



CITY OF MONTCLAIR
PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS
5111 Benito Street, Montclair, California 91763

REGULAR ADJOURNED MEETING
Monday, February 22, 2016
7:00 p.m.

It is respectfully requested that you please silence your cell phones and other electronic devices while the meeting is in session. Thank you.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Chair Tenice Johnson, Vice Chair Luis Flores, Commissioner Manny Martinez, Commissioner Sergio Sahagun, and Commissioner Don Vodvarka

4. APPROVAL OF MINUTES

The minutes of the December 14, 2015 Planning Commission meeting are presented for consideration.

5. ORAL AND WRITTEN COMMUNICATIONS ON NON-AGENDA ITEMS

The public is invited to address the Planning Commission regarding any items that are not on the agenda. Comments should be limited to matters under the jurisdiction of the Planning Commission. It is respectfully requested that speakers limit their comments to no more than three minutes in length.

Any person wishing to address the Planning Commission on an agenda or non-agenda item should complete a speaker's card and submit it to the City Planner. Speaker's cards are available at the entrance to the Council Chambers.

6. AGENDA ITEMS

- a. PUBLIC HEARING - CASE NUMBER 2016-2
 - Project Address: 4975 Mission Boulevard
 - Project Applicant: Kasner Family Limited Partnership
 - Project Planner: Steve Lustro, AICP,
Community Development Director
 - Request: General Plan Land Use Map Amendment,
Zoning Map Amendment, Tentative Tract
Maps, and Precise Plan of Design
 - CEQA Assessment: Mitigated Negative Declaration

7. INFORMATION ITEMS

Although the Planning Commission is prohibited from taking action on or discussing items not on the posted agenda, a member of the Planning Commission may ask for information, request a report back or to place a matter of business on the agenda for a subsequent meeting, ask a question for clarification, make a brief announcement, or briefly report on his or her own activities, provided the foregoing are related to, or within the jurisdiction of, the Planning Commission.

8. PUBLIC INSPECTION OF MATERIALS

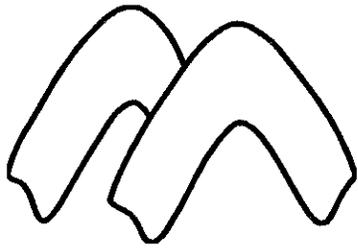
Materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet are available for public inspection at the Planning Division counter during normal business hours.

9. ADJOURNMENT

The City of Montclair Planning Commission is hereby adjourned to the regularly scheduled meeting of March 14, 2016 at 7:00 p.m. in the Council Chambers, 5111 Benito Street, Montclair, California.

CERTIFICATION OF AGENDA POSTING

I, Laura Embree, Administrative Secretary for the City of Montclair, hereby certify that a copy of this agenda was posted on the bulletin board adjacent to the north door of Montclair City Hall on February 18, 2016.



CITY OF MONTCLAIR
PLANNING COMMISSION

MEETING DATE: 02/22/16

AGENDA ITEM 6.a

Case No.: 2016-2

Application: General Plan Amendment, Zoning Map Amendment, Tentative Tract Map Nos. 19926 and 19926-1, and a Precise Plan of Design (PPD) for the site plan and design to construct a 22-unit residential condominium project and a nine-unit detached, single-family residential project

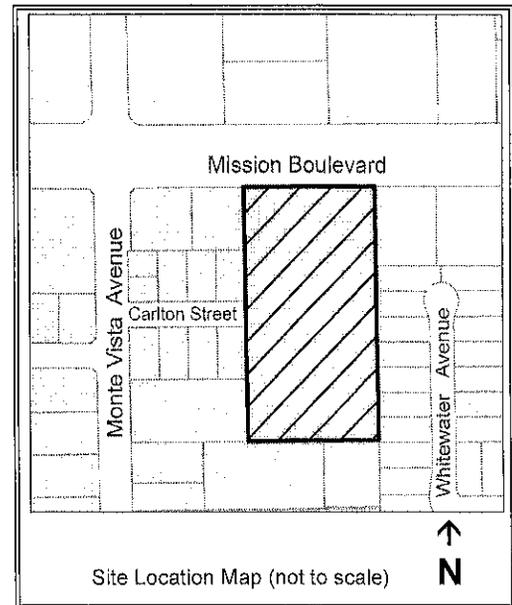
Project Address: 4975 Mission Boulevard

Property Owner: Kasner Family Limited Partnership

General Plan: "General Commercial"

Zoning: "C-2" (Restricted Commercial)

Assessor Parcel No.: 1011-321-13



ADJACENT LAND USE DESIGNATIONS AND USES

	General Plan	Zoning	Existing Use of Property
Site	General Commercial	"C-2" (Restricted Commercial)	Vacant grocery store, parking lot and unimproved property
North	General Commercial	"MIP" (Manufacturing Industrial Park)	Vacant lot
East	General Commercial and Low Density Residential (3-7 du/ac)	"C-3" (General Commercial) and "R-1" (Single-Family Residential)	Detached, single-family homes
South	Low Density Residential (3-7 du/ac)	"R-1" (Single-Family Residential)	Plant nursery
West	General Commercial and Low Density Residential (3-7 du/ac)	"C-2" (Restricted Commercial) and "R-1" (Single-Family Residential)	Upholstery shop and detached, single-family homes

Report on Item Number 6.a

PUBLIC HEARING - CASE NUMBER 2016-2

APPLICATION TYPE(S)	General Plan Amendment, Zoning Map Amendment, Tentative Tract Map and Precise Plan of Design
NAME OF APPLICANT	Kasner Family Limited Partnership on behalf of Crestwood Corporation
LOCATION OF PROPERTY	4975 Mission Boulevard
GENERAL PLAN DESIGNATION	General Commercial
ZONING DESIGNATION	"C-2" (Restricted Commercial)
EXISTING LAND USE	Former grocery store
ENVIRONMENTAL DETERMINATION	Mitigated Negative Declaration
PROJECT COORDINATOR	Steve Lustro

Applicant's Proposal

The applicant is requesting approval of a General Plan Amendment, Zoning Map Amendment, Tentative Tract Map, and Precise Plan of Design for 4.60 acres on the south side of Mission Boulevard, approximately 300 feet east of Monte Vista Avenue, to develop a 22-unit detached residential condominium project pursuant to the City's multiple-family residential standards, and nine (9), detached single-family homes pursuant to the City's R-1 standards. The components of the project are as follows:

General Plan Amendment

The applicant is requesting that the General Plan designation for the northerly 2.30 acres of the site be changed from "General Commercial" to "Medium Density Residential" (8-14 dwelling units per acre), and that the southerly 2.30 acres of the site be changed from "General Commercial" to "Low Density Residential" (3-7 dwelling units per acre).

