



**CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES**

**REGULAR ADJOURNED MEETING
Monday, April 9, 2007**

**CITY COUNCIL CHAMBERS
5111 Benito Street, Montclair, California 91763**

CALL TO ORDER

Chairman Flores called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Vice Chairman Lenhert led those present in the salute to the flag.

ROLL CALL

Present: Chairman Flores, Vice Chairman Lenhert, Commissioners Sahagun and Vodvarka, Community Development Director Clark, City Planner Lustro, Associate Planners Frazier-Burton and Lai and City Attorney Robbins

Excused: Commissioner Johnson

MINUTES

The minutes of the March 26, 2007 Planning Commission meeting were presented for approval. Vice Chairman Lenhert commented on page 15, in the third paragraph under Information Items, the second sentence should read, "They use the methane captured from cow manure to generate electricity." Commissioner Vodvarka moved, Chairman Flores seconded, there being no opposition to the motion, the minutes were approved as amended, 4-0.

ORAL AND WRITTEN COMMUNICATIONS

Dave Jessup, 9618 Bolton Avenue, Montclair, stated that he is taking a building and zoning codes class at Mt. San Antonio College and as an assignment, he was required to attend a meeting to observe the process.

AGENDA ITEMS

- 6.a PUBLIC HEARING - CASE NUMBER 2004-57 'B'
- | | |
|--------------------|--|
| Project Address: | 10355 Mills Avenue |
| Project Applicant: | National Community Renaissance / City of Montclair Redevelopment Agency |
| Project Planner: | Steve Lustro, AICP, City Planner |
| Request: | Conditional Use Permit amendment and Precise Plan of Design amendment for an 85-unit affordable senior housing development |

City Planner Lustro reviewed the staff report.

Commissioner Sahagun commented he is disappointed the project had to be downsized 15% because all the units were needed, but he understands the financial consequences. When he drove by the project site, he thought it looked smaller than he anticipated. City Planner Lustro stated for clarification when the final design was being developed for the family project, which is under construction, there needed to be some adjustments in lot lines which actually reduced the size of the parcel of the senior project by almost half an acre. Because of the reduction of the parcel size, they could not physically fit the 100 units with the required parking, landscaping, etc., and that was the primary reason it had to be downsized. There were also some other issues with federal financing. They wanted to submit an application that stood a good chance of being approved and, through their consultant, they determined by downsizing the project, they stood a better chance of getting funding.

Chairman Flores asked whether the lot line adjustments would affect the distance between the buildings. City Planner Lustro replied that what is now being proposed is actually a single building. The multiple "wings" of the building are connected now, whereas in the previous proposal, there were two separate buildings.

Commissioner Sahagun asked if anything else is going to be on the lots to the south. Two homes are boarded up that are for sale and look terrible. City Planner Lustro stated that the parcel being referred to is owned by the Straub family. His understanding from Code Enforcement is that the two brothers who are the heirs to the property have obtained all of the AQMD clearances for demolition of the two houses and the outbuildings on those properties and they expect to start demolition in the next week. They do have the two properties for sale, but we have not heard that there is anything pending. For the most part, the properties are landlocked. There is a half street that leads in from Holt Boulevard, but it is a very odd configuration leaving it very

difficult to do anything on those properties without combining them with adjacent parcels. There are a couple of vacant lots as you move south toward Holt that are owned by Cardenas Market. Staff's hope is that at some point in the near future, they will decide to renovate that center and build new, but as of right now, they have not indicated that they are ready to do that.

Vice Chairman Lenhart moved that, based upon evidence submitted, there will be no significant impact on the environment as a result of the construction of the proposed 85-unit affordable senior housing project, and that a DeMinimis finding of no impact on fish and wildlife and Negative Declaration have been prepared, Commissioner Sahagun seconded, there being no opposition to the motion, the motion passed 4-0.

