



City of Fontana
Action Report
Planning Commission

8353 Sierra Avenue
Fontana, CA 92335

File #: 21-1227
Agenda #: PH-C

Agenda Date: 3/15/2022
Category: Public Hearing

FROM:
Planning Department

TITLE:
Master Case No. 21-084, Tentative Parcel Map No. 20447 (TPM No. 21-017), and Design Review No. 21-030 - a proposal for site and architectural review to construct an approximately 137,000 square foot industrial commerce center building on approximately 6.6 gross acres.

RECOMMENDATION:
Based on the information in the staff report and subject to the attached Findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2022 - ____: and,

1. Adopt the Addendum and Mitigation, Monitoring, and Reporting Program, (MMRP) to the SWIP PEIR (SCH NO. 2009091089) and direct staff to file a Notice of Determination;
2. Approve Tentative Parcel Map No. 20447 (TPM No. 21-017) and Approve Design Review No. 21-030.

APPLICANT:
Duke Realty, LP
200 Spectrum Center Drive, Suite No. 1600
Irvine, CA 92618

LOCATION:
10821 Calabash Avenue, 10841 Calabash Avenue, 10861 Calabash Avenue, 10881 Calabash Avenue, 13946 Santa Ana Avenue, and 13950 Santa Ana Avenue (APNs: 0236-081-08, -09, -41, -42, -43, and -44).

REQUEST:
Tentative Parcel Map No. 20447 (TPM No. 21-025) - a proposal to consolidate six (6) parcels (APNs: 0236-081-08, -09, -41, -42, -43, and -44) totaling approximately 6.6 gross acres into one (1) parcel for the development of an industrial commerce center building.

Design Review No. 21-030 - a proposal to construct an approximately 137,000 square foot industrial commerce center building on approximately 6.6 gross acres.

PROJECT PLANNER:
Jon S. Dille, Associate Planner

BACKGROUND INFORMATION:

Land Use Designation:

	<u>General Plan</u>	<u>Specific Plan and Zoning District</u>	<u>Existing Land Use</u>
Site:	Light Industrial (I-L)	*(SWIP) and *(SWD)	Trucking Businesses and Single-Family Homes (non-conforming)
North:	Residential Trucking (R-T)	*(SWIP) and *(R-TD)	Single-Family Homes
South:	Light Industrial (I-L)	*(SWIP) and *(SWD)	Trucking Businesses and Single-Family Homes (non-conforming)
East:	Light Industrial (I-L)	*(SWIP) and *(SWD)	Trucking Uses
West:	Light Industrial (I-L)	*(SWIP) and *(SWD)	Registered Vehicle Parking Facility
	*(SWIP), Southwest Industrial Park Specific Plan *(SWD), Slover West Industrial District *(R-TD), Residential-Trucking District		

PROJECT DESCRIPTION:

A. Site Area:		Approximately 6.6 gross acres	
B. FAR Ratio:		Maximum allowed:	1.0
		Provided:	47.7 percent
C. Building Analysis:			
Office/Mezzanine:	Approximately	10,000	square feet
Warehouse Area:	Approximately	127,000	square feet
Total Area:	Approximately	137,000	square feet
D. Parking Analysis:			
Vehicle Spaces	Required:	49 spaces	
	Provided:	55 spaces	
Truck/Trailer Spaces	Required:	27 spaces	
	Provided:	37 spaces	
E. Loading Analysis:			
Loading Spaces	Required:	5 Doors	
	Provided:	26 Doors	
F. Landscaping:			

ANALYSIS:

The applicant, Duke Realty, LP, is requesting that the Planning Commission review and approve a new industrial commerce center building with approximately 127,000 square feet of warehouse area and an approximately 10,000 square feet of office/mezzanine area. In addition, to the construction of the building and associated site improvements, the project will include off-site improvements to

include street widening, sidewalks along with curb and gutter along Santa Ana Avenue and Calabash Avenue. The building height varies between 38-foot to 40-foot tall. In addition to the construction of the building and associated site improvements, the project will include street widening of Slover Avenue and Catawba Avenue.

Tentative Parcel Map No. 20447 (TPM No. 20-017):

The project site consists of six (6) parcels totaling approximately 6.6 gross acres (APNs: 0236-081-08, -09, -41, -42, -43, and -44). The applicant has submitted Tentative Parcel Map No. 20447 and is proposing to combine the six (6) lots into one (1) lot for the purpose of consolidating the parcels and to construct and operate a new industrial commerce center building. The proposed tentative parcel map meets all the minimum lot dimensions (minimum 200-foot in lot width and 175-foot in lot depth) and size requirements (minimum of 40,000 square foot). The project site is currently developed with a vacant single family residential home and trucking businesses.

Design Review No. 21-030:

The proposed industrial commerce center building has been designed with approximately 127,000 square feet of warehouse area with office/mezzanine space totaling approximately 10,000 square feet. The industrial commerce center building includes 26 warehouse dock doors, one (1) ground level door, 37 trailer parking spaces, and 55 passenger car parking spaces. The office/mezzanine areas are proposed to be located on the northwest and the southeast corners of the building. The use of glazing, reveals, wood siding, canopies, and a variety of colors will add structural and visual interest to the building. Additionally, variations to the building face and roof lines will be architecturally pleasing.

There are two (2) driveways to the site, one along Santa Ana Avenue and one along Calabash Avenue. Automobile parking is provided along the north and east portions of the site. The unloading/loading area for the trucks is proposed on the east portion of the project site. The unloading/loading areas will be screened from view from Santa Ana Avenue with the use of screen walls up to 14-feet in height along the dock area on the interior of the site.

The project site is physically suitable in size and shape to support the development of the proposed industrial commerce center building. Applicable building codes, zoning codes, SWIP Specific Plan requirements, and fire codes and standards, will make for a safe, attractive, and well-designed project. The General Plan designates this area as Light Industrial (I-L) and the surrounding area is currently developed with a combination of industrial, trucking, and legal nonconforming residential uses. The project design incorporates safety measures such as, sidewalks, curb and gutter, and lighting to facilitate pedestrians walking in the area. Furthermore, the building is placed near the southwest portion of the project site in a manner that places the building façade/wall next to the residential use, approximately 165-foot south, to provide a buffer the site from the loading/unloading activities. The proposal provides a development that has been designed with features including architectural relief, added landscaping, street improvements, and lighting, to enhance the character of the surrounding neighborhood.

The project shall be served by the City's sanitary sewer system. There is an existing sewer main within Santa Ana Avenue a lateral connection is proposed. The applicant shall connect the proposed building to sewer main. All construction shall be in accordance with the City Standards.

The project site is physically suitable in size and shape to support the development of the proposed

industrial commerce center building. Applicable building codes, zoning codes, SWIP Specific Plan requirements, sustainability standards incorporated into the design, and fire codes will make for a safe, attractive, and well-designed project. The General Plan designates this area as Light Industrial (I-L) and the surrounding area is currently developed with a combination of industrial, trucking, and legal nonconforming residential uses. The project design incorporates safety measures; such as, sidewalks, curb and gutter, and lighting to facilitate pedestrians walking in the area. Furthermore, the building is placed along the southeastern portion of the project site in a manner that places the building façade/wall next to the residential use to provide a buffer the site from the loading/unloading activities. The proposal provides a development that has been designed with features (architectural relief, added landscaping, street improvements, and lighting), to enhance the character of the surrounding neighborhood.

Environmental:

Pursuant to Section No. 15162 and Section No. 15164 of the California Environmental Quality Act (CEQA) Guidelines and Section No. 8.06 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA, an Addendum to the Southwest Industrial Park Specific Plan Program Environmental Impact Report (SWIP PEIR) (State Clearinghouse [SCH] No. 2009091089) has been prepared for this proposed project. The aforementioned EIR adopted by the City Council on June 12, 2012, anticipated various types of industrial commerce center building uses.

