

RESOLUTION NO. 2000-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING APPROVAL OF FILE NO. 98-010-SP, A SPECIFIC PLAN FOR A 5.4 ACRE SITE, LOCATED AT THE SOUTHWEST CORNER OF HAVEN AVENUE AND JURUPA STREET, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 211-263-18.

A. Recitals.

1. Jurupa-Haven Limited Partnership has filed an application for a Specific Plan, File No. 98-010-SP, as described in the title of this Resolution. Hereinafter, the subject Specific Plan request shall be referred to as "the application."
2. On the 28th day of September 1999, the Planning Commission of the City of Ontario conducted a duly noticed public hearing on the application and concluded said hearing on that date.
3. On the 4th day of January 2000, the City Council of the City of Ontario conducted a duly noticed public hearing on the application and concluded said hearing on that date.
4. All legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined, and resolved by the City Council of the City of Ontario as follows:

1. This Council hereby specifically finds that all facts set forth in the Recitals, Part A, of this Resolution are true and correct.
2. Based upon substantial evidence presented to this Council during the above-referenced public hearing on January 4, 2000 including written and oral staff reports, together with public testimony, this Council hereby specifically finds as follows:
 - a. The application applies to approximately 5.4 acres of land, basically a rectangular configuration, located at the southwest corner of Haven Avenue and Jurupa Street and is presently vacant. Said property is currently designated as Planned Commercial; and
 - b. The property to the north of the subject site is zoned for industrial uses and is developed with the UPS Facility. The property to the south is zoned for Business Park uses and is vacant. The property to the east is zoned for Rail Industrial and is vacant. The property to the west is zoned for distribution and is developed with the UPS Facility; and
 - c. This Specific Plan does not conflict with the Land Use Policies of the General Plan and will provide for development, within the district, in a manner consistent with the General Plan and with related

development; and

d. This Specific Plan does promote the goals and objectives of the Land Use Element of the General Plan; and

e. This Specific Plan would not be materially injurious or detrimental to the adjacent properties and would not have a significant impact on the environment nor the surrounding properties.

3. Based upon the substantial evidence presented to this Council during the above-referenced public hearing and upon the specific findings set forth in paragraphs 1 and 2 above, this Council hereby concludes as follows:

a. That the subject property is suitable for the uses permitted in the proposed district in terms of access, size, and compatibility with existing land use in the surrounding area; and

b. That the proposed Specific Plan would not have significant impacts on the environment nor the surrounding properties; and

c. That the proposed Specific Plan is in conformance with the General Plan.

4. Based upon the facts and information contained in the proposed Negative Declaration, together with all written and oral reports included for the environmental assessment for the application, the City Council finds that there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Negative Declaration based upon the findings as follows:

a. That the Negative Declaration has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the State CEQA guidelines promulgated thereunder; that said Negative Declaration and the Initial Study prepared therefore reflect the independent judgment of the City Council; and, further, this Council has reviewed and considered the information contained in said Negative Declaration with regard to the application.

b. That, based upon the changes and alterations which have been incorporated into the proposed project, no significant adverse environmental effects will occur.

c. Pursuant to the provisions of Section 753.5(c) of Title 14 of the California Code of Regulations, the City Council finds as follows: In considering the record as a whole, the Initial Study and Negative Declaration for the project, there is no evidence that the proposed project will have potential for an adverse impact upon wildlife resources or the habitat upon which wildlife depends. Further, based upon substantial evidence contained in the Negative Declaration, the staff reports and exhibits, and the information provided to the City Council during the public hearing, the City Council hereby rebuts the presumption of adverse effect as set forth in Section 753.5(c-1-d) of Title 14 of the California Code of Regulations.

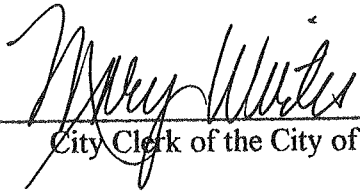
5. Based upon the findings and conclusions set forth in paragraphs 1, 2, 3, and 4 above, this Council hereby approves Specific Plan File No. 98-010-SP with the following additions:

a. Hotel uses are permitted, subject to approval of a Conditional Use Permit by the

Planning Commission and City Council and further subject to all development standards and guidelines for hotels.

- b. That service stations / gas stations are permitted without the requirement that they be designed with a "reverse corner" lot.

I certify that the Resolution was duly passed and adopted by the City Council of the City of Ontario at a regular meeting thereof held on the 15th day of February 2000.



City Clerk of the City of Ontario