Commissioner Vodvarka moved to grant a Conditional Use Permit under Case No. 2004-57 'B' allowing a senior citizen residential development and a building in excess of two stories at 10355 Mills Avenue, by adopting Resolution No. 07-1653, subject to making the four required findings, and subject to the 49 conditions of approval, seconded by Commissioner Sahagun, there being no opposition, the motion passed 4-0.

Vice Chairman Lenhart moved to approve the Precise Plan of Design request under Case No. 2004-57 'B' for the site plan, floor plans, elevations, landscape plan, colors and materials associated with the proposed 85-unit affordable senior citizen residential development at 10355 Mills Avenue, and associated on- and off-site improvements per the submitted plans and as described in the staff report, subject to the following 49 conditions of approval, seconded by Chairman Flores, there being no opposition to the motion, the motion passed 4-0.

1. This approval is for the following:
 - a. A Conditional Use Permit amendment allowing an 85-unit affordable senior citizen housing development containing buildings in excess of two stories in height at 10355 Mills Avenue.
 - b. A Precise Plan of Design amendment for the development site plan, floor plans, elevations, colors, materials, and landscape plan associated with the construction of an 85-unit affordable senior citizen housing development at 10355 Mills Avenue.
2. Conditional Use Permit (CUP) approval shall be valid for a period of six (6) months from the date of Planning Commission approval, unless the applicant is diligently pursuing building plan check toward eventual construction of the project. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's CUP expiration date. Suspension of any of the approved uses for a period of six months or more voids the CUP for the specified use.

3. Precise Plan of Design (PPD) approval shall be valid for a period of one year and shall automatically expire on the anniversary date of Planning Commission approval, unless the applicant is diligently pursuing building plan check toward eventual construction of the project. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's PPD expiration date.
4. The applicant and/or property owner shall ensure that a copy of the Planning Commission approval letter, including all conditions of approval, be reproduced on the first page of the construction drawings and shall be distributed to all design professionals, contractors, and subcontractors participating in the construction phase of the project.
5. Prior to submittal of grading plans or other improvement plans, the applicant shall receive approval from the City for a Water Quality Management Plan (WQMP) prepared in accordance with the State of California Santa Ana Regional Water Quality Control Board Guidelines for San Bernardino County. The WQMP shall be prepared by, or under the direction of, a Registered Civil Engineer. The WQMP shall be signed and sealed by the responsible Registered Civil Engineer for the document. In addition, the cover of the WQMP shall contain a signature block and stamp location for the City Engineer.
6. Prior to issuance of building permits, the applicant shall:
 - a. Submit five complete sets of plans for the project, including building elevations, colors and materials, electrical, plumbing, mechanical, landscaping, lighting, and accessibility details, plus two sets of soils, structural and Title 24 calculations for review and approval by the Building and Planning Divisions. Contact the Building Division at 909/625-9430 for an appointment to submit plans.
 - b. Submit detailed plans for all exterior building-mounted and pole lighting for review and approval by the Planning and Building Divisions. All lighting shall incorporate 90-degree fully cut-off style luminaires and flat lenses. Submitted plans shall include a photometric analysis of all exterior lighting. Pole lighting shall be a maximum height of 20'-0" as measured from adjacent grade to top of luminaire.
 - c. Submit detailed plans for all perimeter walls and fencing.
 - d. Submit landscaping and irrigation plans for review and approval by the Planning and Building Divisions.
 - e. Prepare and submit the following to the satisfaction of the City Engineer:

