



CITY OF MONTCLAIR  
PLANNING COMMISSION MINUTES  
REGULAR ADJOURNED MEETING  
Monday, October 22, 2007

CITY COUNCIL CHAMBERS  
5111 Benito Street, Montclair, California 91763

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**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 Johnson, Sahagun and Vodvarka, Community Development Director Clark, City Planner Lustro, Associate Planner Lai and City Attorney Robbins.

Excused: Associate Planner Frazier-Burton.

**MINUTES**

The minutes of the October 8, 2007 Planning Commission meeting were presented for approval. Commissioner Johnson moved, Chairman Flores seconded, there being no opposition to the motion, the minutes were approved 5-0.

**ORAL AND WRITTEN COMMUNICATIONS**

None.

## AGENDA ITEMS

6.a CASE NUMBER 2007-33

Project Address: 5579 and 5583 Arrow Highway  
5580 Olive Street  
Project Applicant: LM/MS Properties LLC  
Project Planner: Carol Frazier-Burton, Associate Planner  
Request: Precise Plan of Design for three industrial buildings

City Planner Lustro reviewed the staff report.

Commissioner Johnson moved that, based upon evidence submitted, there will be no significant impact on the environment as a result of the construction of three industrial buildings totaling 22,731 square feet and that a DeMinimis finding of no impact on fish and wildlife and a Negative Declaration have been prepared, seconded by Commissioner Sahagun, there being no opposition to the motion, the motion passed 5-0.

Commissioner Vodvarka moved to approve a Precise Plan of Design under Case No. 2007-33 for the construction of three industrial buildings totaling 22,731 square feet on 1.30 acres in the MIP (Manufacturing Industrial Park) zoning district per the submitted plans and as described in the staff report, subject to the 47 conditions of approval, seconded by Vice Chairman Lenhart, there being no opposition to the motion, the motion passed 5-0.

1. This approval is for a Precise Plan of Design for the site plan, elevations, floor plans, colors, materials, and conceptual landscape plan associated with the construction of three buildings totaling 22,731 square feet as follows and as depicted on the submitted plans:

Building "A" (5580 Olive Street) – 6,228 square feet  
Building "B" (5583 Arrow Highway) – 7,736 square feet  
Building "C" (5579 Arrow Highway) – 8,767 square feet

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 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.

4. The street address for the proposed buildings shall be as noted in Condition No. 1 herein.
5. This approval shall be specifically for the use of the proposed buildings and property for an industrial operation in compliance with all provisions of the MIP (Manufacturing Industrial Park) zoning district per the submitted drawings and as described in the application and staff report. All operations shall be conducted entirely within the enclosed buildings. Outdoor storage of equipment and materials shall be permitted only within designated yard areas between Buildings "A" and "B" and Buildings "B" and "C."
6. 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.
7. Prior to issuance of building permits, the applicant shall submit the following documents for review and approval by the City Engineer:
  - a. A preliminary soils report, addressing the geology, stability of the site, and grading requirements.
  - b. 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 advance plan check fee, in an amount to be determined by the City Engineer, shall be required at the time of plan submittal. Prior to the commencement of grading or any clearing of the site, a grading permit shall be obtained from the Building Division. A disabled-accessible path-of-travel from the public sidewalk to the building on-site shall be shown on the grading plan. Sidewalks, pathways and curb cuts shall comply with 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%).
  - c. Prepare and submit plans for an on-site storm drain and catch basin facilities to the satisfaction of the City Engineer. Said facilities shall connect to existing storm drain structures. No nuisance surface water drainage shall be permitted to sheet flow across sidewalks or through drive approaches to Arrow Highway or Olive Street.

- d. 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.
  - e. A letter of non-interference from any utility company that may have rights of easement within the property boundaries.
  - f. "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.
8. Prior to issuance of building permits, the applicant shall:
- a. Submit five complete sets of architectural 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 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 25'-0" as measured from adjacent grade to top of luminaire.
  - c. Submit detailed plans for all walls and fencing associated with the project. Walls and fences within the street setbacks along Arrow Highway and Olive Street shall be limited to a maximum height of 48 inches.
  - d. 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.
  - e. Submit a detailed landscape plan illustrating all species, quantities, and container sizes. The landscape plan shall include the following street trees:
    - i. Arrow Highway – Three (3) Quercus ilex (Holly Oak), 40 feet on center.
    - ii. Olive Street – Three (3), Fraxinus angustifolia 'Raywood' (Raywood Ash), 35 feet on center.

