



CITY OF MONTCLAIR  
PLANNING COMMISSION MINUTES

REGULAR ADJOURNED MEETING  
Monday, January 28, 2008

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**

Commissioner Sahagun led those present in the salute to the flag.

**ROLL CALL**

Present: Chairman Flores, Vice Chairman Lenhart, Commissioners Johnson, Sahagun and Vodvarka, Community Development Director Lustro, Associate Planners Frazier-Burton and Lai, and City Attorney Robbins.

**MINUTES**

The minutes of the January 14, 2008 meeting were incomplete and will be presented at the February 11, 2008 Planning Commission meeting for approval.

**ORAL AND WRITTEN COMMUNICATIONS**

None.

## AGENDA ITEMS

- 6.a. CASE NUMBER 2008-2  
Project Address: 5280 Arrow Highway  
Project Applicant: Prime Pacific Investments, Inc.  
Project Planner: Steve Lustro, AICP, Community Development Director  
Request: Precise Plan of Design for façade renovation and 29,000 square-foot building expansion

Community Development Director Lustro reviewed the staff report.

Commissioner Johnson commented that in reviewing the project, she felt that it was a very good use of that space and it flows nicely from the mall and fits very well within the North Montclair Downtown Specific Plan and she really liked the potential for future residential mixed use.

Commissioner Sahagun asked staff if there was adequate parking. Director Lustro affirmed. Commissioner Sahagun commented that his concern was that of ingress and egress of the parking lot. Director Lustro stated that the primary entrance off Arrow Highway has a landscaped median in the center of the driveway and the applicant is proposing a minor modification to reduce the width of that driveway from 50 to 35 feet. Thirty-five feet is very typical for a commercial project so staff does not have concerns with respect to how circulation will work in and out of the property with a reduced width driveway. Commissioner Sahagun asked if staff could look at the landscaping in the parking lot islands/planters. He felt it was a great project that moves us forward.

Commissioner Vodvarka stated that every time he passes by John's Incredible Pizza, he sees the parking lot loaded as it is a very popular place, but seeing that the applicant is intent on expanding the parking lot area and possibly building a parking garage in the future, along with the different hours of operation between the businesses, he thinks it will be fine. Director Lustro stated that the applicant is well aware that John's has their peak times that draw a lot of people, such as weekends and weekend evenings. That conversation has extended to the prospective tenant and they have not expressed any concerns to staff.

Chairman Flores complimented staff and the applicant for looking into the mixed use to the west to help blend in.

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

Vice Chairman Lenhert moved to recommend City Council approval of the Precise Plan of Design (PPD) under Case No. 2008-2 for the site plan, elevations, colors and materials, and related on- and off-site improvements per the submitted plans and as described in the staff report, subject to the 43 conditions of approval, as amended, and forward to the City Council for its consideration, seconded by Commissioner Sahagun, there being no opposition to the motion, the motion passed 5-0.

1. This approval is for a Precise Plan of Design for the following improvements related to a commercial parcel known as 5280 Arrow Highway as depicted on the submitted plans and as described in the staff report:
  - a. The site plan associated with the construction of a 29,000 square-foot addition to the west side of the building and reconfiguration of the existing parking lot.
  - b. The elevations, colors, and materials associated with the remodel of the existing building façade at the currently vacant portion of the building and the façade of the new addition.
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 tenant space on the west side of the building shall be assigned by the Building Official.
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 Appendix J of the 2007 California Building Code and the requirements of the City, subject to the approval of the Community Development Director and City Engineer. An erosion control plan is to be included and is

considered an integral component of the grading plan. Grading plans shall be designed in accordance with City standards and guidelines, and shall be on 24"x36" sheets. No cross-lot drainage shall be permitted. 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.

