy.
5. No sounds emitted to the patio shall be heard outside of the patio area.

SECURITY CONDITIONS

1. Events held in the meeting rooms with the possible attendance of 500 or more, involving live entertainment (ex. dancing, live musicians, concerts) and/ or alcohol beverages will require the applicant to apply for a temporary use permit with the appropriate department.
2. The police department will be given a two-week window, in order to have adequate time to determine how many police officers will be needed to staff an event.
3. A no trespass letter will be on file with the Police Department.
4. All hallways must be kept clear from merchandise, storage, and patrons blocking pathway.
5. No pool tables or arcade/amusement games are permitted inside the establishment.
6. Address to establishment must be illuminated for easy identification of safety personnel.
7. Roof top numbers shall be installed on the flat part of the roof. The numbers shall be a minimum of 3 feet in length and 1 foot in width. Numbers shall be painted, and maintained, in reflective white paint on a flat black background away from roof obstacles. The bottom of the numbers must face the street in which it belongs. The numbers should be maintained every 3 years.
8. The perimeter of business to be fenced with wrought iron and shall be six feet (6) high, open ended, and pickets shall be minimum four (4) inches on center. If block wall fencing is used, it shall be six (6) feet high, with security shrubbery and ant graffiti measures (such as vines) will be used.

9. The ingress and egress of the secured parking lot (defined as any lot intended for overnight guests) to the business shall be controlled by a gate arm.
10. No exterior electrical outlets to be installed on the building.
11. No overnight commercial vehicle parking.
12. Wi-Fi access to only registered guests, must be password protected.
13. Trash enclosures shall be locked and secured at all times, to prevent transients from living in the enclosure, and prevent the pilfering trash/recyclable items. On the days of trash pickup, the enclosure shall be unlocked to facilitate the emptying of the trash receptacles by solid waste hauler and shall once again be locked.
14. Trash enclosures shall be screened by adjacent planters containing a mix of trees, shrubs, and vines.
15. No shrubs/plants higher than three (3) feet and no tree canopy lower than seven (7) feet shall be permitted so as to not obstruct the view of Police Officers on patrol.
16. Plants next to low lying windows shall have thorns as a deterrent for suspects hiding and removing glass panes as a point of entry.
17. Business shall not offer hourly rentals to guests. Room rentals will be increments of 24 hours.
18. The exterior windows on the first floor shall not be utilized as an entry or exit point. Business to ensure proper security measures are in place to prevent such use in accordance with Fire Departments regulations.
19. The establishment is required to have two (2) internal/external security guards to proactively monitor patrons/guests, at all times.
20. In the event security problems occur as a result of the use, the Police Department may request a public hearing before the Zoning Administrator to consider modifications to the security including, but not limited to, the addition of security guards, additional hours for security guards, and replacement of security guards with Ontario Police officers. The public hearing process shall be conducted in accordance with the requirements of the City's Development Code.
21. Ontario Police Officers have the right to limit or reduce the occupancy inside the establishment, if situations arise that may compromise the safety of patrons and the officer. Any additional police resources requested to bring peace in the establishment may be charged to the business owner.

22. Security personnel will be required to follow Ontario Municipal Code Article 6, Title 3, Section 3-1.601-621 (security regulations), which states in part that the security guards used will be registered with the City.
23. A Code of Conduct will be required and posted at all public entrances of the establishment.
24. 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.
25. The business shall maintain a security camera surveillance system in proper working order. A minimum of one camera will record the patio area, a minimum of one camera will record the pool area, a minimum of one camera will record each parking lot, and a minimum of one camera will record each interior building. Each camera will record at least 640x480 recording resolution levels, and at least fifteen (15) frames per second. The field of view for each camera will be to maximize the coverage of patrons. Recorded video will be stored for a minimum of 30 days and made available to the Police Department upon request.
26. The parking lot lighting must provide adequate lighting from dusk to dawn (minimum one (1) foot candles) and or within the guidelines from the Planning Department.
27. Lighting within the establishment must be kept at a reasonable level as determined by city Planning and Engineering Departments officials.

ROOM SERVICE CONDITIONS

1. Room service alcohol sales may occur between the hours of 12:00 P.M. to 01:00 A.M., daily.

2. Employees engaged in the delivering of alcoholic beverages to rooms, must be 21 years of age.
3. Sales and service of alcohol beverages will only be to room guests that are 21 and over and have a bona fide ID.