Street trees shall be minimum 24-inch box size and double-staked per City standards. Additional tree species may be planted along the street frontages to enhance the designated street trees as space permits.

- f. 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 an UL-listed monitoring station in the event of a water flow or tampering.
  - g. Pay all required Montclair Fire Department fees.
  - h. Pay adopted transportation development impact fee in effect at the time building permits are obtained. (Current fee as of October 2007, is \$24,390.)
  - i. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.
9. Prior to installation of any signs on the property, the applicant shall submit a comprehensive sign program covering building-mounted and monument signs to the Planning Division for review and approval.
10. Exposed raceways shall be prohibited on all building-mounted and freestanding signs.
11. Prior to any future changes to the approved sign program, an application shall be submitted to the Planning Division for review and approval by staff or the Planning Commission.
12. 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.
13. No pay telephones or vending machines shall be located on the exterior of the buildings.

14. All mechanical devices and their component parts, such as air conditioners, evaporative coolers, exhaust fans, vents, transformers, or similar equipment, whether located on the ground or on the roof of the structure, shall be concealed on all sides from public view in a manner that is compatible with the architectural design of the building and to the satisfaction of the Planning Division.
15. All roof-mounted equipment, satellite dish antennas, and other similar apparatus shall be screened from public view in a manner incorporated into 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 enclosed buildings. Double-detector check facility shall be adequately screened by landscaping or an architectural screen wall.
17. All trash enclosures shall be constructed of 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 have a solid roof complementary to the main buildings. Black-colored concrete shall be used for the trash enclosure floors and their respective aprons.
18. Above-grade concrete support pedestals for all proposed freestanding light poles throughout the project site shall be enhanced with a stone veneer consistent with that used on the main buildings.
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 luminaires, 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, including, but not limited to, adherence to the following standards:
  - a. The numerical address of each building shall be displayed as follows:
    - i. Building "A" – On the south elevation, six inches (6") below the top of the parapet wall immediately east of the storefront glazing system.
    - ii. Building "B" – In the upper right-hand corner of the north elevation, six inches (6") below the accent block cornice.
    - iii. Building "C" – In the upper right-hand corner of the north elevation, six inches (6") below the metal fascia.

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.
  - b. The facility shall be provided with a minimum maintained illumination level of one (1) foot-candle from dusk until termination of business every business day. During all other hours of darkness, a minimum of one-quarter (.25) foot-candles of illumination shall be maintained at grade.
25. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.

26. Payment of all outstanding sewer reimbursement fees as imposed by a district, if any, or any assessments shall be required. Contact Nicole Greene, Environmental Manager, at 909/625-9446 for fees.
27. Regional Sewerage Supplemental Capital Outlay fees are required in accordance with Section 9.20.450 of the Montclair Municipal Code and the Inland Empire Utilities Agency (IEUA). Contact Nicole Greene, Environmental Manager, at 909/625-9446 for fees.
28. No soil shall be imported or exported to or from the project site from an adjacent building site or from other sources for construction purposes 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. Applicant/contractor shall comply with all NPDES requirements.
29. Underground Service Alert shall be notified 48 hours prior to any excavation at (800) 422-4133.
30. 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.
31. A construction permit shall be obtained from the Engineering Division prior to any construction of improvements in the public right-of-way.
32. 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.
33. 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.
34. Landscaping adjacent to the entrance drives should be of low profile types not to exceed 8'-0" in height when mature (with the exception of trees).