- i. A preliminary soils report addressing the geology, stability of the site, and grading requirements.
 - ii. A comprehensive grading and drainage plan prepared by a registered civil engineer in conformance with the Appendix to Chapter 33 of the Uniform Building Code and the requirements of the City. An erosion control plan is to be included and is considered an integral component of the grading plan. All drainage facilities shall comply with the requirements of the approved WQMP. Prior to the commencement of grading or any clearing of the site, a grading permit shall be obtained from the Building Division. An advance plan check fee, in an amount to be determined by the City Engineer, shall be required at the time of plan submittal.
 - iii. Plans for erosion control and stormwater pollution prevention. A general construction permit may be required. Contact Joe Rosales, NPDES Coordinator, at 909/625-9470 for requirements.
 - iv. A letter of non-interference from any utility company that may have rights of easement within the property boundaries.
 - v. "Will-serve" letters from all utilities serving the site. The subdivider/developer will be required to coordinate with the various public utilities for the necessary improvements for said utilities to service the site.
 - vi. Dedication to the City of Montclair and/or other public agencies easements for water, storm drains, sanitary sewers and other utilities.
 - vii. Street improvement plans for Mills Avenue. Plans shall comply with State and/or City disabled-accessible requirements for ramps, street access, and parking.
- f. Clearly indicate on submitted plans disabled-accessible path(s) of travel to the public right-of-way and all required disabled-accessible parking lot signs. Sidewalks, paths-of-travel, and curb cuts shall comply with the requirements of the Americans with Disabilities Act of 1990 (ADA). The maximum cross-slope on a sidewalk or path-of-travel shall not exceed two percent (2%).
 - g. Submit three (3) complete sets of plans for an approved, automatic fire sprinkler system directly to the Fire Marshal's office for review and approval, including two sets to be microfilmed/digitally imaged. The system shall conform to national standards. The system shall

be equipped so to provide a signal to a UL-listed monitoring station in the event of a water flow or tampering.

- h. Pay all required Montclair Fire Department fees.
 - i. Pay adopted parkland development fee in effect at the time building permits are obtained. Fees may be paid as each phase is developed. (Adopted fee as of April 2007, is \$2,800 per dwelling unit.)
 - j. Pay adopted transportation development impact fee in effect at the time building permits are obtained. (Adopted fee as of April 2007, is \$1,027 per dwelling unit.)
 - k. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.
7. Street address for the subject project shall be 10355 Mills Avenue.
8. The applicant shall construct a decorative iron fence, 6'-0" in height, around the entire project perimeter, except within the 25-foot front yard setback along Mills Avenue, where said fence shall not exceed 48 inches in height. Intermediate columns, 6'-10" in height (4'-6" maximum in front yard setback), constructed of precision block and faced with stucco or another decorative material, shall be incorporated into the perimeter fence 20 feet on center.
9. The applicant shall incorporate sufficient sound attenuation measures (i.e. dual-paned glazing, upgraded insulation, etc.) in each residence to achieve a maximum interior noise level of 45dBA.
10. Elevations of each proposed dwelling shall reflect the following:
- a. Enhanced glazing (full divided-lights or divided-lights over single-light) shall be provided on all front elevations and on all secondary elevations facing, and/or visible to, public rights-of-way, perimeter drives and parking areas.
 - b. Window surrounds, enhancements (wood, stucco-over-foam, shutters, pot shelves or similar) or minimum six-inch (6") recesses at each window on all elevations.
11. The numerical address of the building shall be prominently displayed in a location clearly visible to the public street. Numerals shall be Helvetica font, minimum 10 inches in height, minimum 1½ inches in depth, and in a color that adequately contrasts with the background to which they are attached.