Prior to opening, inspection of the premises will be conducted by the Ontario Police Department and the Ontario Planning Department.

The Police Department will conduct a review in six months to determine whether additional conditions are needed.

A copy of the listed conditions of approval must be always posted with your ABC license in a prominent place in the interior of the premises.

Any special event outside the scope of the Conditional Use Permit (CUP) will require a Temporary Use Permit (TUP) which will be processed by the Planning Department and conditioned by the Ontario Police Department. (For example, a radio station promotion held at the hotel, or an outdoor event with alcoholic beverages would be a special event requiring Police or security personnel, but a community service organization breakfast meeting would not be considered a special event and therefore would not require additional security.)

If alcohol related crimes at this location are higher than other similar establishments in the overall City during any quarter, the CUP will automatically be referred to the Zoning Administrator for review and re-conditioning or revocation of the permit. The Police Department may, at their sole discretion, request a revocation hearing if they determine that the establishment is being operated in violation of this CUP or has violated the laws of the State or City.

If you have any questions, please call Officer Savannah Thompson at (909) 408-1125 or Officer Thomas Cho at (909) 408-1671 regarding ABC conditions.

CITY OF ONTARIO *Agenda Report* **September 6, 2022**	**SECTION:** **PUBLIC HEARINGS**
Department: Planning Prepared By: Charles Mercier Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 13

SUBJECT: A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE ONTARIO GATEWAY SPECIFIC PLAN

RECOMMENDATION: That the City Council consider and adopt the Resolution approving File No. PSPA22-003, an Amendment the Ontario Gateway Specific Plan, modifying Table 2.B (Permitted Land Uses by Planning areas) to allow "Auto Sales and Services" as a permitted land use in the Office Planning Area 1 land use district.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: There is no direct fiscal impact to the City associated with this Specific Plan Amendment.

BACKGROUND & ANALYSIS: On July 3, 2007, the City Council adopted Ordinance No. 2863 approving File No. PSP05-005, creating the Ontario Gateway Specific Plan and establishing the land use designations, development standards, and design guidelines for the Specific Plan area (see Exhibit A (Project Location Map) and Exhibit B (Ontario Gateway Specific Plan Land Use Map), attached.

The City has initiated an Amendment to the Ontario Gateway Specific Plan, revising Table 2.B, Permitted Land Uses by Planning Area. The proposed Amendment will allow “Auto Sales and Services” as a Permitted land use within the Office Planning Area 1 land use district; however, auto services would only be allowed as an ancillary activity to a primary auto sales use (see Exhibit C (Portion of Ontario Gateway Specific Plan Table 2.B: Permitted Land Uses by Planning Areas), attached (changes are highlighted in yellow).

The Ontario Gateway Specific Plan envisioned the Office Planning Area 1 land use district for offices up to 10 stories, service-type retail businesses, and a parking structure. The Specific Plan currently prohibits Auto Sales and Services within the Office Planning Area 1 land use district. However, the

land use district does permit by right the establishment of Car Rental Agencies, which includes the short-term rental and long-term leasing of passenger cars, passenger trucks (light duty), and passenger vans. Car Rental Agencies share similar operational aspects with Auto Sales and Services, such as automobile display, storage, and servicing activities. Therefore, Staff believes it's appropriate to include Auto Sales and Services as a permitted land use in the Office Planning Area 1 land use district.

On July 26,2022, the Planning Commission conducted a public hearing on the application. After considering all public testimony, the Planning Commission unanimously approved Resolution No. 22-039, recommending to the City Council approval of the Specific Plan Amendment.

ENVIRONMENTAL REVIEW: The application is exempt from the requirements of the California Environmental Quality Act ("CEQA") and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the "common sense exemption" (general rule) that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Exhibit A — Project Location Map



Exhibit B — Ontario Gateway Specific Plan Land Use Map



Exhibit C

Portion of Ontario Gateway Specific Plan; Table 2.B: Permitted Land Uses by Planning Areas