35. All Fire Department access and fire lanes shall be clearly posted as "No Parking, Fire Lane." Signs shall be designed and mounted in accordance with Montclair Fire Department standards.
36. The inside turning radius for an access road shall be a minimum of 32'-0", and the outside turning radius shall be a minimum of 45'-0".
37. A fire hydrant system shall be required to provide the necessary water flow to the proposed structure(s). 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. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.
39. The developer shall contact the Fire Marshal's Office for drive access requirements prior to gutter and curb-line placements.
40. An approved emergency keyed access system shall be required to facilitate access to buildings or gates 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.
41. Facilities with gated drive approaches shall contact the Fire Marshal's Office for additional key and strobe requirements.
42. Vehicle security gates shall be approved only with the use of hold-open devices to allow for emergency vehicle access. Contact the Fire Marshal's Office for specific requirements.
43. A Certificate of Occupancy is required prior to occupancy of the subject building. Issuance of a Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.
44. Prior to issuance of a Certificate of Occupancy for the new buildings, 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.
  - d. Install all approved landscaping and exterior lighting.
  - e. Install all ADA-required disabled-accessible parking signs at parking lot entrances and parking spaces.
  - f. Remove the existing, non-conforming pole sign along the Arrow Highway frontage of the property.
  - g. Remove all existing, non-conforming chain-link fences and concertina/ barbed wire.
  - h. Remove all existing utility poles and overhead utility lines on the project site and underground utility lines as necessary.
45. Prior to issuance of a 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.
46. 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.
47. 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 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.

6.b CASE NUMBER 2006-53 'A'

Project Address: 5180 Mission Boulevard  
Project Applicant: Storage Specialists, LLC  
Project Planner: Steve Lustro, AICP, City Planner  
Request: Precise Plan of Design Amendment for commercial development

City Planner Lustro reviewed the staff report.

Commissioner Sahagun stated that while he liked the original elevations, he thought the changes were an improvement. He wanted to know what precipitated the change.

James Goodman, 27345 Ortega Highway, Suite 130, San Juan Capistrano, the project architect, responded that the client directed him to change the architecture after discussion with a retail real estate broker, who felt that the revised elevations would help in the leasing process.

Commissioner Johnson moved that, based upon evidence submitted, that there will be no significant impact on the environment as a result of the revisions to the approved building elevations and that a DeMinimis finding of no impact on fish and wildlife and a Negative Declaration have been prepared, seconded by Commissioner Sahagun, there being no opposition to the motion, the motion passed 5-0.

Vice Chairman Lenhart moved to approve a Precise Plan of Design Amendment under Case No. 2006-53 'A' per the submitted plans and as described in the staff report for building elevation revisions to a previously-approved 23,660 square-foot commercial development on a portion of a 4.39-acre site in the C-3 (General Commercial) zoning district, subject to the 42 conditions of approval, seconded by Commissioner Vodvarka, there being no opposition to the motion, the motion passed 5-0:

1. This approval is for a Precise Plan of Design Amendment for the elevations, colors and materials associated with the construction of a multi-tenant commercial building on a portion of a 4.39-acre parcel as depicted on the submitted plans.
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 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.

4. The street address for the commercial building shall be 5180 Mission Boulevard.
5. Prior to issuance of building permits, the applicant shall submit the following documents for review and approval by the City Engineer:
  - a. A preliminary soils report, addressing the geology, stability of the site, and grading requirements.
  - b. 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 advance plan check fee, in an amount to be determined by the City Engineer, shall be required at the time of plan submittal. Prior to the commencement of grading or any clearing of the site, a grading permit shall be obtained from the Building Division. A disabled-accessible path-of-travel from the public sidewalk to the building on-site shall be shown on the grading plan. Sidewalks, pathways and curb cuts shall comply with 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%).
  - c. Dedication to the City of Montclair and/or other public agencies easements for water, storm drains, sanitary sewers and other utilities, if applicable.
  - d. A street improvement plan for the Mission Boulevard frontage of the property for the length of the project limits to the satisfaction of the City Engineer. Plans shall comply with State and/or City disabled-accessible requirements for ramps, street access, and parking. Street improvement plans shall include, but not be limited to, construction of P.C.C. curb, gutter and sidewalk, and removal and replacement of all substandard P.C.C. curb, gutter, sidewalk and A.C. pavement. Disabled-accessible path-of-travel shall be maintained through drive approaches. This condition shall not apply if construction of Phases 5 and 6 of the Mission Boulevard Streetscape Improvement Project is underway or has been completed prior to construction of the project.
  - e. 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.