- c. 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.
  - d. Public right-of-way improvement plans for areas where driveways will be modified. Disabled-accessible path-of-travel shall be maintained through drive approaches.
  - 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.
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 match that currently existing on the remainder of the property with respect to pole height and finish, luminaire style, and illumination source.
  - c. Submit detailed plans for all walls and fencing associated with the project.
  - d. Submit a revised site plan detailing the following:

- i. Detailed landscape and irrigation plans showing all existing and proposed new landscape planters, with details and tabulation on all trees, shrubs, ground cover and turf. Landscape plan shall include the following:
  - A. The addition of trees within the existing, interior parking lot landscape areas throughout the project site, maximum 30 feet on center.
  - B. The addition of "diamond" tree wells within the existing parking rows not having landscape planters, maximum 36 feet on center.

Tree species above shall be to the satisfaction of the City Planner and shall be minimum 24-inch box size.
- ii. Reconfiguration of the parking lot, which shall include "hairpin"-style striping of each parking space.
- iii. Construction of a screen wall extending along the full length of the north side of the loading dock truck well. Screen wall shall be a minimum of 10'-0" in height and constructed of masonry to match the proposed adjacent building wall.
- e. Submit a detailed floor plan of the building showing all required exits, demising walls, loading areas, and disabled-accessible restrooms per occupancy type.
- f. Submit detailed plans for all new or renovated trash enclosure areas, including wall details, roof structure and drainage.
- g. 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%).
- h. 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 all local and 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.
- i. Pay all required Montclair Fire Department fees.

- j. Pay adopted transportation development impact fee in effect at the time building permits are obtained. (Current fee as of January, 2008, is \$7,622 per KSF.)
  - k. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District for the building addition.
7. Submit a sign program detailing all aspects of sign specifications for all building-mounted and monument signs to the Planning Division for review and approval. Exposed raceways shall be prohibited on all building-mounted and freestanding signs. No major identification signs shall be permitted on the west- or north-facing elevations of the tenant space.
8. 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, portable electronic message signs, other similar advertising devices be utilized on the property or off-site.
9. 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.
10. No outdoor storage of equipment or materials shall be permitted on the property. The placement of sea containers, Pods<sup>®</sup>, or other similar portable storage facilities shall be expressly prohibited at all times.
11. All building downspouts shall drain directly into landscape areas.
12. No pay telephones or vending machines shall be located on the exterior of the building.
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. Double-detector check facility shall be adequately screened by landscaping or an architectural screen wall.
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. 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 on the exterior of 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 or other architectural features shall be prohibited.
18. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.
19. 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.
20. All new trees incorporated into the project shall be trimmed and maintained per guidelines established and approved by the International Society of Arboriculture (ISA).

21. 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.
22. 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 tenant space shall be displayed on the south-facing elevation in the upper right hand corner of the tallest building section, six inches (6") below the cornice (proposed to contain the "Home Décor" sign immediately east of the tenant space entrance). 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.
23. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
24. 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.
25. 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.
26. No soil may be imported to or exported from the project site to or from any adjacent building site or 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. Contractor(s) shall be responsible for complying with all National Pollutant Discharge Elimination System (NPDES) requirements.

27. Underground Service Alert shall be notified 48 hours prior to any excavation at 800/422-4133.
28. 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.
29. 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.
30. The applicant/developer/general contractor 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.
31. The inside turning radius for an access road shall be a minimum of 32'-0"; the outside turning radius shall be a minimum of 45'-0".
32. 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.
33. 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.
34. The developer shall contact the Fire Marshal's Office for drive access requirements prior to gutter and curb-line placements.
35. 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.

36. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.
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. Vehicular security gates shall be approved only with the use of Medeco "hold-open" devices for emergency vehicle access. Contact the Fire Marshal's office for specific requirements.
39. 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.
40. Prior to issuance of a Certificate of Occupancy, the applicant shall:
  - a. Execute a lot merger to merge Parcels 1 and 2 of Parcel Map No. 9283, as recorded in Book 100, Pages 47 and 48 of Parcel Maps, as recorded with the County of San Bernardino.
  - b. Submit to the Building Division electronic images of all plans and records for the purpose of obtaining a building permit. Electronic images shall comply with the City's Electronic Archiving Policy.
  - c. Submit to the NPDES Coordinator electronic images of the Water Quality Management Plan. Electronic images shall comply with the City's Electronic Archiving Policy.
  - d. Submit evidence to the NPDES Coordinator that the Water Quality Management Plan has been recorded with the County of San Bernardino.
  - e. Construct all approved public improvements along the Arrow Highway frontage of the property, including, but not limited to, removal and replacement of all substandard P.C.C. sidewalk, curb and gutter, asphaltic concrete paving; and reconfiguration of the drive approach, including construction of an accessible path-of-travel behind the drive approach to the satisfaction of the City Engineer.