Table 2.B: Permitted Land Uses by Planning Areas

Uses	Mixed Use Planning Area	Entertainment Planning Area[1]	Office Planning Area 1	Office Planning Area 2[2]	Auto Planning Area
Public Facilities					
Government Office. Activities typically include, but are not limited to, management, administration, or clerical services performed by public, quasi-public, and utility agencies.	P	—	P	—	—
Non-Profit/Service Organizations					
Non-Profit Organization, Charitable, Philanthropic, Service, and other Non-profit Organization Offices. Activities typically include, but are not limited to, facilities for office and group gatherings conducted indoors.	P	—	P	—	—
Campaign Offices	P	—	P	—	—
Transportation					
Limousine/Taxi Service	P	P	P	P	P
Commercial					
Alcohol Beverage Sales. Activities typically include the sale, subject to required license for the sale of alcoholic beverages.	C	C	C	—	—
Auto Sales and Services. Activities include, but are not limited to, the sale of new and used automobiles, automotive and light truck repair; retail sales of goods for automobiles and light trucks; and the cleaning and washing of automobiles and light trucks. Uses typically include, but are not limited to, repair of engines, brakes, electrical, etc., and car washes.	—	—	P	—	P
Car Rental Agency	C	A	P	—	P

Exhibit C (Continued)

Portion of Ontario Gateway Specific Plan; Table 2.B: Permitted Land Uses by Planning Areas

Table 2.B: Permitted Land Uses by Planning Areas

Uses	Mixed Use Planning Area	Entertainment Planning Area[1]	Office Planning Area 1	Office Planning Area 2[2]	Auto Planning Area
Wholesale/Retail					
Industrial Retail Sales, Retail and Wholesale in Conjunction with Manufacturing. Activities typically include, but are not limited to, retailing and wholesaling of goods and products manufactured on-site. Typical uses include, but are not limited to, furniture manufacturing and sales; computer and electronics assembly and sales; and paper manufacturing and sales, storage and warehousing services.	P	—	—	—	—
Wholesale Distribution Establishment. Activities typically include, but are not limited to the distribution of products sold or brought to site to dealers or retailers.	P	—	—	—	—
Temporary Uses[4]					
Amusement.	TUP	TUP	—	—	—
Christmas Tree, Pumpkin, and similar lots.	TUP	TUP	—	—	—
Tent Sales.	TUP	TUP	—	—	TUP
Parking Lot Sales.	TUP	TUP	—	—	TUP
Arts and Craft Fair, Farmers Markets.	TUP	TUP	—	—	—

1 Under Scenario 2, the uses permitted in the Entertainment Planning Area are the same as the uses Permitted in Office Areas 1 and 2.

2 If the Mixed Use Planning Area is Scenario 2, Office Planning Area 2 shall have the same permitted uses as Office Planning Area 1.

3 Adult-oriented businesses, as defined by Section 9-1.0200 and 9-1.1305.C.19.a-i of the Ontario Municipal Code are not permitted within the Ontario Gateway Specific Plan.

4 Operators of any temporary/seasonal outdoor sales or events shall obtain a Temporary Use Permit (TUP) from the City of Ontario and abide by the provisions of that permit.

5 Within Office Planning Area 1, auto service activities are allowed only as ancillary to an auto sales use.

CITY OF ONTARIO PLANNING DEPARTMENT

PLANNING COMMISSION STAFF REPORT

July 26, 2022

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

FILE NO.: PSPA22-003

SUBJECT: An amendment the Ontario Gateway Specific Plan, modifying Table 2.B (Permitted Land Uses by Planning areas) to allow "Auto Sales and Services" as a permitted land use in the Office Planning Area 1 land use district; **City Initiated. City Council action is required.**

PROPERTY OWNER: Prime A Investments LLC

RECOMMENDED ACTION: That the Planning Commission consider and approve the attached resolution recommending that the City Council approve File No. PSPA22-003 pursuant to the facts and reasons contained in the staff report and resolution.

PROJECT SETTING: The Ontario Gateway Specific Plan is comprised of approximately 41.3 acres of land generally located on the south side of Interstate 10, on the east side of Haven Avenue, on the north side of the Union Pacific Railroad right-of-way, and approximately 460 feet west of Ponderosa Avenue, and is depicted in Figure 1: Project



Figure 1: Project Location Map

Case Planner:	Charles Mercier, Principal Planner
Planning Director Approval:	
Submittal Date:	6/30/2022

Hearing Body	*Date*	*Decision*	*Action*
DAB	N/A	N/A	N/A
PC	6/30/2022	APPROVAL	Recommend
CC	9/6/2022		Final

Location Map, above. The proposed Specific Plan Amendment will directly affect the Office Planning Area 1 land use district, which is comprised of approximately 7 acres of land generally located at the northwesterly corner of the Specific Plan area.