- f. A letter of non-interference from any utility company that may have rights of easement within the property boundaries.
  - g. "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.
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 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 25'-0" as measured from adjacent grade to top of luminaire.
  - c. Submit detailed plans for all walls and fencing associated with the project. Walls and fences within the street setback along Mission Boulevard shall be limited to a maximum height of 48 inches.
  - d. Submit a color and material board or palette detailing the proposed exterior finishes for review and approval by staff.
  - e. 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.
  - f. 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 an UL-listed monitoring station in the event of a water flow or tampering.
  - g. Pay all required Montclair Fire Department fees.
  - h. Pay adopted transportation development impact fee of \$156,787.

- i. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.
7. Prior to installation of any signs on the property, the applicant shall submit a Precise Plan of Design application for a comprehensive sign program governing signage on the property. The sign program may consist of the following elements:
  - a. Monument Sign – One (1) internally illuminated monument sign along the Mission Boulevard street frontage, maximum 10'-0" in height and maximum 60 square feet of sign area per sign face. Sign copy shall consist of routed-out letters with opaque background in a texture and color to match the main building. Sign support or pedestal shall incorporate materials and colors that are architecturally compatible with the buildings. Street address shall be incorporated into the sign structure.
  - b. Wall Signs – Each tenant space shall be allowed one (1) sign to be installed within a sign band along the south-facing façade to be identified in the sign program. The sign program shall identify sign styles, copy height, and method of illumination for review and approval by the City.
  - c. Directional Signs – Freestanding traffic and facility directional signs may be permitted. Maximum sign area and height of directional signs shall be four (4) square feet and 4'-0" high, respectively. Illumination is optional. In addition, a directory sign/map of up to ten (10) square feet in sign area may be permitted. Locations of these signs shall be subject to review and approval of the City Planner.
8. Exposed raceways shall be prohibited on all building-mounted and freestanding signs. An architectural sign backing/raceway may be allowed on the commercial building subject to review and approval by the City Planner.
9. Prior to any future changes to the approved sign program, an application shall be submitted to the Planning Division for review and approval by staff or the Planning Commission.
10. 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.
11. No pay telephones or vending machines shall be located on the exterior of the building.
  12. All utility services to the building shall be installed underground.
  13. All mechanical devices and their component parts, such as air conditioners, evaporative coolers, exhaust fans, vents, transformers, or similar equipment, whether located on the ground or on the roof of the structure, shall be concealed on all sides from public view in a manner that is compatible with the architectural design of the building and to the satisfaction of the Planning Division.
  14. All roof-mounted equipment, satellite dish antennas, and other similar apparatus shall be screened from public view in a manner incorporated into the architectural design of the building to the satisfaction of the Planning Division.
  15. Fire sprinkler risers and roof access ladders shall be located entirely within the enclosed building.
  16. All trash enclosures shall be constructed of masonry 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 have a solid roof complementary to the main building.
  17. Above-grade concrete support pedestals for all proposed freestanding light poles throughout the project site shall be enhanced with split-face block or stone veneer consistent with those used on the main building.
  18. 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.

19. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.
20. 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.
21. All new trees incorporated into the project shall be trimmed and maintained per guidelines established and approved by the International Society of Arboriculture (ISA).
22. 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.
23. Construction drawings submitted to the Building Division for plan check review shall comply with Montclair Security Ordinance No. 357, including, but not limited to, adherence to the following standards:
  - a. The numerical address of the commercial building shall be displayed in two locations on the south-facing elevation as follows:
    - i. In the upper right corner of the easternmost tower, six inches (6") below the bottom of the cornice.
    - ii. In the upper left corner of the westernmost tower, six inches (6") below the bottom of the cornice.

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.
  - b. The facility shall be provided with a minimum maintained illumination level of one (1) foot-candle from dusk until termination of business every business day. During all other hours of darkness, a minimum of one-quarter (.25) foot-candles of illumination shall be maintained at grade.

24. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
25. Payment of all outstanding sewer reimbursement fees as imposed by a district, if any, or any assessments shall be required. Contact Nicole Greene, Environmental Manager, at 909/625-9446 for fees.
26. Regional Sewerage Supplemental Capital Outlay fees are required in accordance with Section 9.20.440 of the Montclair Municipal Code and the Inland Empire Utilities Agency (IEUA). Contact Nicole Greene, Environmental Manager, at 909/625-9446 for fees.
27. No soil shall be imported or exported to or from the project site from an adjacent building site or from other sources for construction purposes 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. Applicant/contractor shall comply with all NPDES requirements.
28. Underground Service Alert shall be notified 48 hours prior to any excavation at (800) 422-4133.
29. 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.
30. A 20-foot wide, unobstructed roadway capable of supporting firefighting apparatus shall be maintained within 150 feet of the structure prior to and for the duration of construction. Roadway is subject to Fire Department approval prior to commencement of construction.
31. 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.
32. Landscaping adjacent to the entrance drives should be of low profile types not to exceed 8'-0" in height when mature (with the exception of trees).
33. All Fire Department access and fire lanes shall be clearly posted as "No Parking, Fire Lane." Signs shall be designed and mounted in accordance with Montclair Fire Department standards.
34. A fire hydrant system shall be required to provide the necessary water flow to the proposed structure. Exact number, location, and design of

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

35. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.
36. The developer shall contact the Fire Marshal's Office for drive access requirements prior to gutter and curb-line placements.
37. 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.
38. A Certificate of Occupancy is required prior to occupancy of the subject building. Issuance of a Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.
39. 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.
  - d. Construct all approved public improvements along the Mission Boulevard street frontage for the length of the project limits, including, but not limited to, P.C.C. sidewalk, curb and gutter, asphaltic concrete paving, and concrete standard streetlights in a quantity and spacing satisfactory to the City Engineer. This condition shall not apply if construction of Phases 5 and 6 of the Mission Boulevard Streetscape Improvement Project is underway or has been completed prior to construction of the project.

- e. Remove the existing utility pole at the southwest corner of the property and underground utilities as necessary to the nearest utility pole not along the property frontage.
  - f. Install all approved landscaping and exterior lighting.
  - g. Install all ADA-required parking stalls and parking lot signs.
  - h. Install a "RIGHT TURN ONLY" sign at the Mission Boulevard exit from the parking lot to the satisfaction of the City Engineer.
40. Prior to issuance of a 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.
41. 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.
42. 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.
- 6.c CASE NUMBER 2007-35
- |                    |  |
|--------------------|--|
| Project Address:   | 8700 Monte Vista Avenue  |
| Project Applicant: | City of Montclair Redevelopment Agency /<br>Monte Vista Water District |
| Project Planner:   | Steve Lustro, AICP, City Planner                                       |
| Request:           | Precise Plan of Design for well site<br>improvements                   |

Vice Chairman Lenhert recused himself from the agenda item because of his position on the governing board of Monte Vista Water District.

City Planner Lustro reviewed the staff report. He stated that subsequent to a conversation with the District's general manager, staff is recommending the deletion of standard conditions 6.g, 12, and 25 because they really do not apply to this project.

Chairman Flores moved that, based upon evidence submitted, there will be no significant impact on the environment as a result of the site improvements associated with the construction and operation of a water well and that a DeMinimis finding of no impact on fish and wildlife and a Negative Declaration have been prepared, seconded by Commissioner Johnson Flores, there being no opposition to the motion, the motion passed 4-0.

Commissioner Sahagun moved to approve a Precise Plan of Design under Case No. 2007-35 for the construction of site improvements on a .42-acre site designated as "open space" in the North Montclair Downtown Specific Plan per the submitted plans and as described in the staff report, subject to the 29 conditions of approval as amended, seconded by Commissioner Vodvarka, there being no opposition to the motion, the motion passed 4-0.

1. This approval is for a Precise Plan of Design for the site plan, elevations, floor plans, materials, and landscape plan associated with the construction of site improvements associated with development of a water well site on .42 acres at 8700 Monte Vista Avenue as described in the staff report and as depicted on the submitted plans.
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 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.
4. The street address for the proposed well site shall be 8700 Monte Vista Avenue.
5. 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.