The proposed project does not represent significant changes to the approved SWIP PEIR relative to CEQA since it does not change the assumptions, analysis, conclusions, or mitigation. The components of the proposed project do not alter the EIR project's significance conclusions or represent significant new information. Additionally, the proposed project does not require major revisions to the aforementioned EIR, does not lead to new significant environmental effects, or does not lead to substantial increase in the severity of previously identified significant effects. The proposed project does not trigger any of the conditions under CEQA Guidelines 15162 that warrant preparation of a Subsequent EIR. Therefore, an Addendum to the EIR has been prepared for this proposed project and no further/additional CEQA review is required. The SWIP PEIR can be found at <https://www.fontana.org/1297/Southwest-Industrial-Park-Specific-Plan>. The Addendum to the SWIP PEIR has been provided to the Planning Commission under separate cover and can be found at <https://www.fontana.org/2137/Environmental-Documents>.

MOTION:

Approve staff recommendation.

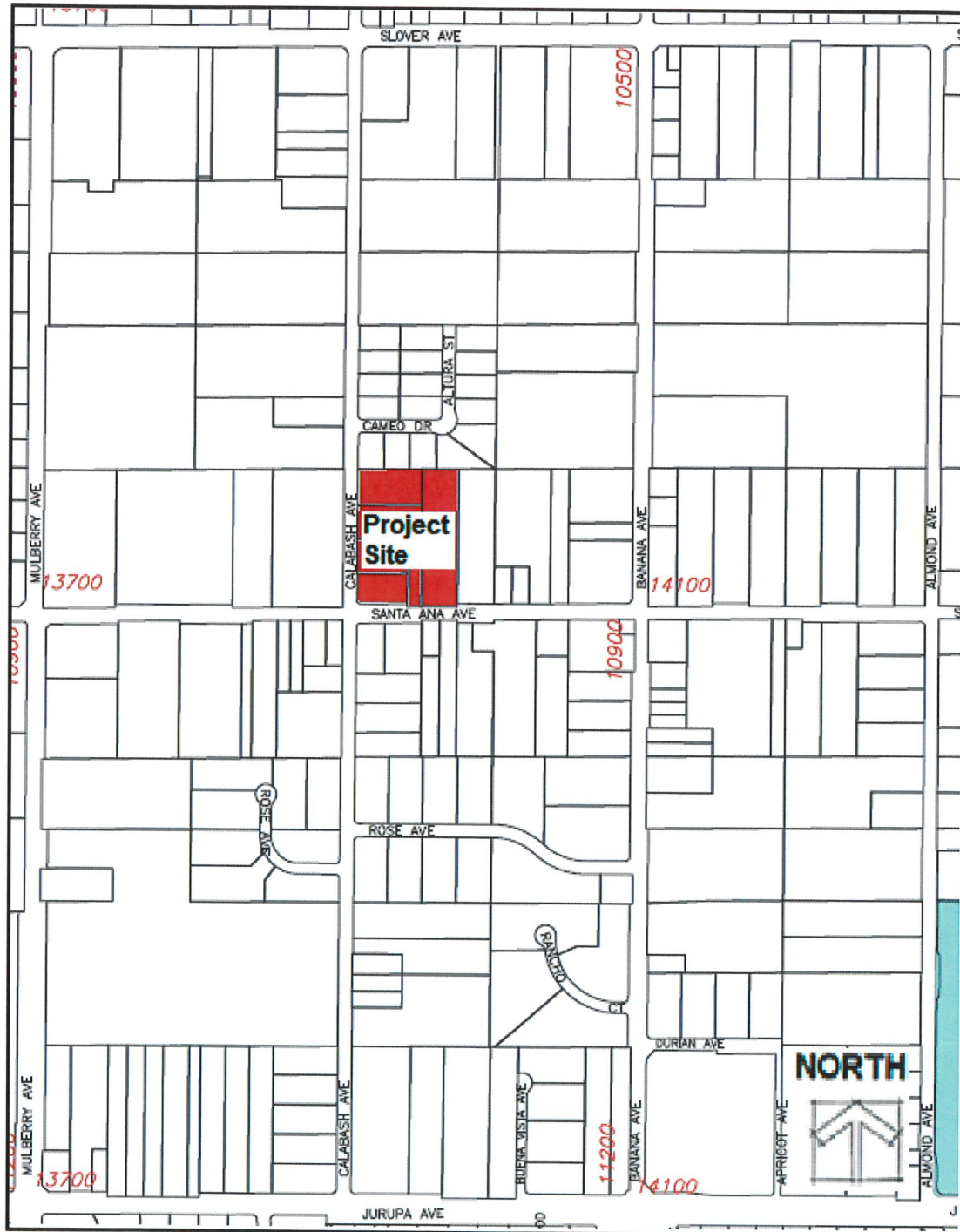
ATTACHMENTS:

1. Attachment No. 1 - Vicinity Map
2. Attachment No. 2 - Tentative Parcel Map No. 20447
3. Attachment No. 3 - Site Plan
4. Attachment No. 4 - Floor Plan
5. Attachment No. 5 - Elevations
6. Attachment No. 6 - P.C. Resolution, Findings and Conditions of Approval
7. Attachment No. 7 - Notice of Determination
8. Attachment No. 8 - Notice of Public Hearing

UNDER SEPARATE COVER:

1. Full size plans
2. Reduced color plans
3. Addendum to the Southwest Industrial Park Specific Plan Program Environmental Impact Report (SWIP PEIR) and MMRP (SWIP EIR on flash drive)

CITY OF FONTANA PLANNING DEPARTMENT



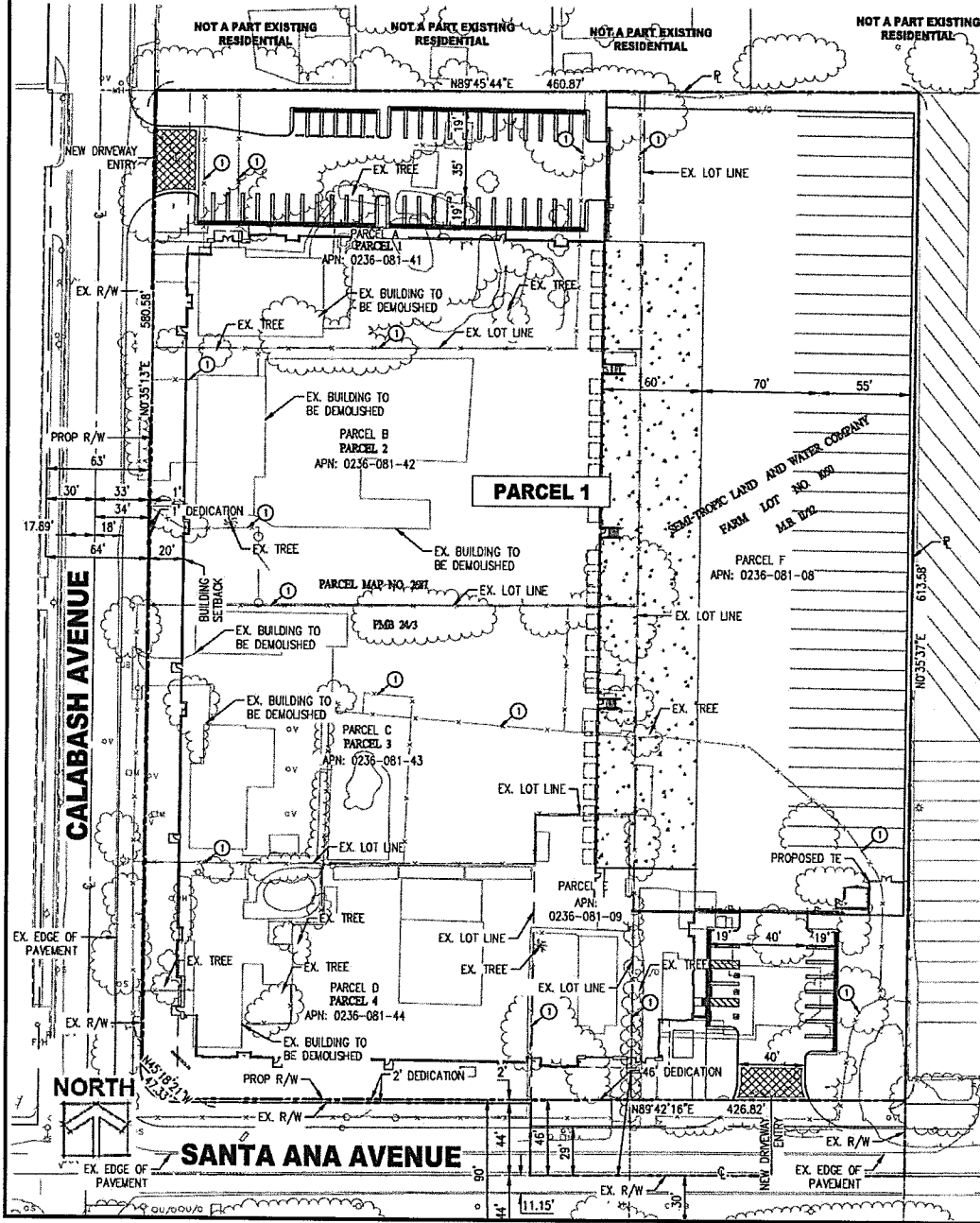
VICINITY MAP

DATE: March 15, 2022

CASE: Master Case No. 21-084
Tentative Parcel Map No. 20447
Design Review No. 21-030