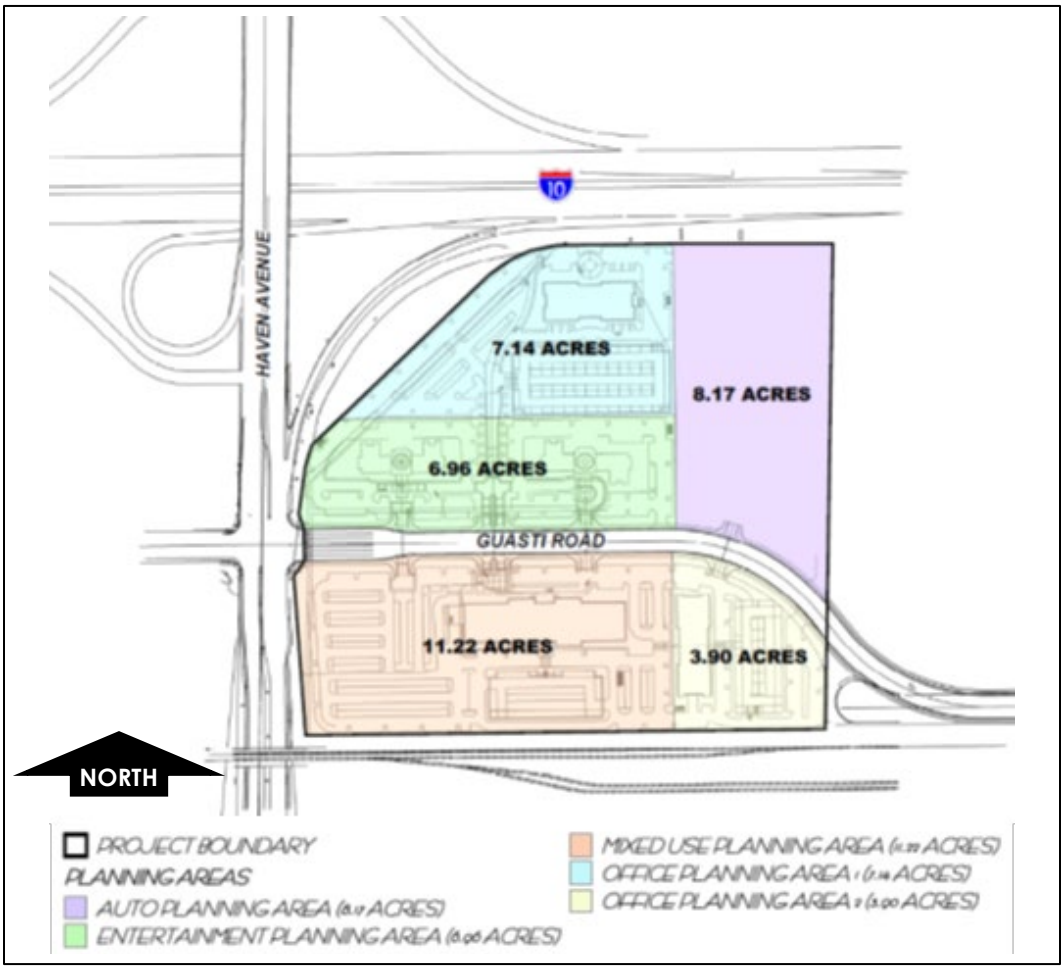


Figure 2: Ontario Gateway Specific Plan Land Use Map

Interstate 10 abuts the Ontario Gateway Specific Plan on the north side. The property to the east is within the IL (Light Industrial) zoning district and is developed with a truck repair facility. The property to the south is within the RC (Rail Corridor) zoning district and is developed with Union Pacific Railroad rail lines. The property to the west is within the Centrelake Specific Plan zoning district and includes vacant land and office land uses. The existing surrounding land uses, zoning, general plan, and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

On July 3, 2007, the City Council adopted Ordinance No. 2863 approving File No. PSP05-005, the Ontario Gateway Specific Plan, which establishing the land use designations, development standards, and design guidelines for the Specific Plan area.