12. All utilities serving the project shall be underground. This requirement applies to electrical service, transformers and switches, and where technology exists, telephone and cable television as well. Pad-mount transformers and/or switches will be acceptable, provided they are screened from public view with landscaping or architectural screen walls.
13. All large mechanical devices and their component parts, such as air conditioners, evaporative coolers, or similar equipment shall be located on the ground and screened with landscaping or screening structures. All exhaust fans, vents, and similar equipment, whether located on the roof or on a vertical wall surface, shall be designed in such a way to be compatible with the architectural design of the building to the satisfaction of the Planning Division.
14. All satellite dish antennas, microwave receivers and transmitters, and other forms of communication equipment shall be located in a manner in accordance with the provisions of Chapter 11.46 of the Montclair Municipal Code.
15. Mechanical equipment including, but not limited to, utility meters, air conditioners, and repair equipment shall be located within the building or in a manner compatible with the architectural design of the building to the satisfaction of the Planning Division.
16. Fire sprinkler risers and roof access ladders shall be located entirely within the building. Double-detector check facility shall be adequately screened by landscaping or an architectural screen wall.
17. All trash enclosures shall be constructed of masonry and faced with a material consistent with the primary type and color of that used on the building. The construction of such trash enclosure(s) shall conform to City standards and shall include a solid cover roof compatible with the architectural design of the main building.
18. Above-grade concrete support pedestals for all proposed freestanding light poles throughout the project site shall be enhanced or "wrapped" with a decorative building material or texture consistent with those used on the main building.
19. All decorative exterior lighting shall incorporate illumination sources of an appropriate wattage so as to not create any nuisance glare to the adjacent parking areas, private roadways, public rights-of-way, or neighboring properties. Should the applicant desire to install any building-mounted wide area lighting, it shall consist of fixtures set at 90 degrees to the building wall and incorporating fully cut-off lenses so as to direct illumination down to the surface to be illuminated. All soffit lighting installed within the building shall be flush-mounted so that the lens or

bottom of the fixture is flush with the underside of the soffit. The use of wall packs, barnlighters, other similar unshielded luminaries, or decorative lighting installed solely for the purpose of illuminating the roof shall be prohibited. "Wall-washers" or decorative landscape lighting shall be subject to review and approval by the Planning Division.

20. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.
21. Landscape maintenance shall be subject to immediate and periodic inspections by the City. The property owner shall be required to remedy any defects in grounds maintenance and replace any trees, shrubs, vines, or groundcover with a similar species, size, and quantity that are lost due to unauthorized removal, disease, windstorm, or other natural disaster as indicated by the City inspector, within two weeks after notification. Inspections shall be based on automatic landscape irrigation schedule, plant maintenance, weed and rubbish control, landscape plan approval, and any other area that is incidental to grounds maintenance.
22. All new trees incorporated into the project shall be trimmed and maintained per guidelines established and approved by the International Society of Arboriculture (ISA).
23. The applicant and/or property owner shall be responsible for maintaining the building's signs, lighting, landscaping, and all improvements in good working order at all times. Any accumulation of trash, weeds, or debris on the property shall be removed immediately so as not to present a public nuisance. Graffiti on the building or associated improvements shall be removed immediately by the applicant/property owner upon notification by the City.
24. Construction drawings submitted to the Building Division for plan check review shall comply with Montclair Security Ordinance No. 357.
25. Disabled-accessibility shall be provided through all new/reconstructed drive approaches serving the site. Additional right-of-way shall be dedicated if necessary.
26. No construction within the public right-of-way shall commence until a public works permit is obtained from the City's Public Works Department and all applicable fees paid. All utility lines installed to serve the new development shall be placed underground from the nearest existing power pole or other point of connection not adjacent to the property frontage. The sewer connection improvements may be shown on either the street improvement or grading improvement plans.
27. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.