Zoning Map Amendment

The applicant is also requesting an amendment to the City's Official Zoning Map for the northerly 2.30 acres of the site to be changed from "C-2" (Restricted Commercial) to "R-3" (Multiple-Family Residential), and that the southerly 2.30 acres be changed from "C-2" to "R-1" (Single-Family Residential).

Tentative Tract Map

To facilitate development of the property, the applicant is requesting approval of Tentative Tract Map Nos. 19926 and 19926-1, the former creating a single lot for

residential condominium purposes, along with associated common areas for driveways, parking areas, landscaped areas, walkways, and common area facilities, and the latter subdividing the southerly 2.30 acres into nine single-family lots that would be accessed via the southerly extension of Carlton Street into a formal cul-de-sac.

Precise Plan of Design

The applicant has provided a detailed submittal package for the Commission's review, described as follows:

Site Plan - Condominiums

The northerly portion of the project would have a single, gated access from Mission Boulevard to serve all of the residential units. An "emergency-only" access gate would be provided along the project's southerly boundary at the new Carlton Street-Coalinga Avenue knuckle. Each of the units is proposed with an attached, two-car garage that would be accessed from one of two east-west driveways extending the length of the project site. An additional 31 uncovered parking spaces would be provided throughout the site, 22 of which would be numbered and assigned to specific units, with the remaining nine reserved for guests. Each unit would front onto one of two landscaped paseos with a meandering walkway, each of which would extend the length of the site. Proposed site amenities include a small park area, barbecues, and a tot lot.

Each unit is proposed with a zero lot line on one side, which limits window openings on that side to the second floor only. This arrangement provides each unit with between nine (9) and 12 feet of private "side yard" space behind a fence and gate for personal use. Two community trash enclosures are proposed at locations to conveniently serve residents.

The community would be enclosed by a combination decorative masonry wall/wrought iron fence, 7'-6" in height, along its northern boundary and a portion of its southern boundary, and by a minimum 6'-0" high masonry wall along its eastern and western boundaries and a portion of the southern boundary. A 3'-6" high continuous courtyard wall is proposed to extend along the front of each unit to provide a separation between the common area paseo and small front yard area of each residence.

Floor Plans - Condominiums

Three, two-story floor plans are proposed for the development, each of which focuses the active living spaces (great room and kitchen) on the ground floor and the personal, family spaces (bedrooms, full baths, and laundry area) on the second floor. Plan 1 is three bedrooms and two and one-half baths containing 1,690 square feet of living space, a two-car attached garage, and a covered front porch ranging from 28 to 60 square feet (depending upon elevation). Plan 2 has 1,955 square feet of living space and includes three bedrooms, two and one-half baths, a second floor loft, and a two-car attached garage. At 2,111 square feet of living space, Plan 3 is the largest model,

containing four bedrooms, two and one-half baths, two-car attached garage, and a front porch that ranges in size from 27 to 92 square feet.

Elevations - Condominiums

The applicant is proposing three distinct architectural elevations for the project. The "Spanish" elevation features stucco finishes, window surrounds, polyurethane shutters, exposed rafter tails, a ceramic tile surround at the arched main entry, divided-light glazing, and a concrete "S"-tile roof. The "Craftsman" elevation is characterized by horizontal siding, vertical board-and-batten siding, exposed rafter tails and outlookers, divided-light over single-light glazing, tapered columns atop stone bases at the front porch, and flat concrete tile roofs. The "Country" elevation has stucco finishes, horizontal wood siding, polyurethane shutters, brick veneer, divided-light glazing, window surrounds, exposed outlookers, decorative corbels, and flat concrete tile roofs.

Landscaping - Condominiums

The applicant is proposing landscape areas along the north and central paseos, in the park area adjacent to the main driveway, and along the northerly and southerly project boundaries. Landscaping would consist of drought-tolerant trees, shrubs, and ground covers. Irrigation would be provided via drip and/or a subsurface system. No turf areas are proposed as part of the conceptual landscape plan.

Site Plan - Single-Family Homes

The southerly 2.30 acres of the site is proposed to be developed with nine single-family homes that would be accessed through a southerly extension of Carlton Street into a formal cul-de-sac (Coalinga Avenue). The new public street would be developed with full improvements, including sidewalk, curb, gutter, streetlights, sewer, and drainage facilities.

The rear yards of each lot would be enclosed by a minimum 6'-0" high masonry wall along each respective rear property line (where they do not currently exist) and the southerly property lines of Lots 5 and 6. The existing masonry wall along the project site's easterly boundary would be preserved in place. Side yard property lines would be defined by a minimum 6'-0" high vinyl fence.

Floor Plans - Single-Family Homes

Three, two-story floor plans ranging from 2,379 to 2,839 square feet are proposed for the single-family portion of the development. Each plan has an attached, two-car garage. Plan 2 has four bedrooms, three baths and a loft; Plan 3 contains four bedrooms, three baths, loft, and an upstairs laundry room. Plan 3X has five bedrooms, three baths, loft, and an upstairs laundry room.

Elevations - Single-Family Homes

The applicant is proposing three distinct architectural elevations for the project. The "California Spanish" elevation features stucco finishes, window surrounds, polyurethane shutters, exposed rafter tails, divided-light glazing, and a concrete "S"-tile roof. The "Craftsman" elevation is characterized by stucco and wood shingle finishes, exposed rafter tails and outlookers, divided-light over single-light glazing, tapered columns atop stone bases at the front porch, and flat concrete tile roofs. The "California Ranch" elevation has stucco and wood shingle finishes, vertical board-and-batten siding, polyurethane shutters, brick veneer, divided-light glazing, window surrounds, exposed outlookers, decorative corbels, and flat concrete tile roofs.