The City of Ontario has initiated an Amendment to the Ontario Gateway Specific Plan, revising Table 2.B, Permitted Land Uses by Planning Area. The proposed amendment will allow "Auto Sales and Services" as a Permitted land use within the Office Planning Area 1 land use district.

The Ontario Gateway Specific Plan intends the Office Planning Area 1 land use district for offices up to 10 stories, service-type retail businesses, and a parking structure. The Specific Plan currently prohibits Auto Sales and Services within the Office Planning Area 1 land use district. However, the land use district does permit by right, the establishment of Car Rental Agencies, which includes the short-term rental and long-term leasing of passenger cars, passenger trucks (light duty), and passenger vans. Car Rental Agencies share similar operational aspects with Auto Sales and Services, such as automobile display, storage, and servicing activities. Therefore, Staff believes it's appropriate to include Auto Sales and Services as a permitted land use in the Office Planning Area 1 land use district.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

(2) Vision.

Distinctive Development:

- Commercial and Residential Development

➢ Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

  - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

(4) Policy Plan (General Plan)

Land Use Element:

- Goal LU2: Compatibility between a wide range of uses.

  - LU2-1: *Land Use Decision.* We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

  - LU2-5: *Regulation of Uses.* We regulate the location, concentration, and operations of uses that have impacts on surrounding land uses.

Community Economics Element:

- Goal CE3: Decision-making deliberations that incorporate the full short-term and long-term economic and fiscal implications of proposed City Council actions.

  - *Fiscal Impact Disclosure*. We require requests for City Council action to disclose the full fiscal impacts, including direct and indirect costs.

HOUSING ELEMENT COMPLIANCE: 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.

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, 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. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act ("CEQA") and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the "common sense exemption" (general rule) that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*General Plan Designation*	*Zoning Designation*	*Specific Plan Land Use*
Site	Vacant	Office Commercial	Ontario Gateway Specific Plan	Office Planning Area 1
North	Interstate 10	Interstate 10	Interstate 10	Interstate 10
South	Union Pacific Railroad Rail Lines	Rail	RC (Rail Corridor)	N/A
East	Truck Repair	Business Park	IL (Light Industrial)	N/A
West	Vacant & Offices	Office Commercial	Centrelake Specific Plan	Commercial/Hotel and Office

RESOLUTION NO. PC22-039

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PSPA22-003, AN AMENDMENT TO THE ONTARIO GATEWAY SPECIFIC PLAN, MODIFYING TABLE 2.B (PERMITTED LAND USES BY PLANNING AREAS) TO ALLOW "AUTO SALES AND SERVICES" AS A PERMITTED LAND USE IN THE OFFICE PLANNING AREA 1 LAND USE DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, The City of Ontario ("Applicant") has initiated an Application for the approval of a Specific Plan Amendment, File No. PSPA22-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to the Ontario Gateway Specific Plan, which is comprised of approximately 41.3 acres of land generally located on the south side of Interstate 10, on the east side of Haven Avenue, on the north side of the Union Pacific Railroad right-of-way, and approximately 460 feet west of Ponderosa Avenue, and for the most part is fully developed with commercial land uses; and

WHEREAS, Interstate 10 abuts the Ontario Gateway Specific Plan on the north side. The property to the east is within the IL (Light Industrial) zoning district and is developed with a truck repair facility. The property to the south is within the RC (Rail Corridor) zoning district and is developed with Union Pacific Railroad rail lines. The property to the west is within the Centrelake Specific Plan zoning district and includes vacant land and office land uses; and

WHEREAS, the proposed Specific Plan Amendment will directly affect the Office Planning Area 1 land use district, which is comprised of approximately 7 acres of land generally located at the northwesterly corner of the Ontario Gateway Specific Plan area; and

WHEREAS, on July 3, 2007, the City Council adopted Ordinance No. 2863 approving File No. PSP05-005, the Ontario Gateway Specific Plan, which establishing the land use designations, development standards, and design guidelines for the Specific Plan area; and

WHEREAS, the City of Ontario has initiated an Amendment to the Ontario Gateway Specific Plan, revising Table 2.B, Permitted Land Uses by Planning Area. The proposed amendment will allow “Auto Sales and Services” as a Permitted land use within the Office Planning Area 1 land use district; and

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

WHEREAS, the Project is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to the "common sense exemption" (CEQA Guidelines Section 15061(b)(3)); and