TENTATIVE PARCEL MAP NO. 20447

IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO

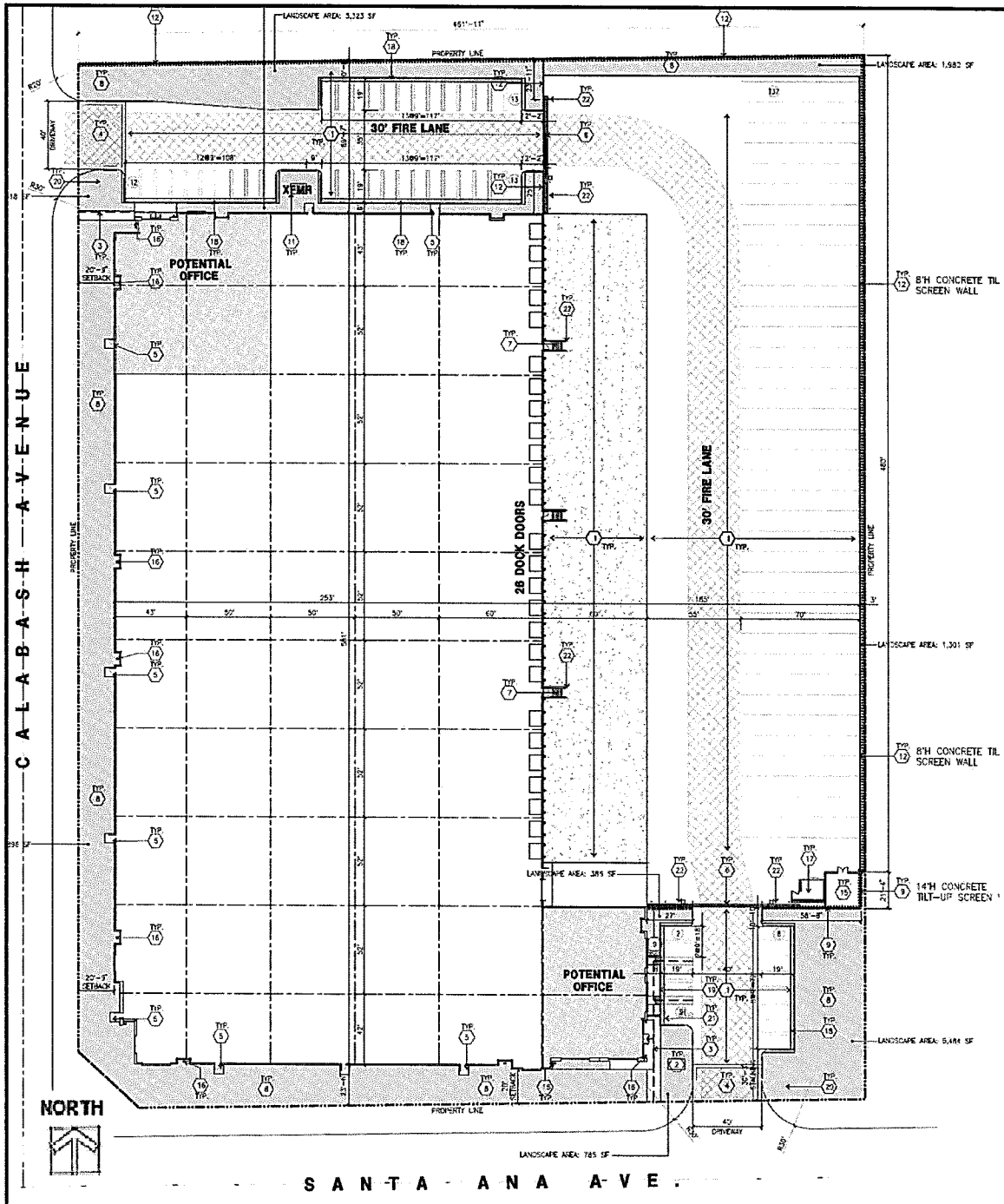


CITY OF FONTANA PLANNING DEPARTMENT

TENTATIVE PARCEL MAP

DATE: March 15, 2022

CASE: Master Case No. 21-084
Tentative Parcel Map No. 20447
Design Review No. 21-030



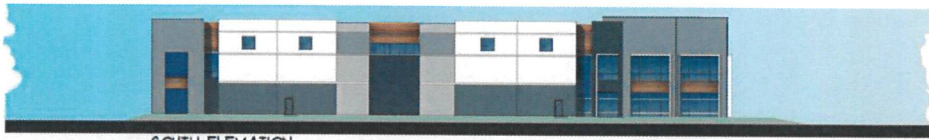
CITY OF FONTANA PLANNING DIVISION

SITE PLAN

DATE: March 15, 2022

CASE: Master Case No. 21-084
Tentative Parcel Map No. 20447
Design Review No. 21-030

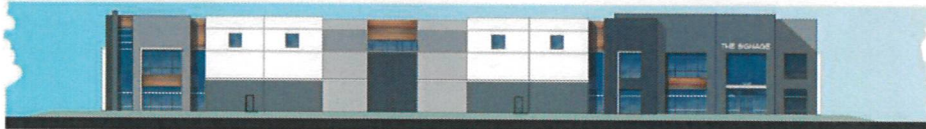
CASE: Master Case No. 21-084
Tentative Parcel Map No. 20447
Design Review No. 21-030



SOUTH ELEVATION



CALABASH AVENUE ELEVATION - WEST ELEVATION



SANTA ANA AVE. ELEVATION - NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION



EAST ELEVATION

ELEVATIONS

DATE: March 15, 2022

CASE: Master Case No. 21-084
Tentative Parcel Map No. 20447
Design Review No. 21-030

RESOLUTION NO. PC 2022-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA ADOPTING AN ADDENDUM AND MITIGATION, MONITORING, AND REPORTING PROGRAM, (MMRP) TO THE SWIP PEIR (SCH NO. 2009091089) AND DIRECTING STAFF TO FILE THE NOTICE OF DETERMINATION AND APPROVING TENTATIVE PARCEL MAP NO. 20447 AND DESIGN REVIEW NO. 21-030 FOR THE CONSTRUCTION OF AN INDUSTRIAL COMMERCE CENTER BUILDING OF APPROXIMATELY 137,000 SQUARE FOOT OVER SIX PARCELS OF APPROXIMATELY 6.6 ACRES.

WHEREAS, the City of Fontana received an application on August 31, 2021, for a Tentative Parcel Map No. 20447 and Design Review No. 21-030 for the construction of an industrial commerce center building over six parcels of approximately 6.6 acres.

Project Applicant: Duke Realty, LP
200 Spectrum Center Drive, Suite No. 1600
Irvine, CA 92618

Project Location: The project site is located on at 10821 Calabash Avenue, 10841 Calabash Avenue, 10861 Calabash Avenue, 10881 Calabash Avenue, 13946 Santa Ana Avenue, and 13950 Santa Ana Avenue (APNs: 0236-081-08, -09, -41, -42, -43, and -44).