Landscaping - Single-Family Homes

Pursuant to Chapter 11.60 of the Montclair Municipal Code, front yard landscaping will be required to consist of a design that includes drought-tolerant and native species, mulch, and hardscaping. Irrigation will be limited to microspray heads, drip, or subsurface systems.

Background

The subject property was annexed into the City of Montclair in October 2006 as part of Annexation No. 26. The 4.60-acre site is currently developed with a 19,000 square-foot commercial building originally constructed in 1966 for use as a grocery store and expanded to the south sometime between 1967 and 1973; however, other than a small portion of the building being used for a short time as a Mexican restaurant, the building and property have been vacant and unused for most of the past 20 years. Like many other parcels along Mission Boulevard, it has historically carried "Commercial" General Plan and zoning designations. However, because the bulk of east-west commuter traffic has shifted away from main arterial roadways like Mission Boulevard (and Holt Boulevard) to Interstate 10 and State Route 60 over the past few decades, land uses along the south side of Mission Boulevard have gradually changed to less intensive uses. While attempts have been made over the past decade to locate various commercial and institutional uses in the former grocery store building, none have been successful either because staff would not support them due to their potential incompatibility with surrounding uses or because the owners and/or tenants have been unwilling to invest sufficiently into the property for it to meet current minimum development standards.

The area immediately to the east of the subject site is zoned "R-1" and is developed with single-family homes constructed in the mid-2000s. The property is surrounded on the west by an upholstery shop and single-family residences, and on the south by a commercial plant nursery.

Planning Division Comments

As indicated above, the applicant has unsuccessfully attempted over an extended period of time to attract viable commercial development interest to the property. Staff supports the change in land use designation of the site for a number of reasons, including the fact that the mid-block property is less attractive to commercial credit tenants than would be a location at a major, signalized intersection and that a precedent has been established over the past decade with respect to converting mid-block properties on the south side of Mission Boulevard from commercial to residential use with excellent results. Accordingly, staff supports the applicant's requests to amend the General Plan Land Use Map and the City's Official Zoning Map to accommodate the proposed development. At 9.56 units per acre, the condominium portion of the project is consistent with the General Plan's "Medium Density Residential" designation, which calls for 8 to 14 dwelling units per acre. Similarly, the proposed density complies with Chapter 11.22 of the Montclair Municipal Code, which allows for a density up to 20 units per acre on parcels of five acres or less. Likewise, the proposed single-family portion of the development, at just fewer than four units per acre, is consistent with the "Low Density Residential" designation of the General Plan, which calls for 3 to 7 units per acre.

Staff also supports the applicant's request for the associated Tentative Tract Maps to accommodate the development. Unlike "first generation" condominiums characterized by multiple dwelling units sharing common walls within a single building, the proposed condominium portion of the project is designed more akin to a traditional zero-lot line development where each dwelling unit is detached from the neighboring unit. While a homeowners association would be established for the purpose of maintaining the community's common area landscaping, driveways, parking areas, and recreational facilities, each property owner would be responsible for maintaining the exterior of their respective residences, including paint and roofs, in compliance with the community's Covenants, Conditions, and Restrictions (CC&Rs). The Tentative Tract Map for the detached, single-family residences indicates compliance with the minimum standards outlined in Chapter 11.18 MMC, including lot size, width, depth, and setbacks.

Condominiums

Staff believes that the single ingress/egress point on Mission Boulevard for the condominium portion of the project is logical and will adequately serve the 22-unit residential development. The Montclair Fire Department required an emergency access gate be constructed at the southerly end of the main driveway. This gate would be locked closed at all times and not available to residents for regular ingress and egress. Because of its location along a major arterial roadway, staff supports the applicant's proposal to gate guard the community in order to limit access to residents and guests. Gate access for emergency responders will be required to be provided to the satisfaction of the Police and Fire Departments. Staff finds the 31 uncovered parking spaces, one more than is required by Chapter 11.22 MMC, to be sufficiently distributed throughout the project site. Twenty-two of the 31 spaces would be reserved and

assigned to each of the residences, while the remaining nine spaces would be designated for guest parking. Staff has included a condition of approval that the resident spaces be appropriately designated through signage and/or curb/pavement stenciling as reserved parking and that the same be done for guest parking.

Staff finds the pedestrian paseos to be a unique and desirable feature that would also encourage and facilitate walking within the community. The front entrance to each residence would be accessed by either the north or central paseo. Additionally, the recreation area, which would include a community barbecue area and adjacent tot lot, is centrally located for all residents.

Staff believes the three proposed floor plans are well thought out and functional, with the active, waking hour living spaces on the ground floor and the personal family spaces (bedrooms and full baths) on the second floor. Staff is pleased to see the applicant incorporate the laundry area into the second floor layout, a practical change that has become more common in recent years and seemingly popular with homebuyers. Another contemporary change, particularly for smaller living arrangements, is the migration away from a formal living room/dining room arrangement to a single great room, which allows residents the ability to furnish and arrange according to their preferences and lifestyle.

The three proposed architectural styles are well conceived and adequately detailed. The "Spanish" elevation includes an arched front door opening, concrete "S"-tile roof, shutters, and upper and lower trim at each window. The "Craftsman" style appropriately incorporates such elements as horizontal and board-and-batten siding, exposed rafter tails and outlookers, divided-light over single-light glazing, flat concrete tile roofs, and tapered columns at the front porch. The "Country" elevation features brick accents, full window surrounds, shutters, exposed outlookers, decorative corbels, horizontal siding at the gables, and flat concrete roofs. Based on past experience and observations, staff has included a condition of approval that requires any stucco-over-foam trim, surrounds, and projections on the ground floor to have the same rigidity and durability as the remainder of the exterior walls in order to avoid accidental damage.

Single-Family Homes

A number of configurations for the subdivision layout have been discussed with the developer over a period of nearly two years, including single access points from Mission Boulevard or Carlton Street, or access from both streets. The submitted street configuration is logical; however, the developer initially had concerns about the aesthetic condition of some of the existing properties in the 4900 block of Carlton Street and their potential impact on sales of the new homes. However, the owner of the subject property acquired two adjacent properties on Carlton Street in 2015 and has made significant progress rehabilitating both properties, improving the general appearance of the street. Over the next few months, Code Enforcement staff will be directed to focus attention on any remaining appearance violations on the block so they do not have a negative impact on the proposed project.