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

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

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

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

WHEREAS, on July 26, 2022, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: ***Environmental Determination and Findings.*** As the recommending authority for the Project, the Planning Commission 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 Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) is exempt from the requirements of the California Environmental Quality Act ("CEQA") and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the "common sense exemption" (general rule) that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.; and

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

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 authority for the Project, the Planning Commission 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as "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 authority for the Project, the Planning Commission 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 PLANNING COMMISSION, 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 Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed Specific Plan Amendment 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 amendment to the Ontario Gateway Specific Plan will modify Table 2.B (Permitted Land Uses by Planning Areas), to allow Auto Sales and Services as a permitted use within the Office Planning Area 1 land use district. In order to take advantage or remove impediments to achieving our Vision, we require the ability to quickly respond to changing market needs. Policy LU3-3 (*Land Use Flexibility)* of the Policy Plan (general plan) encourages the consideration of uses not typically permitted within a land use category if doing so improves the livability, gathering places and activity nodes.

(2) ***The proposed Specific Plan Amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** Allowing Auto Sales and Services as a permitted use within the Office Planning Area 1 land use district will be in conformance with Policy Plan Land Use Plan and will comply with the Policy Plan goals and policies applicable to the Specific Plan. The proposed amendment to the Ontario Gateway Specific Plan will not be detrimental to the public interest, health, safety, convenience, or general welfare of the City because it will further the intent of the Ontario Gateway Specific Plan by expanding the list of desirable service-type retail businesses permitted within the Specific Plan area.

(3) ***In the case of an application affecting specific property, the proposed Specific Plan Amendment will not adversely affect the harmonious relationship with adjacent properties and land uses.*** Properties adjacent to the subject Office Planning Area 1 land use district include a new car dealership (Mercedes-Benz of Ontario) that adjoins Office Planning Area 1 on the east side and two hotels adjoin Office Planning Area 1 on the south side. To the north and west of Office Planning Area 1 are Interstate 10 and Haven Avenue, respectively. The addition of Auto Sales and Services as a permitted land use in Office Planning Area 1 will simply allow for a land use type that already exists on a neighboring property and compliments the other existing adjacent land uses.

(4) ***In the case of an application affecting specific property, the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** The proposed amendment to the Ontario Gateway Specific Plan will modify Table 2.B (Permitted Land Uses by Planning Areas), to allow Auto Sales and Services as a permitted use within the Office Planning Area 1 land use district. This land use district consists of a single parcel of land that is physically suitable accommodate the proposed land use in terms of parcel size (+/- 7 acres in area), shape (more or less rectangular in shape), access (single point of access provided from Guasti Road), and availability of utilities (all wet and dry utilities are available to the Office Planning Area 1 land use district).

SECTION 5: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE THE HEREIN DESCRIBED APPLICATION as shown in "Attachment A," and incorporated herein by this reference.

SECTION 6: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

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The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 26th day of July 2022, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC22-039, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 26, 2022, by the following roll call vote, to wit:

AYES: Anderson, Dean, DeDiemar, Gage, Lampkin, Ricci, Willoughby

NOES: None

ABSENT: None

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

Ancillary

ATTACHMENT A:

Portion of Ontario Gateway Specific Plan
Table 2.B: Permitted Land Uses by Planning Areas

Table 2.B: Permitted Land Uses by Planning Areas

Uses	Mixed Use Planning Area	Entertainment Planning Area[1]	Office Planning Area 1	Office Planning Area 2[2]	Auto Planning Area
Public Facilities					
Government Office. Activities typically include, but are not limited to, management, administration, or clerical services performed by public, quasi-public, and utility agencies.	P	—	P	—	—
Non-Profit/Service Organizations					
Non-Profit Organization, Charitable, Philanthropic, Service, and other Non-profit Organization Offices. Activities typically include, but are not limited to, facilities for office and group gatherings conducted indoors.	P	—	P	—	—
Campaign Offices	P	—	P	—	—
Transportation					
Limousine/Taxi Service	P	P	P	P	P
Commercial					
Alcohol Beverage Sales. Activities typically include the sale, subject to required license for the sale of alcoholic beverages.	C	C	C	—	—
Auto Sales and Services. Activities include, but are not limited to, the sale of new and used automobiles, automotive and light truck repair; retail sales of goods for automobiles and light trucks; and the cleaning and washing of automobiles and light trucks. Uses typically include, but are not limited to, repair of engines, brakes, electrical, etc., and car washes.	—	—	P	—	P
Car Rental Agency	C	A	P	—	P