Site Area: 6.6 acres

WHEREAS, the City of Fontana wishes to protect and preserve the quality of the life throughout the City, through effective land use and planning; and

WHEREAS, all of the notices required by statute or the City Municipal Code have been given as required; and

WHEREAS, pursuant to Section No. 15162 and Section No. 15164 of the California Environmental Quality Act (CEQA) Guidelines and Section No. 8.06 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA, an Addendum to the Southwest Industrial Park Specific Plan Program Environmental Impact Report (SWIP PEIR) (State Clearinghouse [SCH] No. 2009091089) has been prepared for this proposed project. The aforementioned EIR, adopted by the City Council on June 12, 2012, anticipated various types of industrial commerce center building uses; and

WHEREAS, the subject site includes six parcels that have been previously developed and were annexed from San Bernardino County into the City of Fontana on September 16, 2014 (Annexation no. 173); and

WHEREAS, pursuant to the Fontana's Zoning and Development Code, industrial

facilities over 49,999 square feet require approval of a Design Review by the Planning Commission; and

WHEREAS, Design Review No. 21-030 is in compliance with the General Plan; and,

WHEREAS, pursuant to the Municipal Code and the Zoning and Development Code the City staff encourages a Tentative Parcel Map application when combining contiguous parcels under common ownership into one parcel; and

WHEREAS, Tentative Parcel Map No. 20447 is in compliance with the General Plan; and,

WHEREAS, the owners of property within 660 feet of the proposed project site were notified via public hearing notice mailer prior to the Public Hearing; and a notice of the public hearing was published in the local *Fontana Herald* newspaper on March 4, 2022, posted at City Hall, and on-site at the project site; and

WHEREAS, on March 15, 2022, a duly noticed public hearing on Design Review No. 21-030 and Tentative Parcel Map No. 20447 was held by the Planning Commission to consider testimony and evidence presented by the applicant, City staff, and other interested parties, at the Public Hearing held with respect hereto; and

WHEREAS, the Planning Commission carefully considered all information pertaining to the proposed project, including the staff report, findings, and all of the information, evidence, and testimony presented at its public hearing on March 15, 2022; and

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

NOW, THEREFORE, the Planning Commission RESOLVES as follows:

SECTION NO. 1. The City of Fontana Planning Commission hereby makes the following findings for Tentative Parcel Map No. 20447 (TPM No. 21-017) in accordance with Section No. 30-284 "Processing of application," of the Fontana Subdivision Code:

Finding No. 1: **The proposed parcel map is consistent with the City's General Plan.**

Findings of Fact: This Tentative Parcel Map No. 20447 is consistent with the General Plan Land Use Designation for the project site, which is Light Industrial (I-L). The I-L designation is intended to accommodate employee-intensive uses, including business parks, research and development, and warehouses that are designed in ways that limit off-site impacts. The Tentative Parcel Map will combine six parcels (APNs: 0236-081-08, -09, -41, -42, -43, and -44) totaling

approximately 6.6 acres, into one parcel for a single development of an industrial commerce center building of approximately 137,000 square feet.

Finding No. 2: The design and improvements of the proposed Tentative Parcel Map is consistent with the General Plan.

Findings of Fact: As stated in Finding No. 1, the design of Tentative Parcel Map No. 20447 is consolidating the six parcels and the project is consistent with the General Plan. The lot size and street configuration conform to the requirements of the Land Use, Zoning, and Urban Design Element, Community Mobility and Circulation Element, Subdivisions (Chapter No. 26), the Zoning and Development Code (Chapter No. 30), the Slover West Industrial District requirement of the Southwest Industrial Park Specific Plan, and sustainability standards are incorporated into the design. The project includes public sewer, public storm drain, streets, gutter, sidewalks, drainage, and grading to provide a safe and well-designed project for the area.

Finding No. 3: The site is physically suitable for the type and density of development proposed.

Findings of Fact: The project site, of approximately 6.6 acres, is of an adequate size to accommodate the development referenced herein. The existing topography of the site is less than two percent gradient and development of the site did not require setback variances; therefore, the site is suitable for this type of development.

Finding No. 4: The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or will not substantially and avoidably injure fish or wildlife or their habitat.

Findings of Fact: The design of Tentative Parcel Map No. 20447 is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. In addition, the site is neither located in an area identified as sensitive habitat nor is an area that would support sensitive wildlife. The project could not have a significant effect on the environment as a result of project implementation. An Addendum to the Southwest Industrial Park Specific Plan Program Environmental Impact Report (SWIP PEIR) and Mitigation, Monitoring, and Reporting Program, (MMRP) (State Clearinghouse [SCH] No. 2009091089) has been prepared for this proposed project. The Mitigation, Monitoring, and Reporting Program determined that there are no new additional impacts beyond what was anticipated in the Mitigated Negative Declaration. The Initial Program Environmental Impact Report and the original Mitigation, Monitoring, and Reporting Program has been prepared and made a part of the environmental documentation and Conditions of Approval for this project.

Finding No. 5: The design of the subdivision or type of improvements will not cause serious public health problems.

Findings of Fact: Tentative Parcel Map No. 20447 will not cause health problems. The proposed development complies with the Subdivisions (Chapter No. 26), the Zoning and Development Code (Chapter No. 30), and the Slover West Industrial District requirement of the Southwest Industrial Park Specific Plan, and the General Plan. The Improvements include public sewer, public storm drain, streets, sidewalks, drainage, and grading to provide a safe and well-designed project for the area. Therefore, the project shall promote the public health, safety, and welfare of the surrounding community.

Finding No. 6: That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The planning commission may approve a map if it finds that alternative easements, for access or for use, will be provided, and that these will be substantially equivalent to easements previously acquired by the public.

Findings of Fact: The design of Tentative Parcel Map No. 20447 and public improvements will not conflict with access easements acquired by the public. The proposed lot is accessed from Santa Ana Avenue and Calabash Avenue which are publicly maintained streets. Currently there are no other public access easements through or within the proposed project site.

SECTION NO. 2. The City of Fontana Planning Commission hereby makes the following findings for Design Review No. 21-030 in accordance with Section No. 30-120 "Findings for approval" of the City of Fontana's Zoning and Development Code:

Finding No. 1: The proposal is consistent with the General Plan, Zoning and Development Code, and any applicable specific plan.

Findings of Fact: The project site is located on the northeast corner of the intersection of Santa Ana Avenue and Calabash Avenue. The project site has a General Plan land use designation of Light Industrial (I-L). The I-L designation is intended to accommodate employee-intensive uses, including business parks, research and development, and warehouses that are designed in ways that limit off-site impacts.

The General Plan is the document that sets the framework for the City of Fontana and provides the overall policies for development within the community. Furthermore, the General Plan encourages variety of development including warehousing pursuant to the City of Fontana's, General Plan Land Use, Zoning, and Urban Design Element, Community Mobility and Circulation, (Chapter No. 15 and Chapter No. 9), Goal No. 7, (page 15.40-15.41) and (page 9.27-9.28).

This project, as proposed, is a request for the Planning Commission to review and approve the site and architectural design for the construction of a 137,000 square foot industrial commerce center building. The project site is located within the Slover West Industrial District (SWD) of the Southwest Industrial Park Specific Plan. The SWD is intended to promote the continued use and expansion of existing industrial, distribution, and logistics-based, and warehousing developments, along with well-placed service commercial uses. The adjacent existing residential uses are buffered from potential adverse impacts of higher intensity uses. This project meets or exceeds the criteria contained in the Design Review section of the Zoning and Development Code and the Slover West Industrial District requirement.

The proposed building is comprised of approximately 137,000 square foot and has been designed for two (2) potential tenants with office/mezzanine space totaling approximately 10,000 square feet. The industrial commerce center building includes 26 warehouse dock doors, one (1) ground level door, 37 trailer parking spaces, and 55 passenger car parking spaces. The office/mezzanine area is proposed to be located on the northwest and the southeast corners of the building. The use of glazing, reveals, wood siding, canopies, and a variety of colors will add structural and visual interest to the building. Additionally, variations to the building face and roof lines will be architecturally pleasing.