Staff believes the three proposed floor plans are well designed and similar to those the developer built in two residential tracts south of Howard Street between Central and Monte Vista Avenues in the mid-2000s. The elevations are well executed and include quality materials appropriate to each proposed architectural style. Consistent with the direction staff has given developers over the past 15 years, the living spaces of each home, including porches and front-facing windows, dominate the primary elevation of each home with the garage taking a more subordinate position recessed back slightly from the front of the house. This practice results in a more attractive streetscape and enhances neighborhood security by allowing a direct view to the street from the inside of the residence.

The conceptual landscape plan for both the condominium and single-family portions of the project indicate the use of low maintenance and drought-tolerant plant materials in common areas and front yards in compliance with the City's Water-Efficient Landscaping and Conservation Ordinance, including the incorporation of an efficient irrigation system. During the plan check process, staff will require a detailed planting plan that not only complies with the Montclair Municipal Code, but is also consistent with the requirements of the approved Water Quality Management Plan (WQMP) for the project.

Environmental Assessment

An Initial Study was prepared for the project and released for public review and comment on January 28, 2016. Based on the findings of the Initial Study, staff has determined that the project could have a potential significant adverse environmental impact unless reduced to a level of less than significance by the implementation of proposed mitigation measures. Areas identified as subject to potential environmental impacts were Air Quality (short term during site preparation), Cultural Resources, Greenhouse Gas Emissions, Noise (short term during construction), and Transportation/Traffic. Therefore, a Mitigated Negative Declaration is proposed for the project.

Public Notice and Comment from Adjoining Property Owners

Availability of the Initial Study and notice of the public hearing was advertised in the Inland Valley Daily Bulletin newspaper on January 29, 2016, and mailed to property owners within a 300-foot radius of the exterior boundaries of the project site in accordance with State law for consideration of these discretionary entitlements. At the time this report was prepared, no comments or inquiries had been received by staff regarding this proposal.

Planning Division Recommendation

Staff finds the proposed General Plan and Zoning Map Amendments, Tentative Tract Maps and Precise Plan of Design to be consistent with City policy and would result in

compatible land uses and the addition of quality housing stock to the City's housing inventory. Accordingly, staff recommends approval of Case No. 2016-2 by taking the following actions:

A. For environmental review, take the following actions as responsible agency:

1. Certify that the Commission has reviewed and considered the environmental assessment based upon the findings and proposed mitigation measures in the Initial Study prepared for the project, and that there will be no significant impact on the environment as a result of the proposed land use amendments and the subsequent construction of the proposed 22-unit residential condominium project and nine-unit single-family subdivision; and
2. Adopt the proposed Mitigated Negative Declaration and finding that there will be a DeMinimis impact on fish and wildlife; and
3. Direct staff to file a Notice of Determination (NOD) and pay appropriate fees within five (5) days of this action.

B. For the proposed land use amendments, make the following recommendations to the City Council:

1. Recommend approval of the proposed amendment to the General Plan land use designation for the northerly 2.30 acres of the subject property from "General Commercial" to "Medium Density Residential" (8-14 dwelling units per acre), and the proposed amendment to the General Plan land use designation for the southerly 2.30 acres of the subject property from "General Commercial" to "Low Density Residential" (3-7 dwelling units per acre), per attached Planning Commission Resolution No. 16-1851; and
2. Recommend approval of the proposed amendment to the Official Zoning Map for the northerly 2.30 acres of the subject property from "C-2" (Restricted Commercial) to "R-3" (Multiple-Family Residential), and the proposed amendment to the Official Zoning Map for the southerly 2.30 acres from "C-2" (Restricted Commercial) to "R-1" (Single-Family Residential), per attached Planning Commission Resolution No. 16-1852.

C. For the project, take the following actions:

1. Recommend City Council approval of Tentative Tract Map No. 19926, subdividing the subject property into a single lot for a 22-unit residential condominium project along with associated common areas for driveways, parking areas, landscaped areas, walkways, and recreation facilities, and Tentative Tract Map No. 19926-1, a nine-lot subdivision to accommodate nine (9) detached, single-family residences, finding that the maps are

consistent with the Montclair Municipal Code and the State Subdivision Map Act.

2. Approve the Precise Plan of Design for the site plan, elevations, conceptual colors and materials, and conceptual landscape plan associated with the proposed 22-unit residential condominium development, nine-unit detached, single-family residential development, and associated on- and off-site improvements per the submitted plans and as described in the staff report, subject to the conditions in Planning Commission Resolution No. 16-1853.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Steve Lustro", with a long, sweeping underline that extends to the left.

Steve Lustro, AICP
Community Development Director

c: Patrick Diaz, Crestwood Communities
Robert Kasner, Kasner Family Limited Partnership

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RESOLUTION NO. 16-1851

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF THE NORTHERLY 2.30 ACRES OF LAND AT 4975 MISSION BOULEVARD FROM "GENERAL COMMERCIAL" TO "MEDIUM DENSITY RESIDENTIAL (8-14 DU/AC)," AND THE SOUTHERLY 2.30 ACRES OF LAND AT 4975 MISSION BOULEVARD FROM "GENERAL COMMERCIAL" TO "LOW DENSITY RESIDENTIAL (3-7 DU/AC), TO FACILITATE CONSTRUCTION OF A 22-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT AND A NINE-UNIT DETACHED, SINGLE-FAMILY RESIDENTIAL DEVELOPMENT THEREON (APN 1011-321-13)

A. Recitals.

WHEREAS, Kasner Family Limited Partnership (property owner), on behalf of Crestwood Communities, has filed an application for a General Plan Amendment under Case No. 2016-2; and

WHEREAS, the application for said General Plan Amendment applies to a 4.60-acre site located on the south side of Mission Boulevard approximately 300 feet east of Monte Vista Avenue, commonly known as 4975 Mission Boulevard; and

WHEREAS, the subject 4.60-acre site is currently designated by the General Plan as "General Commercial" and is developed with a vacant, 19,000 square-foot commercial building formerly used as a grocery store and Mexican restaurant; and