ATTACHMENT A CONTINUED:

Portion of Ontario Gateway Specific Plan
Table 2.B: Permitted Land Uses by Planning Areas

Table 2.B: Permitted Land Uses by Planning Areas

Uses	Mixed Use Planning Area	Entertainment Planning Area[1]	Office Planning Area 1	Office Planning Area 2[2]	Auto Planning Area
Wholesale/Retail					
Industrial Retail Sales, Retail and Wholesale in Conjunction with Manufacturing. Activities typically include, but are not limited to, retailing and wholesaling of goods and products manufactured on-site. Typical uses include, but are not limited to, furniture manufacturing and sales; computer and electronics assembly and sales; and paper manufacturing and sales, storage and warehousing services.	P	—	—	—	—
Wholesale Distribution Establishment. Activities typically include, but are not limited to the distribution of products sold or brought to site to dealers or retailers.	P	—	—	—	—
Temporary Uses[4]					
Amusement.	TUP	TUP	—	—	—
Christmas Tree, Pumpkin, and similar lots.	TUP	TUP	—	—	—
Tent Sales.	TUP	TUP	—	—	TUP
Parking Lot Sales.	TUP	TUP	—	—	TUP
Arts and Craft Fair, Farmers Markets.	TUP	TUP	—	—	—

1 Under Scenario 2, the uses permitted in the Entertainment Planning Area are the same as the uses Permitted in Office Areas 1 and 2.
2 If the Mixed Use Planning Area is Scenario 2, Office Planning Area 2 shall have the same permitted uses as Office Planning Area 1.
3 Adult-oriented businesses, as defined by Section 9-1.0200 and 9-1.1305.C.19.a-i of the Ontario Municipal Code are not permitted within the Ontario Gateway Specific Plan.
4 Operators of any temporary/seasonal outdoor sales or events shall obtain a Temporary Use Permit (TUP) from the City of Ontario and abide by the provisions of that permit.
5 Within Office Planning Area 1, auto service activities are allowed only as ancillary to an auto sales use.

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA22-003, AN AMENDMENT TO THE ONTARIO GATEWAY SPECIFIC PLAN, MODIFYING TABLE 2.B (PERMITTED LAND USES BY PLANNING AREAS) TO ALLOW "AUTO SALES AND SERVICES" AS A PERMITTED LAND USE IN THE OFFICE PLANNING AREA 1 LAND USE DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, THE CITY OF ONTARIO ("Applicant") has initiated an Application for the approval of a Specific Plan Amendment, File No. PSPA22-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to the Ontario Gateway Specific Plan, which is comprised of approximately 41.3 acres of land generally located on the south side of Interstate 10, on the east side of Haven Avenue, on the north side of the Union Pacific Railroad right-of-way, and approximately 460 feet west of Ponderosa Avenue, and for the most part is fully developed with commercial land uses; and

WHEREAS, Interstate 10 abuts the Ontario Gateway Specific Plan on the north side. The property to the east is within the IL (Light Industrial) zoning district and is developed with a truck repair facility. The property to the south is within the RC (Rail Corridor) zoning district and is developed with Union Pacific Railroad rail lines. The property to the west is within the Centrelake Specific Plan zoning district and includes vacant land and office land uses; and

WHEREAS, the proposed Specific Plan Amendment will directly affect the Office Planning Area 1 land use district, which is comprised of approximately 7 acres of land generally located at the northwesterly corner of the Ontario Gateway Specific Plan area; and

WHEREAS, on July 3, 2007, the City Council adopted Ordinance No. 2863 approving File No. PSP05-005, the Ontario Gateway Specific Plan, which establishing the land use designations, development standards, and design guidelines for the Specific Plan area; and

WHEREAS, the City of Ontario has initiated an Amendment to the Ontario Gateway Specific Plan, revising Table 2.B, Permitted Land Uses by Planning Area. The proposed amendment will allow “Auto Sales and Services” as a Permitted land use within the Office Planning Area 1 land use district; and