28. Payment of all outstanding sewer reimbursement fees imposed by a district, if any, or any assessments shall be required. Contact Michael Hudson, City Engineer, at 909/625-9441 for information.
29. Regional Sewerage Supplemental Capital Outlay fees are required in accordance with Section 9.20.430 of the Montclair Municipal Code and the Inland Empire Utilities Agency (IEUA). Contact Michael Hudson, City Engineer, at 909/625-9441 for fees.
30. No soil may be imported or exported without first obtaining approval from the City Engineer. A plan satisfactory to the City Engineer shall be prepared showing the proposed haul route within the City. Subject plan shall include provisions for street sweeping and cleanup. Contractor(s) shall be responsible for complying with all NPDES requirements.
31. Underground Service Alert shall be notified 48 hours prior to any excavation at 800/422-4133.
32. All off-site and on-site trenching and excavation shall conform to CAL-OSHA standards. Excavations that exceed five feet in depth require a CAL-OSHA permit.
33. Prior to commencement of building framing or delivery of any combustible materials to the project site, an all-weather access roadway capable of supporting firefighting apparatus shall be constructed within 150 feet of all structures. An all-weather access is defined as base course A.C. pavement to a minimum depth of 2½ inches and having a minimum width of 20'-0". The 20-foot width shall be maintained free and clear of construction equipment, materials, and debris for the duration of construction. Roadway is subject to Fire Department approval prior to commencement of construction.
34. The applicant/developer is responsible for reasonable periodic clean-up of the construction site to avoid hazardous accumulation of combustible trash and debris. The applicant shall also be responsible for immediate removal of graffiti from all temporary and permanent improvements on the project site for the duration of construction, including buildings, windows, walls, fences, signs, poles and storage containers.
35. Landscaping adjacent to entrance drives should be of low profile types not to exceed 8'-0" when mature (with the exception of trees).
36. All Fire Department access and fire lanes shall be posted as "No Parking, Fire Lane." Signs shall be designed and installed in accordance with Montclair Fire Department standards.
37. A fire hydrant system shall be required to provide the necessary water flow to the proposed subdivision. Exact number, location and design of

hydrants shall be determined by the Fire Marshal's Office when building plans are received. Hydrants shall be active prior to the framing stage of construction.

38. Commercial occupancies with cooking areas, such as a commercial kitchen, require an approved, fixed fire suppression system for protection of the hood and duct system and overall cooking areas. The system shall be equipped with an automatic fuel shutoff to all equipment protected by the system. Three (3) complete sets of drawings of the system shall be submitted to the Fire Marshal's Office and approved prior to issuance of a permit.
39. In the event any portion of the buildings is to be used for the purpose of a public assembly, the developer/applicant shall contact the Fire Marshal's Office for requirements prior to submission of building plans.
40. The developer shall contact the Fire Marshal's Office for drive access requirements prior to gutter and curb-line placements.
41. In those structures covered by CAC Title 19, all drapes, hangings, curtains, drops, and all other decorative material shall be made from non-flammable material, or shall be treated and maintained in a flame retardant condition, by means of a flame retardant solution or process approved by the State Fire Marshal.
42. The applicant/developer shall install approved emergency lighting in common areas to provide adequate illumination automatically in the event of any interruption of electrical service.
43. An approved, emergency keyed access system shall be required to facilitate access by Fire Department personnel in the event of an emergency during non-business hours. Forms are available at Montclair Fire Department Headquarters, 8901 Monte Vista Avenue, for those occupancies requiring such a system.
44. A Certificate of Occupancy is required for the building prior to occupancy. Issuance of a Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.
45. Prior to issuance of a Certificate of Occupancy, the applicant shall:
 - a. Submit to the Building Division electronic images of all plans and records, which are submitted for the purpose of obtaining a building permit, to the Building Division. Electronic images shall meet the City's Electronic Archiving Policy.