WHEREAS, the applicant has submitted concurrent applications requesting a Zoning Map Amendment, Tentative Tract Map, and Precise Plan of Design for the subject site to change the land use designation of the northerly half of the site from "C-2" (Restricted Commercial) to "R-3" (Multiple-Family Residential), to change the southerly half of the site from "C-2" (Restricted Commercial) to "R-1" (Single-Family Residential), and to subdivide the property to construct 22 detached residential condominiums on the northerly portion and nine (9) detached, single-family residences on the southerly portion; and

WHEREAS, the above-referenced site is illustrated on the attached Exhibit "A," a map incorporated herein by reference; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the City prepared an Initial Study (IS) for the General Plan Amendment, Zoning Map Amendment, Tentative Tract Map, and Precise Plan of Design and released it for public review and comment on January 28, 2016. Based on the findings of the Initial Study,

staff has determined that, although the proposed project could have a significant effect on the environment, there will not be a significant effect because revisions in the project have been made by or agreed to by the project proponent. Therefore, a Mitigated Negative Declaration (MND) is proposed for the project; and

WHEREAS, on January 27, 2016, the Notice of Availability of the IS/MND was filed with the San Bernardino County Clerk of the Board; and

WHEREAS, the minimum 21-day public review period for the IS/MND commenced on January 28, 2016 and concluded on February 22, 2016; and

WHEREAS, copies of the IS/MND were available during the public review period at the Community Development counter at City Hall; and

WHEREAS, public notice of this item was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on January 29, 2016; and

WHEREAS, based upon the facts and information contained in the application, together with all written and oral reports included for the environmental assessment for the application, the Planning Commission finds that no subsequent or supplemental environmental document is required pursuant to the California Environmental Quality Act (CEQA) in connection with the review and approval of this application based upon the following findings and determinations; and

WHEREAS, the Planning Commission, as the responsible agency, reviewed and considered the environmental assessment based upon the findings in the Initial Study prepared for the project, and determined that there will be no significant impact on the environment as a result of the proposed amendment to the General Plan Map; and

WHEREAS, the Planning Commission finds there is no substantial evidence the project may have a significant effect on the environment, and directs staff to prepare a Mitigated Negative Declaration and a DeMinimis finding of no effect on fish and wildlife; and

WHEREAS, on February 22, 2016, commencing at 7:00 p.m. in the Council Chamber at Montclair City Hall, the Planning Commission conducted a public hearing at which time all persons wishing to testify in connection with said proposal were heard, and said application was fully studied.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Montclair as follows:

1. This Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. This Commission recommends the City Council adopt Resolution No. 16-3114, amending the General Plan Land Use Map designation of the northerly 2.30 acres of the property associated with Case No. 2016-2 from "General Commercial" to "Medium Density Residential (8-14 du/ac)," and the southerly 2.30 acres of the property associated with Case No. 2016-2 from "General Commercial" to "Low Density Residential (3-7 du/ac)."

The Secretary to this Commission shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED THIS 22ND DAY OF FEBRUARY, 2016.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____
Tenice Johnson, Chair

ATTEST: _____
Steve Lustro, Secretary

I, Steve Lustro, Secretary of the Planning Commission of the City of Montclair, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Montclair, at a regular meeting of the Planning Commission conducted on the 22nd day of February, 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

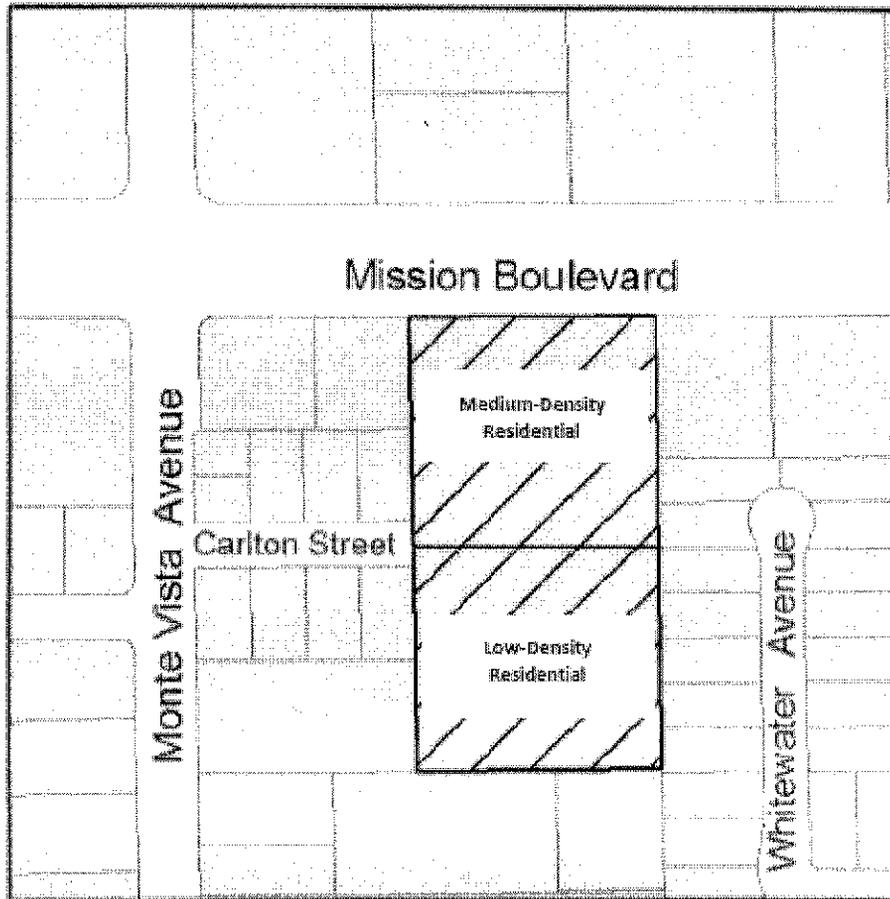
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Exhibit A
CASE NUMBER: 2016-2

PROJECT LOCATION: 4975 Mission Boulevard
 ASSESSOR'S PARCEL NO.: 1011-321-13

PROPERTY OWNER: Kasner Family Limited Partnership

General Plan Amendment	
<i>Existing</i>	<i>Proposed</i>
"General Commercial"	Medium Density Residential (8-14 du/ac) and Low Density Residential (3-7 du/ac)