There are two (2) driveways to the site, one along Santa Ana Avenue and one along Calabash Avenue. Automobile parking is provided along the north and east portions of the site. The unloading/loading area for the trucks is proposed on the east portion of the project site. The unloading/loading areas will be screened from view from Santa Ana Avenue with the use of screen walls up to 14-feet in height along the dock area on the interior of the site. The project site is not located within a specific planned area.

Finding No. 2: **The proposal meets or exceeds the criteria contained in this chapter and will result in an appropriate, safe and desirable development promoting the public health, safety, and welfare of the community.**

Findings of Fact: The proposed project as identified and referenced in Finding No. 1, above, Slover West Industrial District (SWD) of the Southwest Industrial Park Specific Plan and has been determined to be aesthetically and architecturally pleasing and compatible with the neighborhood. The project site which is approximately 6.6 acres is physically suitable in size and shape to support the development of the proposed warehouse facility. The applicable building codes, zoning codes, and fire codes and standards, will make for a safe, attractive, and well-designed project. As proposed, the project is consistent with the standards of the Slover West Industrial District.

The character of the surrounding neighborhood reflects some industrial uses consisting of trucking businesses, registered vehicle parking facility, and several single-family homes that some are legal non-conforming. The proposal has been designed to be compatible with the surrounding uses while also providing a development that has been designed with features (architectural relief, added landscaping, street improvements, and lighting), to enhance the character of the surrounding neighborhood.

The project includes street improvements: sidewalks, drainage, grading, and perimeter and privacy walls to provide a safe and well-designed neighborhood. The proposed industrial commerce center building has been reviewed by Planning, Engineering, Building and Safety, and Fontana Fire Prevention for site circulation, access, and safety. The proposed project meets or exceeds the standards of the Slover West Industrial District and will provide a safe design for normal public access. In addition, the project will enhance the public safety by providing improvements to the access roads and the gutters will provide appropriate storm water management. The project also provides future jobs within the City of Fontana. Therefore, the project will promote the public health, safety, and welfare of the occupants and the community.

Finding No. 3: **The proposal, in its design and appearance, is aesthetically and architecturally pleasing resulting in a safe, well-designed facility while enhancing the character of the surrounding neighborhood.**

Findings of Fact: The proposed project identified in Finding No. 1 and Finding No. 2, above, will result in much needed and appropriate improvements, not only for the project site, but the surrounding area as well. The project includes street improvements: sidewalks, drainage, grading, and perimeter/privacy walls to provide a safe and well-designed neighborhood. The proposed project meets or exceeds the standards of the Slover West Industrial District and will provide a safe design for normal public access. These structures will be built pursuant to all applicable building, zoning, and fire codes and standards and; therefore, shall promote the public health, safety, and welfare of the surrounding community.

Finding No. 4: **The site improvements are appropriate and will result in a safe, well-designed facility.**

Findings of Fact: The proposed project as identified and referenced in Finding No. 1, Finding No. 2, and Finding No. 3, above, has been determined to be appropriate and will result in a safe, well-designed facility. There are two proposed driveways, one along Santa Ana Avenue and one along Calabash Avenue. Both driveways are designed to accommodate passenger vehicle traffic and commercial truck traffic. The unloading/loading area for the trucks is proposed on the east side of the project site, behind the building. This area will be

screened from the public right-of-way and public view with the building and a combination of a 14-foot decorative screen wall and dense landscaping. The proposed project has been reviewed by Planning, Engineering, Building and Safety, and Fontana Fire Prevention for site circulation, access, and safety. The character of the surrounding neighborhood reflects some industrial uses consisting of trucking businesses, registered vehicle parking facility, and several single-family homes that some are legal non-conforming.

SECTION NO. 3 The Planning Commission has reviewed and considered the Addendum to the Southwest Industrial Park Specific Plan Program Environmental Impact Report (SWIP PEIR) (State Clearinghouse [SCH] No. 2009091089), and Mitigation, Monitoring, and Reporting Program, any oral or written comments received, and the administrative record prior to making any decision on the proposed project. The Planning Commission finds that the Addendum to the Southwest Industrial Park Specific Plan Program Environmental Impact Report (SWIP PEIR) (State Clearinghouse [SCH] No. 2009091089), and Mitigation, Monitoring, and Reporting Program. The Planning Commission further finds that the Addendum to the Southwest Industrial Park Specific Plan Program Environmental Impact Report (SWIP PEIR) (State Clearinghouse [SCH] No. 2009091089), and Mitigation, Monitoring, and Reporting Program has been completed in compliance with the State CEQA Guidelines and Section No. 8.06 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA.

SECTION NO. 4 Based on the foregoing, the City of Fontana Planning Commission adopted an Addendum to the Southwest Industrial Park Specific Plan Program Environmental Impact Report (SWIP PEIR) (State Clearinghouse [SCH] No. 2009091089), and Mitigation, Monitoring, Reporting Program and direct staff to file the Notice of Determination and approving Tentative Parcel Map No. 20447 and Design Review No. 21-030 subject to the findings as indicated herein and the Conditions of Approval attached hereto as **Exhibit "A" and Exhibit "B"**.

SECTION NO. 5. Resolution Regarding Custodian of Record: The documents and materials that constitute the record of proceedings on which this Resolution has been based and are located at the Planning Department, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code Section No. 21081.6.

SECTION NO. 6 The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Fontana, California, at a regular meeting held on this **15th day of March 2022**.

City of Fontana

PC Resolution No. 2022-__

Cathline Fort, Chairperson

ATTEST:

I, Idilio Sanchez, Secretary of the Planning Commission of the City of Fontana, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the **15th day of March 2022**, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Idilio Sanchez, Secretary

EXHIBIT "A"



**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Tentative Parcel Map No. 20447
Master Case No. 21-084

March 15, 2022

LOCATION: The project site is located on the northeast corner of the intersection of Santa Ana Avenue and Calabash Avenue, (APNs: 0236-081-08, -09, -41, -42, -43, and -44).

PLANNING DEPARTMENT:

1. The rights and privileges granted by this project shall not become effective, nor shall the applicant commence the use for which this project is granted, until both of the following have occurred:
 - A. All requirements of the Fontana City's Municipal Code shall be complied with.
 - B. All Conditions of Approval imposed on this project have been fulfilled.
2. The applicant/developer/property owner shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant's proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

In the event of any such third-party action or proceeding, the City shall have the right to retain its own separate legal counsel to defend the interests of the City. The applicant shall be responsible for reimbursing the City for such legal fees and costs, in their entirety, including actual attorneys' fees, which may be incurred by the City in defense of such action or proceeding. This indemnification shall also include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorneys' fees, and other costs, liabilities and expenses incurred in connection with such claim, action, or proceeding whether incurred by applicant, the City and/or any parties bringing such forth.

The City of Fontana and the applicant acknowledge that the City would not have approved this project if the City were to be liable to applicant in damages under or with respect to all or any part of this application or this condition of approval. Accordingly, applicant shall not sue the City for damages or monetary relief for any matter arising from or related to this condition of approval. Applicant's sole and exclusive remedy shall be limited to declaratory/injunctive relief, mandate, and/or specific performance.

3. This tentative parcel map shall comply with all applicable development standards of Chapter 26 (Subdivisions), Chapter 30 (Zoning and Development Code) of the Municipal Codes of the City of Fontana and the Subdivision Map Act.
4. The applicant/developer/property owner shall underground all utilities, which for the purpose of this condition shall also include all boxes, structures and/or other equipment located in the public right-of-way, any public utility easement(s) and on any private property, to the satisfaction of the Director of Planning. A note to this effect shall be placed on the map prior to recordation of the final map.
5. The applicant/developer shall comply with the mitigation measures identified in the CEQA Addendum Mitigation (SCH No. 2009091089) Monitoring and Reporting Program (MMRP) as approved by the Planning Commission.
6. All Conditions of Approval and Mitigation Monitoring and Reporting Program (MMRP) contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.
7. This Tentative Parcel Map No. 20447 (TPM No. 21-017) shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Division inspection, has commenced within this period.
8. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City Manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manager's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Section No. 30-30 of the Municipal Code.
9. The applicant shall post a publicly visible sign on the project site with the telephone number and 24-hour point of contact for dust, noise and construction complaints. The 24-hour point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to control dust, or respond to construction complaints after hours, on weekends and on holidays. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays.