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

WHEREAS, the Project is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to the "common sense exemption" (CEQA Guidelines Section 15061(b)(3)); and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) assigns the City Council the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on July 26, 2022, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date, voting to issue Resolution No. PC22-039 recommending that the City Council approve the Application; and

WHEREAS, on September 6, 2022, the City Council of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ontario, as follows:

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

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is exempt from the requirements of the California Environmental Quality Act ("CEQA") and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the "common sense exemption" (general rule) that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.; and

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

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 City Council 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 ("ONT ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the 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 City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the City Council hereby concludes as follows:

(1) The proposed Specific Plan Amendment 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 amendment to the Ontario Gateway Specific Plan will modify Table 2.B (Permitted Land Uses by Planning Areas), to allow Auto Sales and Services as a permitted use within the Office Planning Area 1 land use district. In order to take advantage or remove impediments to achieving our Vision, we require the ability to quickly respond to changing market needs. Policy LU3-3 (*Land Use Flexibility)* of the Policy Plan (general plan) encourages the consideration of uses not typically permitted within a land use category if doing so improves the livability, gathering places and activity nodes.

(2) The proposed Specific Plan Amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. Allowing Auto Sales and Services as a permitted use within the Office Planning Area 1 land use district will be in conformance with Policy Plan Land Use Plan and will comply with the Policy Plan goals and policies applicable to the Specific Plan. The proposed amendment to the Ontario Gateway Specific Plan will not be detrimental to the public interest, health, safety, convenience, or general welfare of the City because it will further the intent of the Ontario Gateway Specific Plan by expanding the list of desirable service-type retail businesses permitted within the Specific Plan area.

(3) In the case of an application affecting specific property, the proposed Specific Plan Amendment will not adversely affect the harmonious relationship with adjacent properties and land uses. Properties adjacent to the subject Office Planning Area 1 land use district include a new car dealership (Mercedes-Benz of Ontario) that adjoins Office Planning Area 1 on the east side and two hotels adjoin Office Planning Area 1 on the south side. To the north and west of Office Planning Area 1 are Interstate 10 and Haven Avenue, respectively. The addition of Auto Sales and Services as a permitted land use in Office Planning Area 1 will simply allow for a land use type that already exists on a neighboring property and compliments the other existing adjacent land uses.

(4) In the case of an application affecting specific property, the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development. The proposed amendment to the Ontario Gateway Specific Plan will modify Table 2.B (Permitted Land Uses by Planning Areas), to allow Auto Sales and Services as a permitted use within the Office Planning Area 1 land use district. This land use district consists of a single parcel of land that is physically suitable accommodate the proposed land use in terms of parcel size (+/- 7 acres in area), shape (more or less rectangular in shape), access (single point of access provided from Guasti Road), and availability of utilities (all wet and dry utilities are available to the Office Planning Area 1 land use district).

SECTION 5: City Council Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the City Council hereby APPROVES the herein described Application as shown in “Attachment A,” 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 City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of September 2022.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2022- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held September 6, 2022, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2022- duly passed and adopted by the Ontario City Council at their regular meeting held September 6, 2022.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

Portion of Ontario Gateway Specific Plan Table 2.B: Permitted Land Uses by Planning Areas

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Campaign Offices	P	—	P	—	—
Transportation					
Limousine/Taxi Service	P	P	P	P	P
Commercial					
Alcohol Beverage Sales. Activities typically include the sale, subject to required license for the sale of alcoholic beverages.	C	C	C	—	—
Auto Sales and Services. Activities include, but are not limited to, the sale of new and used automobiles, automotive and light truck repair; retail sales of goods for automobiles and light trucks; and the cleaning and washing of automobiles and light trucks. Uses typically include, but are not limited to, repair of engines, brakes, electrical, etc., and car washes.	—	—	P	—	P
Car Rental Agency	C	A	P	—	P

ATTACHMENT A (CONTINUED):

Portion of Ontario Gateway Specific Plan Table 2.B: Permitted Land Uses by Planning Areas

Table 2.B: Permitted Land Uses by Planning Areas

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Tent Sales.	TUP	TUP	—	—	TUP
Parking Lot Sales.	TUP	TUP	—	—	TUP
Arts and Craft Fair, Farmers Markets.	TUP	TUP	—	—	—

1 Under Scenario 2, the uses permitted in the Entertainment Planning Area are the same as the uses Permitted in Office Areas 1 and 2.

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