RESOLUTION NO. 16-1852

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR RECOMMENDING CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE OFFICIAL ZONING MAP CHANGING THE ZONING DESIGNATION OF THE NORTHERLY 2.30 ACRES OF LAND AT 4975 MISSION BOULEVARD FROM "C-2" (RESTRICTED COMMERCIAL) TO "R-3" (MULTIPLE-FAMILY RESIDENTIAL), AND THE SOUTHERLY 2.30 ACRES OF LAND AT 4975 MISSION BOULEVARD FROM "C-2" (RESTRICTED COMMERCIAL) TO "R-1" (SINGLE-FAMILY RESIDENTIAL), TO FACILITATE CONSTRUCTION OF A 22-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT AND A NINE-UNIT DETACHED, SINGLE-FAMILY RESIDENTIAL DEVELOPMENT THEREON (APN 1011-321-13)

A. Recitals

WHEREAS, Kasner Family Limited Partnership (property owner), on behalf of Crestwood Communities, has filed an application for an amendment to the City's Official Zoning Map under Case No. 2016-2; and

WHEREAS, the application for said zone change applies to a 4.60-acre site located on the south side of Mission Boulevard approximately 300 feet east of Monte Vista Avenue, commonly known as 4975 Mission Boulevard; and

WHEREAS, the subject 4.60-acre site is currently zoned "C-2" (Restricted Commercial) and is developed with a vacant, 19,000 square-foot commercial building formerly used as a grocery store and Mexican restaurant; and

WHEREAS, the applicant has submitted concurrent applications requesting a General Plan Land Use Map Amendment, Tentative Tract Map, and Precise Plan of Design for the subject site to construct 22 detached residential condominiums and nine (9) detached, single-family residences; and

WHEREAS, the above-referenced site is illustrated on the attached Exhibit "A," a map incorporated herein by reference; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the City prepared an Initial Study (IS) for the General Plan Amendment, Zoning Map Amendment, Tentative Tract Map, and Precise Plan of Design and released it for public review and comment on January 28, 2016. Based on the findings of the Initial Study, staff has determined that, although the proposed project could have a significant effect on the environment, there will not be a significant effect because revisions in the project

have been made by or agreed to by the project proponent. Therefore, a Mitigated Negative Declaration (MND) is proposed for the project; and

WHEREAS, on January 27, 2016, the Notice of Availability of the IS/MND was filed with the San Bernardino County Clerk of the Board; and

WHEREAS, the minimum 21-day public review period for the IS/MND commenced on January 28, 2016 and concluded on February 22, 2016; and

WHEREAS, copies of the IS/MND were available during the public review period at the Community Development counter at City Hall; and

WHEREAS, public notice of this item was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on January 29, 2016; and

WHEREAS, based upon the facts and information contained in the application, together with all written and oral reports included for the environmental assessment for the application, the Planning Commission finds that no subsequent or supplemental environmental document is required pursuant to the California Environmental Quality Act (CEQA) in connection with the review and approval of this application based upon the following findings and determinations; and

WHEREAS, the Planning Commission, as the responsible agency, reviewed and considered the environmental assessment based upon the findings in the Initial Study prepared for the project, and determined that there will be no significant impact on the environment as a result of the proposed amendment to the City's Official Zoning Map; and

WHEREAS, the Planning Commission finds there is no substantial evidence the project may have a significant effect on the environment, and directs staff to prepare a Mitigated Negative Declaration and a DeMinimis finding of no effect on fish and wildlife; and

WHEREAS, on February 22, 2016, commencing at 7:00 p.m. in the Council Chamber at Montclair City Hall, the Planning Commission conducted a public hearing at which time all persons wishing to testify in connection with said proposal were heard, and said application was fully studied.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Montclair as follows:

1. This Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. This Commission recommends the City Council adopt Resolution No. 16-3115, amending the City's Official Zoning Map designation of the northerly 2.30 acres of the property associated with Case No. 2016-2 from "C-2" (Restricted Commercial) to "R-3" (Multiple-Family Residential), and the southerly 2.30 acres of the property associated with Case No. 2016-2 from "C-2" (Restricted Commercial) to "R-1" (Single-Family Residential).

The Secretary to this Commission shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED THIS 22ND DAY OF FEBRUARY, 2016.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____
Tenice Johnson, Chair

ATTEST: _____
Steve Lustro, Secretary

I, Steve Lustro, Secretary of the Planning Commission of the City of Montclair, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Montclair, at a regular meeting of the Planning Commission conducted on the 22nd day of February, 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

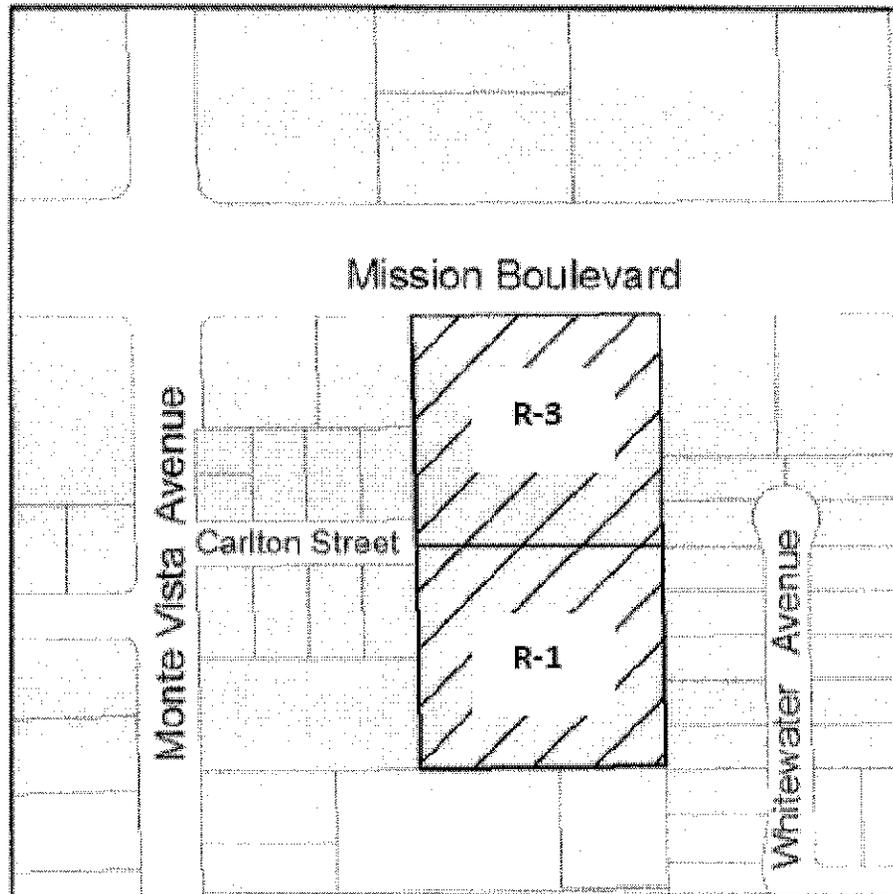
Z:\COMMDEV\SL\2016\2016-2 PC ZC RESO 16-1852