- f. Install or replace all required ADA-required disabled-accessible parking signs at parking lot entrances and parking spaces throughout the entire site.
  - g. Install all approved landscaping and exterior lighting.
- 41. Prior to consideration of this proposal by the City Council, the applicant shall meet with staff to establish a mutually agreeable deposit amount and timeframe related to utility undergrounding along the Central Avenue frontage of the property. Should no mutually agreeable resolution be reached prior to City Council consideration of this applicant, then the deposit amount and timeframe for completion shall be established to the satisfaction of the City Engineer and Director of Community Development and proposed as a recommendation to the City Council.
  - 42. 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.
  - 43. 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. Annual Planning Commission reorganization

Commissioner Vodvarka nominated Chairman Flores for another term as Chair of the Planning Commission, Commissioner Johnson seconded. Hearing no other nominations, Chairman Flores closed the nominations for Chairman. The Commission voted unanimously for Luis Flores to remain as Planning Commission Chair.

Commissioner Sahagun nominated Commissioner Vodvarka for Vice-Chair of the Planning Commission, Chairman Flores seconded. Hearing no other nominations, Chairman Flores closed the nominations for Vice-Chair. The Commission voted unanimously for Don Vodvarka to serve as Planning Commission Vice-Chair.

## **INFORMATION ITEMS**

City Attorney Robbins congratulated Luis Flores and Don Vodvarka on their election as the Commission's officers for 2008..

Commissioner Sahagun congratulated both Luis Flores and Don Vodvarka.

Commissioner Sahagun commented regarding the positive newspaper articles that appeared about Montclair earlier in the week in the Inland Valley Daily Bulletin.

Commissioner Sahagun added that he read in the City Manager's Weekly that the baseball fields had been vandalized again and suggested that cameras should be installed because the cost of the cameras seems to be justified. Director Lustro commented that staff is discussing numerous security options, including cameras, in order to combat what has become a regional problem.

Commissioner Sahagun commented that he has become a grandfather, his daughter had her first baby. The Commission gave its congratulations.

Vice Chairman Lenhert commented that he saw irrigation running in the Mission Boulevard median during one of the recent rainstorm. He reminded everyone that just because we had a little rain does not mean the drought is over.

Vice Chairman Lenhert added that fire ant colonies have been found in Chino and Chino Hills. If anyone sees an ant hill with fire ants, contact Vector Control.

Commissioner Vodvarka saw Montclair Sewing Center's sign had graffiti. The young man who runs the business for his family is going to take care of it, but Commissioner Vodvarka took pictures of it and wants to make sure the photos get to Code Enforcement or the Police Department. He suggested that if anyone sees a violation, take a photo of it.

Commissioner Johnson congratulated Luis Flores and Don Vodvarka.

Commissioner Johnson suggested using grits to get rid of ants. She stated that you put the grits on the ant hill dry, the ants eat it up, take it down into the ant hill, you water it and they blow up and die.

Commissioner Johnson commented that she continues to be impressed with the prompt response time of the graffiti abatement workers.

Commissioner Johnson commended the Fire and Police Departments. There was recently a fire at a home in her cul-de-sac, and not only did the Fire Department take care of the problem, but the Police calmed all of the neighbors who were out there trying to see what is going on. They were efficient, they de-escalated the problem and we're very fortunate to have such a phenomenal team.

Chairman Flores thanked everyone for their vote of confidence.

Chairman Flores adjourned the meeting at 7:28 p.m.

Respectfully submitted,

Laura Berke  
Recording Secretary