ENGINEERING LAND DEVELOPMENT:

10. The project shall be served by the City's sanitary sewer system, all sewer facilities shall be constructed in accordance with the City Standards. Main trunk sewer line shall be designed and constructed in accordance with master sanitary sewer plan or as approved by the City Engineer.
11. The applicant/developer/property owner shall obtain design and plan approval from all utility providers having jurisdiction over the on-site and off-site utilities. Completion of all undergrounding of on-site and off-site utilities is required by Section No. 27-52 of the City Municipal Code and in accordance with plans and specifications approved by the City Engineer.
12. The applicant/developer/property owner shall maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to final acceptance by the City. Where applicable, the applicant must provide provisional street sweeping schedules to the City.

Prior To Issuance of Grading Permit

13. The applicant/developer/property owner shall submit and gain approval of a complete Water Quality Management Plan (WQMP) Report in accordance with the County of San Bernardino Technical Guidance Document and latest template.

Prior To Map Recordation

14. Record parcel map for the development.
15. Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.

Prior To Issuance of Construction Permits

16. The Applicant/developer/property owner shall submit engineered improvement plans and obtain full approval. Improvement plans include but are not limited to street, storm drain, sewer, utilities, streetlights, signing and striping, traffic control and/or detour plans. Plans shall conform to City Standards and Specifications unless otherwise approved by the City Engineer.

Prior To Issuance of Final Certification of Occupancy

17. Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans.
18. Applicant/Engineer shall provide centerline ties to the City of Fontana reflecting proper setting of all survey monuments within the project limits and replace any existing survey monuments damaged or removed during construction.
19. Applicant/Engineer shall set survey monuments as required by the map, and corner records must be recorded with the County
20. Applicant/Landscape Architect shall provide a "Landscape Certificate of Compliance" certifying that the work has been designed, installed, and will be maintained in accordance with the City of Fontana's Model Water Efficiency Landscape Ordinance (Ordinance 1743, FCC Section 28).
21. All underground utilities (sewer and storm drain) shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to

lateral segment, lateral, and main line. Videos to be inspected and approved by City Inspection. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. If removal and replacement of any utility is required, a subsequent video of the repair will be required.

22. Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water BMP Transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.

BUILDING AND SAFETY DIVISION:

23. The Parcel Map shall record prior to the issuance of any permits.
24. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with Fontana City Code.

END OF CONDITIONS OF APPROVAL

EXHIBIT "B"



**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Design Review Project No. 21-030
Master Case No. 21-084

March 15, 2022

LOCATION: The project site is located on the northeast corner of the intersection of Santa Ana Avenue and Calabash Avenue, (APNs: 0236-081-08, -09, -41, -42, -43, and -44).

PLANNING DEPARTMENT:

1. This approval is for Design Review No. 21-030, a request for site and architectural review to construct a 137,000 square foot industrial commerce center building facility as approved by the Planning Commission on March 15, 2022, and as shown in Attachment No. 2, through Attachment No. 4 in the accompanying staff report.
2. The rights and privileges granted by this project shall not become effective, nor shall the Applicant commence the use for which this project is granted, until both of the following have occurred:
 - A. All of the improvements, construction, alteration and other work set forth in this project have been completed and have been accepted by the City, as evidenced by the City's issuance of a Certificate of Occupancy or other document evidencing the City's final inspection and acceptance of the work; and
 - B. All other Conditions of Approval imposed by this project have been fulfilled.
3. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manager's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Section No. 30-30 and Section No. 30-31 of the Municipal Code.
4. The applicant/developer/property owner shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from

any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant's proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging California Environmental Quality Act (CEQA) actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

In the event of any such third-party action or proceeding, the City shall have the right to retain legal counsel. The applicant shall be responsible and reimburse the City for such legal fees and costs, in their entirety, including actual attorneys' fees, which may be incurred by the City in defense of such action or proceeding. This indemnification shall also include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorneys' fees, and other costs, liabilities and expenses incurred in connection with such claim, action, or proceeding whether incurred by applicant, the City and/or any parties bringing such forth.

The City of Fontana and the applicant acknowledge that the City would not have approved this project if the City were to be liable to applicant in damages under or with respect to all or any part of this application or this condition of approval. Accordingly, applicant shall not sue the City for damages or monetary relief for any matter arising from or related to this condition of approval. Applicant's sole and exclusive remedy shall be limited to declaratory/injunctive relief, mandate, and/or specific performance.

5. This Design Review shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Division inspection, has commenced within this period.
6. The applicant/developer shall comply with the mitigation measures identified in the CEQA Addendum Mitigation (SCH No. 2009091089) Monitoring and Reporting Program (MMRP) as approved by the Planning Commission.
7. Upon discovery of any cultural tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All cultural tribal and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.

Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall

be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.

Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

8. Color combinations and color schemes for buildings approved under a design review application shall not be modified or changed without prior approval of the original approving body by a revision to the original application. Minor hue color changes may be approved by the Director of Planning. The Director of Planning may refer minor hue color changes to the original approving body for consideration under a revision to the original application.
9. Exterior lighting compatible with the design of the building shall be provided for the parking lot. The lighting shall be directed and shielded so as to illuminate only the parking area and to avoid glare impacts on adjacent properties.
10. This project will comply with all applicable provisions, regulations and development standards of the City of Fontana Municipal Code.
11. The applicant shall post a publicly visible sign on the project site with the telephone number and 24-hour point of contact for dust, noise, and construction complaints. The 24-hour point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to control dust, or respond to construction complaints after hours, on weekends and on holidays. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays.
12. Sidewalks shall be provided for all new developments in accordance with the city's circulation element of the General Plan.
13. Two (2) bicycle parking racks or secured bicycle lockers shall be provided for all nonresidential developments.
14. All parking stalls shall be clearly marked by double striping pavement painting. Parking stall sizes shall be measured from the mid-point between the striping. No parking spaces shall be designated in a commercial/retail parking facility, except for disabled persons parking, van pool, car pool, or any other designated parking as required by law.
15. The applicant shall depict step outs in the landscaping areas as required in SWIP page 7-30 on the Site and Landscaping plans prior to submittal of Building Division plan check.
16. All signs shall be reviewed under a separate Design Review Sign application.

17. Exterior lighting compatible with the design of the building shall be provided for the parking lot. The lighting shall be directed and shielded so as to illuminate only the parking area and to avoid glare impacts on adjacent properties.
18. All roof-mounted equipment and ground mounted equipment shall be screened from view from adjacent properties and streets to the satisfaction of the Director of Community Development.
19. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee.
20. The transformer shall be screened by either a screen wall or mature, dense landscaping, and not visible from the public right-of-way.
21. After the fifteen (15) day appeal period, the applicant shall remove the notice of Filing sign(s) from the project site. The applicant may request a refund of the sign deposit; the request shall be in writing accompanied with a refund application. The request shall be submitted to the Planning Department.
22. The applicant/developer shall comply with the mitigation measures identified in the CEQA Addendum Mitigation (SCH No. 2009091089) Monitoring and Reporting Program (MMRP) as approved by the Planning Commission.
23. There shall be no refrigerated uses on site; unless, a future tenant follows any applicable studies/memorandums to amend this Condition of Approval.
24. Development fees and Planning Department final inspection fee must be paid prior to Certificate of Occupancy.
25. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
26. The applicant shall provide up-lighting on the perimeter and up-light proposed trees to the satisfaction of the Director of Planning and his/her designee.
27. Sidewalks shall be provided for all new developments in accordance with the city's circulation element of the General Plan.
28. Historic Archaeological Resources:
 - A. Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.
 - B. Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not

Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.

- C. Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.
29. The construction contractor will use the following source controls at all times:
- A. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays unless it is approved by the building inspector for cases that are considered urgently necessary as defined in Section 18-63(7) of the Municipal Code.
 - B. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
 - C. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.
 - D. Have only necessary equipment onsite.
 - E. Use manually-adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:
 - 1. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
 - 2. Temporarily enclose localized and stationary noise sources.
 - 3. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.