- b. Submit to the Engineering Division electronic images of the Water Quality Management Plan. Electronic images shall comply with the City's Electronic Archiving Policy.
 - c. Submit evidence to the NPDES Coordinator that the Water Quality Management Plan has been recorded with the County of San Bernardino.
46. Prior to issuance of the first Certificate of Occupancy, the applicant shall complete the following improvements to the satisfaction of the City Engineer:
- a. Remove all on-site utility poles and overhead utility lines from the project site.
 - b. Underground all overhead utility lines along the east side of Mills Avenue for the length of the project limits to the nearest pole not adjacent to the property frontage and remove all abandoned utility poles.
 - c. Construct all approved improvements along the Mills Avenue frontage of the project site, including, but not limited to, removal and replacement/relocation of P.C.C. curb, gutter and sidewalk, and asphaltic concrete (A.C.) pavement, and installation of landscaping and irrigation.
 - d. Install concrete standard streetlights along the east side of Mills Avenue for the length of the project limits in a quantity and spacing to the satisfaction of the City Engineer. Streetlights shall be owned and maintained by Southern California Edison. Lighting level shall be a minimum 0.7 foot-candles.
 - e. Install all ADA-required parking stalls and parking lot signs.
 - f. Install a "RIGHT TURN ONLY" sign at each of the Mills Avenue exits from the parking lot, and a "ONE WAY" sign in the Mills Avenue median opposite each driveway to the satisfaction of the City Engineer.
 - g. Connect the new development to the City of Montclair sanitary sewer system.
47. Prior to issuance of the first Certificate of Occupancy, the person or corporation responsible for the preparation of the Water Quality Management Plan shall certify in writing to the Building Official that all conditions and requirements of the Water Quality Management Plan have been implemented or complied with. For projects, developments, or properties intended to be leased or sold, developer shall also submit

evidence to the Building Official that lessee or purchaser has been advised in writing of lessee's or purchaser's on-going maintenance responsibilities with respect to the requirements of the Water Quality Management Plan. Further, the applicant shall provide written documentation to the NPDES Coordinator that the WQMP and associated maintenance agreement have been recorded with the County of San Bernardino.

48. To ensure compliance with the provisions of this Planning Commission approval, a final inspection is required from the Planning Division when work has been completed. The applicant shall inform the Planning Division and schedule an appointment for such an inspection.
49. The applicant shall agree to defend, at its sole expense, any action brought against the City, its agents, officers, or employees because of the issuance of this approval; or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees for any damages, loss, court costs and attorney fees that the City, its agents, officers, or employees may be required by a court to pay because of such action. At its sole discretion, the city may participate at its own expense in the defense of any such action, but such participation shall not relieve applicant of its obligations under this condition.

6.b CASE NUMBER 2007-11

Project Address: 4702-4714 Holt Boulevard
Project Applicant: PAMA Management Company
Project Planner: Jim S. Lai, Associate Planner
Request: Precise Plan of Design for a multi-tenant sign program

Associate Planner Lai reviewed the staff report.

Commissioner Vodvarka commented that he sees four address spaces and one of them marked "not a tenant space." Associate Planner Lai replied that the "not a tenant space" has always been used as storage and is currently occupied by a car cleaning accessory store.

Commissioner Sahagun commented that he had the same question as Commissioner Vodvarka because it looks unusual the way it is written up. In the past, it was a liquor store. They have cleaned it up from the past. He asked about the dimensions of the sign and if the applicant was going to do some landscaping in the front. Associate Planner Lai replied the only landscaping on the property will be behind the sidewalk and will be increased to 15 feet. The proposed sign is 48 square feet.

Commissioner Vodvarka asked in reference to the sign if this was voluntary by the property owner or is the City requiring it. Associate Planner Lai said it was a

combination of both. Commissioner Vodvarka commented that there are more non-conforming signs in that area. City Planner Lustro added that staff has taken an aggressive position with respect to the non-conforming signs on Holt Boulevard and probably to a lesser degree on Central Avenue. What has happened is that when new tenants come in on a particular property and want to make any changes or reface a non-conforming sign with a different business name, staff has told them no. Most of the non-conforming signs are illegal now because the amortization period in the sign code has long expired. He has lost count, but over the past 3 or 4 years, he estimates that staff has been able to get about ten pole signs on Holt Boulevard removed. Just last week, one was removed at S&W Plastics in the 5000 block and they were working on a new monument sign today. The most noticeable removal occurred last year when Oscar's Furniture removed both of its pole signs. Last week, they installed a new building-mounted sign and they have approval to do a monument sign. We are making a lot of progress.