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 revised architectural sheets replacing the proposed composition shingle roof on the building with tile.
  - c. Submit a final design for the sign wall at the southeast corner of the property to the satisfaction of the City Planner.
  - d. 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 cut-off style luminaires and flat lenses. Pole lighting shall be a maximum height of 25'-0" as measured from adjacent grade to top of luminaire.
  - e. Submit detailed plans for all walls and fencing associated with the project. Perimeter walls and fences enclosing the site may be a maximum of 8'-0" in height.
  - f. Submit 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.
  - g. Submit a letter of non-interference from any utility company that may have rights of easement within the property boundaries. (TO BE DELETED)
  - h. Submit "will-serve" letters from all utilities serving the site. The developer will be required to coordinate with the various public utilities for the necessary improvements for said utilities to service the site.
  - i. 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 an UL-listed monitoring station in the event of a water flow or tampering. (This condition shall not apply if the Monte Vista Water District applies for, and

receives approval for, a variance from the Fire Chief allowing an alternative type fire suppression and/or alarm system.)

- j. Pay all required Montclair Fire Department fees.
7. No pay telephones shall be located on the exterior of the building.
8. All mechanical devices and their component parts, such as air conditioners, evaporative coolers, exhaust fans, vents, transformers, or similar equipment, whether located on the ground or on the roof of the structure, shall be concealed on all sides from public view in a manner that is compatible with the architectural design of the building and to the satisfaction of the Planning Division.
9. All roof-mounted equipment, satellite dish antennas, and other similar apparatus shall be screened from public view in a manner incorporated into the architectural design of the building to the satisfaction of the Planning Division.
10. Fire sprinkler risers (if required) and roof access ladders shall be located entirely within the enclosed building. Double-detector check facility (if required) shall be adequately screened by landscaping or an architectural screen wall.
11. All trash enclosures shall be constructed of 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 have a solid roof complementary to the main building. Black-colored concrete shall be used for the trash enclosure floor and its apron.
12. Above-grade concrete support pedestals for all proposed freestanding light poles throughout the project site shall be enhanced with a decorative material, such as stone or stucco, consistent with that used on the main building. (TO BE DELETED)
13. 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, and other similar unshielded luminaires shall be prohibited. "Wall-washers" or decorative landscape lighting shall be subject to review and approval by the Planning Division.

14. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.
15. 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.
16. All new trees incorporated into the project shall be trimmed and maintained per guidelines established and approved by the International Society of Arboriculture (ISA).
17. 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.
18. Construction drawings submitted to the Building Division for plan check review shall comply with Montclair Security Ordinance No. 357, including, but not limited to, adherence to the following standards:
  - a. The address of the site shall be displayed on the proposed wall sign at the southeast corner of the site.
  - b. The facility shall be provided with a minimum maintained illumination level of one-quarter (.25) foot-candles during all hours of darkness.
19. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
20. Regional Sewerage Supplemental Capital Outlay fees are required in accordance with Section 9.20.450 of the Montclair Municipal Code and the Inland Empire Utilities Agency (IEUA). Contact Nicole Greene, Environmental Manager, at 909/625-9446 for fees.
21. No soil shall be imported or exported to or from the project site from an adjacent building site or from other sources for construction purposes 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. Applicant/contractor shall comply with all NPDES requirements.

22. Underground Service Alert shall be notified 48 hours prior to any excavation at (800) 422-4133.
23. 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.
24. 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.
25. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service. (TO BE DELETED)
26. A Certificate of Occupancy is required prior to occupancy of the subject building. Issuance of a Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.
27. 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. Relocate as necessary the existing overhead utility line and utility pole serving the private well site at 4815 Huntington Drive.
  - c. Install all approved landscaping and exterior lighting.
28. 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.
29. 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**

Director Clark reminded the Commission that because of the City's observance of the Veterans' Day holiday on Monday, November 12, the next Planning Commission meeting is scheduled for Tuesday, November 13.

Chairman Flores adjourned the meeting at 7:37 p.m.

Respectfully submitted,

Laura Berke  
Recording Secretary