30. All signs shall be reviewed under a separate Design Review Sign application.

Additional General Plan Conditions Agreed to by Applicant

31. In order to reduce future project-related air pollutant emissions and promote sustainability through conservation of energy and other natural resources, building and site plan designs shall ensure the project energy efficiencies surpass (exceed) applicable (2016) California Title 24 Energy Efficiency Standards by a minimum of 5%.

Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the applicant/developer and reviewed and approved by the City of Fontana prior to the issuance of the first building permit.

32. To reduce energy demand associated with potable water conveyance, future projects shall implement the following, as applicable:
 - A. Landscaping palette emphasizing drought tolerant plants
 - B. Use of water-efficient irrigation techniques
 - C. U.S. Environmental Protection Agency (EPA) Certified WaterSense equivalent faucets, high-efficiency toilets, and water-conserving shower heads.
33. Future projects shall comply with applicable provisions of state law, including the California Green Standards Code (Part 11 of Title 24 of the California Code of Regulations).
34. The applicant/developer shall encourage its tenants to use alternative-fueled vehicles such as compressed natural gas vehicles, electric vehicles, or other alternative fuels by providing publicly available information from the Southern California Air Quality Management District (SCAQMD), California Air Resources Board (CARB), and U.S. Environmental Protection Agency (EPA) on alternative fuel technologies.
35. To promote alternative fuels and help support "clean" truck fleets, the developer/successor-in-interest shall provide building occupants and businesses with information related to the Southern California Air Quality Management District's (SCAQMD) Carl Moyer Program or other state programs that restrict operations to "clean" trucks, such as 2007 or newer model year or 2010 compliant heavy-duty vehicles, and information about the health effects of diesel particulates, the benefits of reduced idling time, California Air Resources Board regulations, and the importance of not parking in residential areas. If trucks older than 2007 model year would be used at the project site, the developer/successor-in-interest shall encourage tenants, through contract specifications, to apply in good-faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 18, VIP [On-Road Heavy Duty Voucher Incentive Program], HVIP [Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project], and SOON [Surplus Off-Road Opt-In for NOx] funding programs, as identified on SCAQMD's website (<http://www.aqmd.gov>). Tenants would be required to use those funds, if awarded.
36. The applicant/developer shall encourage its tenants to use water-based or low volatile organic compound (VOC) cleaning products by providing publicly available information from the Southern California Air Quality Management District (SCAQMD), California Air Resources Board (CARB), and U.S. Environmental Protection Agency (EPA) on such cleaning products.
37. All on-site forklifts shall be non-diesel and shall be powered by electricity, compressed natural gas, or propane if technically feasible.

38. In the event that any off-site utility and/or infrastructure improvements are required as a direct result of future projects, construction of such off-site utility and infrastructure improvements shall not occur concurrently with the demolition, site preparation, and grading phases of project construction. This requirement shall be clearly noted on all applicable grading and/or building plans.

Prior To Issuance of Grading Permit

39. All Conditions of Approval and Mitigation, Monitoring, and Reporting Program (MMRP) contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.

ENGINEERING LAND DEVELOPMENT:

40. The project shall be served by the City's sanitary sewer system and all sewer facilities shall be constructed in accordance with the City Standards. Main trunk sewer line shall be in accordance with master sanitary sewer plan or as approved by the City Engineer.
41. The applicant/developer/property owner shall obtain design and plan approval from all utility providers having jurisdiction over the on-site and off-site utilities. Completion of all undergrounding of on-site and off-site utilities is required by Section No. 27-52 of the City Municipal Code and in accordance with plans and specifications approved by the City Engineer.
42. Applicant/Landscape Architect shall provide a "Landscape Certificate of Compliance" certifying that the work has been designed, installed, and will be maintained in accordance with the City of Fontana's Model Water Efficiency Landscape Ordinance (Ordinance 1743, FCC Section 28).

BUILDING & SAFETY:

43. Shall comply with the latest adopted edition of the following codes:
 - A. California Building Code
 - B. California Electrical Code
 - C. California Mechanical Code
 - D. California Plumbing Code
 - E. California Energy Code
 - F. California Fire Code
 - G. California Green Building Standards Code
44. Automatic fire sprinkler systems shall be installed in all new construction per Article II, Chapter 11 of the Code of the City of Fontana. Design and type of system shall be based upon the requirements of the Building Code, Fire Code and the requirements of the Division of Fire Protection, Planning and Engineering of the San Bernardino County Fire Department.
45. The requirements of the South Coast Air Quality Management District (909-396-2000) shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.

46. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with FMC Chapter 5 Article XIV.
47. The requirements of the Fontana Fire Protection District and the Air Quality Management District shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
48. All perimeter/ boundary walls shall be designed and constructed so that the outer/exterior face of the wall is as close as possible to the property line. In any case, the outer/exterior face of the wall shall be within two (2) inches of the property line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case-by-case basis for extenuating circumstances.
49. All lot lines, easement lines, etc. shall be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.
50. The Parcel Map shall record prior to the issuance of any building permits.
51. Grading Requirements:
 - A. Grading plans shall be submitted to and approved by the Building and Safety Division. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-off.
 - B. All drainage water shall drain via approved methods, to an approved location, such as a public street, public drainage system, etc.
 - C. Drainage water shall not cross over a public sidewalk. Drainage water may however, cross under a sidewalk if an approved drainage structure is used.
 - D. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.
 - E. No water course or natural drainage shall be obstructed.
 - F. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.
 - G. Drainage water shall not pass from an 'improved' type of drainage structure to an 'unimproved' type of drainage structure. (i.e.; concrete swale to slag or dirt swale.) unless otherwise approved by the Building Official.
 - H. A complete hydrology study using the latest edition of the San Bernardino County Flood Control Hydrology Manual, and complete hydraulic calculations justifying the size, slope, capacity, etc. of any and all drainage structures being utilized, shall be submitted to, and approved by the Building and Safety Division.

The on-site drainage system shall, as a minimum, be designed to handle the run-off generated by a ten-year storm. Check for flooding of all on-site structures (buildings) and all adjacent properties during a hundred (100) year storm.

- I. The grading plans shall, as a minimum, contain sections at all property lines and/or permit boundary lines. These sections shall clearly indicate:
 - i. The relationship between the proposed finished on-site grade elevations and the existing adjacent property grade elevations (Indicate any additional drainage water that may come from an adjacent property.); and
 - ii. The ground cover/finished surface material being proposed (i.e.: type of pavement, plant material, etc.); and
 - iii. All proposed drainage structures; and
 - iv. Any proposed and/or required walls or fencing.
52. All signs shall be Underwriters Laboratories, or equal, approved.
53. All exterior lighting shall be orientated, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.

Prior To Issuance of Building/Construction Permits

54. Permits are required prior to the removal and/or demolition of structures.
55. The following items (as applicable) shall be completed and/or submitted to Building and Safety prior to the issuance of building permits for this project:
 - A. Precise grading plans shall be approved
 - B. Rough grading completed
 - C. Compaction certification
 - D. Pad elevation certification
 - E. Rough grade inspection signed off by a City Building Inspector
56. If hazardous substances are used and/or stored, a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to the Building and Safety Division. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.
57. Please be aware that a Construction Waste Management Plan (CWMP) will be required at time of plan check submittal. For more information regarding waste diversion, please contact Burrtec Waste at (909) 889-0911.
58. For more information related to Building & Safety, please visit our web page at <https://www.fontana.org/136/Building-Safety>.
59. Trash enclosure required to be designed like a regular building in regard to Building Code setback requirements, fire-resistive walls, protected openings, etc.

SAN BERNARDINO COUNTY FIRE DEPARTMENT:

60. Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department serving the Fontana Fire Protection District (herein "Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection

requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.