Chairman Flores suggested that anytime that we can, we should require additional landscaping. City Planner Lustro stated that in this case it was easy to do that because based on the square footage of the center, they had excess parking so we could require them to build the planter and still have the parking meet code. What we typically find on many of the older commercial properties is that if we require them to expand their perimeter landscape planter, it makes their parking non-conforming.

Commissioner Vodvarka asked about the sign design and if it is going to be kept up throughout the area. City Planner Lustro stated that when each individual property owner or their sign company representative comes in, staff reviews their proposal and we provide comments or suggestions. Staff has been discouraging businesses from doing the typical rectangular monument sign, which is somewhat boring and lacks any architectural interest. What we are encouraging is for the owners and sign companies to get more creative and give it a little bit of shape, little bit of enhancement and be unique. Locally, the City of Walnut has implemented a program where they are encouraging property owners to do new monument signs that all have the same general appearance. It takes away the individuality of the centers because they have monument signs that look the same, whether they match the building architecture or not. There is some uniformity but it almost becomes monotonous. What staff would rather see is some creative designs and uniqueness.

Commissioner Vodvarka asked if the signs are being treated with any type of material to prevent graffiti. City Planner Lustro responded that staff is requiring new signs to have backgrounds of durable materials, rather than traditional plex or Lexan faces where the whole face lights up at night. The durable material is typically aluminum or a stucco-looking background with push through or routed out letters so that only the letters illuminate at night. What we are finding is that the vandals do not tag them with as much regularity because, unlike the monuments with translucent faces, only the sign copy illuminates at night. The signs with translucent faces are like giving the vandals a lighted billboard; they tag it and their "work" is in lights at night. With the new

requirements, all the property owner has to do is get the matching paint color, paint over the tagging, and not worry about cleaning the plex.

Vice Chairman Lenhart stated that a big improvement was requiring the street address on monument signs, and he heard that a neighboring city is now requiring that also.

Commissioner Vodvarka moved that, based on the evidence submitted, a finding is made that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15303, Class 3, in that the project involves the approval of a sign program to govern the installation of one monument sign and building-mounted signs for each tenant, seconded by Commissioner Sahagun, there being no opposition, the motion passed 4-0.

Vice Chairman Lenhart approved the Precise Plan of Design request for the comprehensive tenant sign program per the submitted plans and as described in the staff report for a commercial center located at 4702-4714 Holt Boulevard, subject to the ten conditions of approval, seconded by Commissioner Vodvarka, there being no opposition, the motion passed 4-0.

1. This approval is for Precise Plan of Design of a comprehensive tenant sign program at 4702-4714 Holt Boulevard as follows:
 - a. One (1) double-faced monument sign, maximum 8'-0" in height and maximum sign area of 48 square feet as depicted on the submitted plans. The monument sign shall be located within a new landscape planter, 15 feet in width, along the Holt Boulevard property frontage with new footings, electrical service and textured or stone veneer sign base, subject to Building and Planning Division review and approval. The sign shall include the address range and name of the center on the top portion of the sign and a maximum of three sign panels for identification of the building tenants on each side. Sign copy shall be routed-out with Plexiglas faces and opaque background. All new electrical conveyances to the new monument sign shall be underground.
 - b. Building-mounted signs shall consist of a ¼-inch unfinished aluminum panel of uniform shape and color with three-inch (3") returns to conceal electrical transformers and wiring. Aluminum panels shall be halo-illuminated. Locations and lengths of the wall-mounted panels for the tenants shall be as specified in the sign program. Maximum height of sign copy shall be as outlined in the submitted sign program and shall consist of five-inch deep, individual channel letters. A small logo of no more than 15 percent of the total sign area may be allowed. Illumination of the channel letters shall be optional. Each tenant shall be entitled to one building-mounted sign on the west-facing elevation, except that the southernmost tenant shall be allowed one additional sign on the

south-facing (Holt Boulevard) elevation as illustrated in the sign program. No signs shall be permitted on the north or east building elevations.