61. Fire Access Road Width. Prior to map recordation, all fire access roadways shall be designed to meet the requirements for this development and shall be approved by the Fire Department. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. California Fire Code sec 503, SBCFD Standard 503.1
62. Secondary Access. The development shall have a minimum of 2 points of vehicular access during each phase of construction for fire and emergency access purposes and for evacuation routes.
63. Turnaround. An approved turnaround shall be provided at the end of each dead end roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; and all roadways shall not exceed a 12 % grade and have a minimum of nineteen (19) foot inside radius and a forty five (45) foot outside radius for all turns.
64. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCFD Standard 508.5.2.
65. Water System Certification. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job-site.
66. Fire Sprinkler-NFPA #13. An automatic fire sprinkler system complying with NFPA 13 and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans shall include hydraulic calculations and manufacturer specification sheets. The required fees shall be paid at the time of plan submittal. SBCFD Standard 903.
67. Fire Alarm, Waterflow Monitoring. A water flow monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required for fire sprinkler systems with twenty (20) sprinkler heads or more. A fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code sec. 907, SBCFD Standard 907 FA-M.
68. Commercial (large facility) Addressing. Commercial and industrial developments in excess of 100,000 sq. ft. shall have the street address installed on the building with numbers that are a minimum twelve (12) inches in height and with a one and one half (1 ½) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. SBCFD Standard 901.4.4

69. Water System Commercial. Prior to map recordation, all water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire-flow shall be determined by using Appendix B of the California Fire Code. All fire hydrants shall be spaced no more than three hundred (300) feet apart as measured along vehicular travel-ways and within 300 feet of all portions of the building.

The Fire Flow for this project shall be: 3875 GPM for a 4-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 135,378 square foot structure.

Commercial/industrial projects with a building(s) exceeding 100,000 square feet shall be required to have a looped fire line system and with a minimum of two (2) points of connection to the public water source.

70. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code sec. 906.
71. Key Box. An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. SBCFD Standard 506
72. Security Gates. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Where an automatic electric security gate is used, an approved Fire Department override switch is required.
73. High-Piled Storage. The applicant shall submit an application for a High-Piled Storage permit for storage of over 12' in height of Class I-IV commodities and/or over 6' in height of high hazard commodities. Three (3) sets of detailed plans and a commodity analysis report shall be submitted to the Fire Department for review and approval. The applicant shall submit to the Fire Department concurrently with any racking permits to the Building and Safety division.

POLICE DEPARTMENT:

74. Adhere to the City standard of one foot candle minimum for all entrances, exits, pedestrian paths, parking lots, and activity areas. Reflect all light fixtures on the site plan. All areas shall be illuminated during all hours of darkness and all luminaries utilized shall be vandal-resistant fixtures. The type of lighting shall be fluorescent, white L.E.D.s or metal halide. Provide a photometric layout under separate exhibit to ensure the minimum light standard is met.
75. All trash enclosures located outside the secured truck courts shall be equipped with a locking roll-up door and locking man-door. The roll-up door and man-door shall remain locked at all times.
76. Incorporate an anti-graffiti coating onto the exterior of all proposed block walls to discourage graffiti.
77. Incorporate hostile landscape into the interior, perimeter landscape setback areas to discourage subjects from accessing the site.
78. Adhere to the Standard Building Security Specifications of the Fontana Police Department.

PC Resolution No. 2022-__

END OF CONDITIONS OF APPROVAL



NOTICE OF DETERMINATION

TO: Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue
San Bernardino, CA 92415

FROM: City of Fontana
Planning Department
8353 Sierra Avenue
Fontana, CA 92335

SUBJECT: Filing of Notice of Determination in Compliance with Section No. 21108
or Section No. 21152 of the Public Resources

State Clearinghouse: N/A

Project Title: Tentative Parcel Map No. 20447 (TPM No. 21-0130) Design Review No. 21-030, and Master Case No. 21-084

Project Location: The project site is located on the northeast corner of the intersection of Santa Ana Avenue and Calabash Avenue (APNs: 0236-081-08, -09, -41, -42, -43, and -44)

Project Description: The applicant Duke Realty, LP is proposing to construct a 137,000 square foot industrial commerce center over six lots.

Tentative Parcel Map No. 20447 is a request to combine six parcels (APNs: 0236-081-08, -09, -41, -42, -43, and -44) into one lot of approximately 6.6 acres.

Design Review No. 21-030 is a request for site and architectural review to construct a new warehouse facility of approximately 137,000 square foot including a maximum of two potential office/mezzanine space of approximately 10,000 square foot total.

In addition, an Addendum to the Southwest Industrial Park Specific Plan Program Environmental Impact Report (SWIP PEIR), Mitigation, Monitoring and Reporting Program, and Notice of Determination have been prepared.

This is to certify that the City of Fontana, approved the above-described project on March 15, 2022, and made the following determinations:

1. The project will not have a significant effect on the environment.
2. An Environmental Impact Report (EIR) was previously prepared and approved and fully analyzed the effects of the project. The EIR thoroughly analyzed and discussed all potential environmental impacts. None of the conditions described in Section 15162 of the State CEQA Guidelines calling for the preparation of a subsequent EIR or MND have occurred. Additionally, this action does not include any additional impacts beyond those impacts already disclosed in the previous EIR and no further environmental review is required. Mitigation measures were made a condition of the approval of the project.
3. A Statement of Overriding Considerations was not adopted for this project.
5. Findings were not made pursuant to the provisions of CEQA
6. The location and custodian of the documents which comprise the record of proceedings for the Addenda are specified as follows:

Custodian: City of Fontana, Planning Department

Location: 8353 Sierra Avenue, Fontana, CA 92335

Date Received for Filing

Rina Leung
Senior Planner



NOTICE OF PUBLIC HEARING

**SI DESEA INFORMACION EN ESPAÑOL REFERENTE A ESTA NOTIFICACION O PROYECTO,
FAVOR DE COMUNICARSE AL (909) 350-6728.**

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE PLANNING COMMISSION OF THE CITY OF FONTANA FOR THE FOLLOWING:

Master Case (MCN) No. 21-084: Tentative Parcel Map No. 20447 (TPM No. 21-017)/Design Review (DRP) No. 20-030: Review of the consolidation six (6) parcels into one parcel along with the site and architectural review of an industrial commerce center building totaling approximately 137,000 square feet on approximately 6.6 acres.

**Environmental
Determination:**

Pursuant to Section No. 15162 and Section No. 15164 of the California Environmental Quality Act (CEQA) Guidelines and Section 8.06 of the City of Fontana's 2019 Local CEQA Guidelines an Addendum to the Southwest Industrial Park Specific Plan Program Environmental Impact Report (SWIP PEIR) (State Clearinghouse [SCH] No. 2009091089) has been prepared for this proposed project. The aforementioned EIR was adopted by the City Council on June 12, 2012, and it anticipated the development of a warehouse building and also adequately identified any potential impacts associated with this project. This Addendum determined that there are no new additional impacts beyond what was anticipated in the EIR mentioned above.

**Location of
Property:**

10821, 10841, 10861,
10881 Calabash Avenue,
13946, and 13950 Santa Ana
Avenue (APNs: 0236-081-08,
-09, -41, -42, -43, and -44).

Date of Hearing:

March 15, 2022

Place of Hearing:

City Hall Council Chambers
8353 Sierra Avenue
Fontana, CA 92335

Time of Hearing:

6:00 P.M.



Should you have any questions concerning this project, please contact Jon Dille, at (909) 350-6681 or him at jdille@fontana.org.

ANY INTERESTED PARTY MAY APPEAR AND PRESENT ANY INFORMATION WHICH MAY BE OF ASSISTANCE TO THE PLANNING COMMISSION. A COPY OF THE APPLICATION AND ENVIRONMENTAL DOCUMENTATION IS AVAILABLE FOR INSPECTION IN THE PLANNING DEPARTMENT, CITY HALL. ANY INTERESTED PARTY MAY PROVIDE INFORMATION BY LETTER OR EMAIL WHICH MAY BE OF ASSISTANCE TO THE PLANNING COMMISSION. A COPY OF THE APPLICATION AND ENVIRONMENTAL DOCUMENTATION IS AVAILABLE FOR INSPECTION. PLEASE CONTACT THE PLANNER LISTED ABOVE.

IF YOU CHALLENGE IN COURT ANY ACTION TAKEN CONCERNING A PUBLIC HEARING ITEM, 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 TO THE CITY AT, OR PRIOR TO, THE PUBLIC HEARING.

Publish: March 4, 2022

ATTACHMENT NO. 8