2. Precise Plan of Design (PPD) approval shall be valid for a period of one year and shall automatically expire on the anniversary date of Planning Commission approval, unless the applicant is diligently pursuing building plan check toward eventual construction of the project. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's PPD expiration date.
3. The existing, non-conforming pole sign shall be removed in its entirety before the new monument sign is installed.
4. Tenants shall obtain written landlord approval for sign design prior to submission to the Planning and Building Divisions for review, approval and issuance of building and sign permits.
5. No temporary signs, including banners, shall be installed on the east or north building elevations of the building.
6. Exposed raceways, wiring or conduits shall be expressly prohibited in association with channel letter signs.
7. Temporary promotional signs shall comply with Chapter 11.72 of the Montclair Municipal Code, including, but not limited to the following:
 - a. Temporary banners for the purpose of announcing the grand opening or advertising promotions shall require banner permits from the Planning Division prior to installation.
 - b. Promotional window signs shall not occupy more than 25 percent of the aggregate window area.
 - c. At no time shall pennants, inflatable signs, "human" signs, other similar advertising devices be utilized on the property or off-site.
8. Submit detailed landscaping and irrigation plans for review and approval by the Planning and Building Divisions. The landscape plan shall include the installation of two (2) *Brachycton populneus* (Bottle Tree) street trees within the new perimeter landscape planter along Holt Boulevard, minimum 30 feet on center. Street trees shall be minimum 24-inch box size and double-staked per City standards. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.

9. To ensure compliance with the provisions of this Planning Commission approval, a final inspection is required from the Planning Division when work has been completed. The applicant shall inform the Planning Division and schedule an appointment for such an inspection.
10. The applicant shall agree to defend, at its sole expense, any action brought against the City, its agents, officers, or employees because of the issuance of this approval; or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees for any damages, loss, court costs and attorney fees that the City, its agents, officers, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve applicant of its obligations under this condition.

INFORMATION ITEMS

Commissioner Sahagun asked about the amortization period for the non-conforming pole signs and wondered if the City has sent any letters out to let property owners and businesses know that it is time to replace the signs. City Planner Lustro stated he is not aware of any letters being sent out. It is something we could do now, but when the new sign ordinance went into effect, it gave a maximum of six years to amortize the most expensive signs and, if we sent out letters now, he felt it would be very difficult to give them anything less than that. Commissioner Sahagun commented that he felt some letters should be sent out reminding them of that and that we will be pursuing it in the near future. In addition, there are many businesses up and down Holt Boulevard with dilapidated irrigation systems, landscaping and signs. City Planner Lustro replied that property maintenance is a code enforcement issue and they try to stay on top of that. It is their responsibility to contact the property owners when the maintenance has become marginal. With respect to the façade and property improvement programs and the new rules that have come into play with respect to prevailing wage, it has become more cost effective for property owners to spend their own money rather than obtaining a loan from the City.

Commissioner Sahagun asked what is in the works for the old Macy's building and surrounding area. City Planner Lustro replied the latest information staff has is that General Growth is planning on having the asbestos abatement in the building done by this summer. The tentative schedule is that demolition will occur in 2008. No plans have been submitted yet for the expansion of the Plaza. They are in the process of developing those and we hope to see them later this year. We did meet with the general manager of Montclair Plaza along with the architect who is going to be working on the interior renovation of the mall. He did not have any plans to show us, but the architect was supposed to be meeting with representatives from General Growth the week after we met with them to present their proposal. They are moving forward slowly.

Vice Chairman Lenhart said that he reported the mosquito pool under the Central Avenue bridge to Vector Control again and is going to push it this time. It is railroad property, but neither the County nor the Flood Control District has an easement. Vector Control can push it from two different angles: the property owner and wherever the water comes from, which is the City.

Chairman Flores adjourned the meeting at 7:41 p.m.

Respectfully submitted,

Laura Berke
Recording Secretary