Exhibit A
CASE NUMBER: 2016-2

PROJECT LOCATION: 4975 Mission Boulevard
ASSESSOR'S PARCEL NO.: 1011-321-13

PROPERTY OWNER: Kasner Family Limited Partnership

Official Zoning Map Amendment	
<i>Existing</i>	<i>Proposed</i>
"C-2" (Restricted Commercial)	"R-3" (Multiple-Family Residential) and "R-1" (Single-Family Residential)



RESOLUTION NO. 16-1853

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR RECOMMENDING CITY COUNCIL APPROVAL OF TENTATIVE TRACT MAP NOS. 19926 AND 19926-1, AND APPROVAL OF A PRECISE PLAN OF DESIGN UNDER CASE NUMBER 2016-2 FOR THE SITE PLAN, FLOOR PLANS, ELEVATIONS, CONCEPTUAL COLORS AND MATERIALS, AND CONCEPTUAL LANDSCAPE PLAN FOR A PROPOSED 22-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT AND NINE-UNIT DETACHED, SINGLE-FAMILY RESIDENTIAL DEVELOPMENT AT 4975 MISSION BOULEVARD (APN 1011-321-13).

A. Recitals.

WHEREAS, on January 13, 2016, Kasner Family Limited Partnership, property owner, filed applications on behalf of Crestwood Corporation for Tentative Tract Map Nos. 19926 and 19926-1, and a Precise Plan of Design (PPD) under Case No. 2016-2, to construct a 22-unit residential condominium development and nine-unit detached, single-family residential development on the subject site; and

WHEREAS, the subject applications apply to a 4.60-acre site located on the south side of Mission Boulevard approximately 300 feet east of Monte Vista Avenue, commonly known as 4975 Mission Boulevard; and

WHEREAS, the subject 4.60-acre site is currently zoned "C-2" (Restricted Commercial) and is developed with a vacant, 19,000 square-foot commercial building formerly used as a grocery store and Mexican restaurant; and

WHEREAS, the applicant has submitted concurrent applications requesting a General Plan Land Use Map Amendment and an amendment to the City's Official Zoning Map in order to facilitate construction of said project; and

WHEREAS, Tentative Tract Map No. 19926 would subdivide the northerly 2.30 acres of the site into one (1) lot for condominium purposes, and Tentative Tract Map No. 19926-1 would subdivide the southerly 2.30 acres of the site into nine (9) single-family lots in compliance with the City's "R-1" standards; and

WHEREAS, the Precise Plan of Design pertains to the overall site plan, floor plans, elevations, conceptual colors and materials, and conceptual landscape plan associated with the two residential developments; and

WHEREAS, staff has found that the proposed residential condominium development complies with the guidelines and development standards set forth in

Chapter 11.22 of the Montclair Municipal Code, and the proposed single-family residential development complies with the guidelines and development standards set forth in Chapter 11.18 of the Montclair Municipal Code; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the City prepared an Initial Study (IS) for the General Plan Amendment, Zoning Map Amendment, Tentative Tract Maps, and Precise Plan of Design and released it for public review and comment on January 28, 2016. Based on the findings of the Initial Study, staff has determined that, although the proposed project could have a significant effect on the environment, there will not be a significant effect because revisions in the project have been made by or agreed to by the project proponent. Therefore, a Mitigated Negative Declaration (MND) is proposed for the project; and

WHEREAS, on January 27, 2016, the Notice of Availability of the IS/MND was filed with the San Bernardino County Clerk of the Board; and

WHEREAS, the minimum 21-day public review period for the IS/MND commenced on January 28, 2016 and concluded on February 22, 2016; and

WHEREAS, copies of the IS/MND were available during the public review period at the Community Development counter at City Hall; and

WHEREAS, public notice of this item was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on January 29, 2016; and

WHEREAS, on February 22, 2016, commencing at 7:00 p.m. in the Council Chamber at Montclair City Hall, the Planning Commission conducted a public hearing at which time all persons wishing to testify in connection with said proposal were heard, and said application was fully studied.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Montclair as follows:

SECTION 1. Based on the entire record before the Planning Commission, all written and oral evidence presented to the Planning Commission, and the findings set forth in this Resolution, the Planning Commission recommends City Council approval of Tentative Tract Map Nos. 19926 and 19926-1, and hereby approves a Precise Plan of Design under Case No. 2016-2, subject to the conditions of approval attached hereto in Exhibit "A".

SECTION 2. Pursuant to California Government Code Section 66410, *et seq.*, based on the entire record before the Planning Commission and all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows with respect to the recommended approval of the Tentative Tract Map Nos. 19926 and 19926-1:

- A. The proposed subdivisions are designed, to the extent feasible, to provide for passive or natural heating or cooling opportunities. Proposed buildings on the site are generally oriented, spaced, and designed to allow for access to adequate light and air. Each unit will have operable windows to allow for passive cooling provided by seasonal winds. In addition, the residential condominium project will provide walking paths, a barbecue area, and a tot lot for use by the condominium residents while the private side yards on each lot will provide adequate open space areas where trees and vegetation can provide shade, air filtering, and other environmental benefits.
- B. The proposed subdivision and the provisions for its design and improvement are consistent with the adopted General Plan and the Montclair Municipal Code. Tentative Tract Map No. 19926 provides for land uses compatible with the proposed "R-3" zoning district, and Tentative Tract Map No. 19926-1 provides for a site layout consistent with good planning practice and land uses compatible with the proposed "R-1" zoning district. The overall goal of the General Plan is to promote good planning practices and orderly development within the City.
- C. The subject site is physically suitable for the types and densities of the developments proposed given the overall size of the property. The site is 4.60 acres in area and is of a configuration that has sufficient width and depth to allow for orderly development as proposed with the project. The project site is also located adjacent to a fully improved arterial roadway and a local street that will provide safe access and allow for the development of appropriate internal pedestrian and vehicular circulation.
- D. The subdivision design and improvements proposed are not likely to cause substantial environmental damage nor substantially injure fish or wildlife or their habitat. The site is surrounded by urban development and streets; does not contain any bodies of water; and is not linked to any wildlife corridors. The site does not contain any evidence of known habitats of significance including rare or endangered species of plant, animal, or insect life.
- E. The subdivision design and type of improvements proposed in the Tentative Tract Maps are not likely to cause serious public health problems because all development and public improvements will be constructed per the requirements of all applicable standards and codes including the zoning and building codes. As a condition of approval, the applicant shall be required to comply with minimum interior noise standards for each residential dwelling unit.
- F. The subdivision design and type of improvements proposed in the Tentative Tract Maps will not conflict with easements acquired by the public at large

for access through or use of the subject site because no such easements exist on the subject site.

- G. The discharge of wastewater into the existing sanitary sewer system from the development proposed in the Tentative Tract Maps will not cause a violation of existing requirements prescribed by the Regional Water Quality Control Board. The entire project will be required to connect to the City's sanitary sewer system pursuant to California Plumbing Code and Municipal Code requirements. Sewer mains exist in Mission Boulevard and in Carlton Street, both of which are immediately adjacent to the subject site.

SECTION 3. Based on the entire record before the Planning Commission and all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows with respect to the recommendation of approval of a Precise Plan of Design under Case No. 2016-2:

- A. The property is of a size and shape to support the proposed project. At 4.60 acres in area, the site is of sufficient size and shape to accommodate the proposed development as designed. The property is sited adjacent to a fully developed arterial roadway and a local street to allow for ease of access and vehicular circulation.
- B. The proposed project will not have an adverse impact on or substantially depreciate property values in the vicinity, unreasonably interfere with use and enjoyment of property in the vicinity, or endanger the public peace, health, safety, or general welfare. The residential developments proposed for the site are consistent with the allowable uses of the proposed "R-3" and "R-1" zoning designations for the site.
- C. The project is well designed and promotes orderly development. The proposed residential condominium project is consistent with the development standards set forth in Chapter 11.22 of the Montclair Municipal Code for medium-to-high density residential development, and the proposed detached, single-family residential development is consistent with the development standards set forth in Chapter 11.18 of the Montclair Municipal Code for low density residential development. Architectural details and materials are of a high quality and appropriate to the proposed architectural styles of the project. Proposed landscaping is well distributed around the site and designed to conserve water.

SECTION 4. Pursuant to Section 66412.3 of the Government Code, based on the entire record before the Planning Commission and all written and oral evidence presented to the Planning Commission, the Planning Commission finds the subdivision and improvements proposed help the City of Montclair to meet its regional housing needs by increasing the supply of homes within the City.

SECTION 5. Based on the entire record before the Planning Commission and all written and oral evidence presented to the Planning Commission, the Planning Commission finds the nature and extent of the dedications, reservations, impact fees, and other exactions are reasonably related to public needs and roughly proportional to the impacts created by the subdivision and improvements proposed in the Tentative Tract Maps.

SECTION 6. Based upon the facts and information contained in the application, together with all written and oral reports included for the environmental assessment for the application, the Planning Commission finds that no subsequent or supplemental environmental document is required pursuant to CEQA in connection with the review and approval of this application based upon the following findings and determinations:

- A. The Planning Commission, as the responsible agency, reviewed and considered the environmental assessment based upon the findings in the Initial Study prepared for the project, and determined that there will be no significant impact on the environment as a result of the proposed Tentative Tract Maps and Precise Plan of Design.
- B. The Planning Commission finds there is no substantial evidence the project may have a significant effect on the environment, and directs staff to prepare a Mitigated Negative Declaration and a DeMinimis finding of no effect on fish and wildlife.
- C. Based on these findings and all evidence in the record, the Planning Commission concurs with staff's determination that no additional environmental review is required pursuant to CEQA in connection with the City's consideration of Case No. 2016-2 for the 22-unit residential condominium development and nine-unit detached, single-family residential development.

SECTION 7. The location and custodian of the documents and any other material that constitute the record of proceedings upon which the Planning Commission based its decision is as follows: Planning Division, Community Development Department, City of Montclair, 5111 Benito Street, Montclair, California 91763, or by telephone at (909) 625-9477.

The Secretary to this Commission shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED THIS 22ND DAY OF FEBRUARY, 2016.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____
Tenice Johnson, Chair

ATTEST: _____
Steve Lustro, Secretary

I, Steve Lustro, Secretary of the Planning Commission of the City of Montclair, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Montclair, at a regular meeting of the Planning Commission conducted on the 22nd day of February, 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

Z:\COMMDEV\SL\2016\2016-2 PC TTM-PPD RESO 16-1853

EXHIBIT A
Conditions of Approval
Case No. 2016-2

Planning (909/625-9477)

1. This approval is for the following:
 - a. Tentative Tract Map No. 19926, subdividing the northerly 2.30 acres of an existing 4.60-acre site into one (1) lot for residential condominium purposes and associated on- and off-site public improvements; and
 - b. Tentative Tract Map No. 19926-1, subdividing the southerly 2.30 acres of an existing 4.60-acre site into nine (9) lots for detached, single-family residential purposes and associated on- and off-site public improvements; and
 - c. A Precise Plan of Design (PPD) for the site plan, floor plans, elevations, conceptual colors and materials, and conceptual landscape plan associated with the construction of the 22 residential condominium dwelling units and nine (9) detached, single-family homes as described in the staff report and depicted on approved plans on file with the Planning Division.
2. Any modification, intensification, or expansion of the use beyond that which is specifically approved by the above-noted entitlements and that is not reflected in the map, plans, and drawings approved with this action shall require review and approval by staff, the Planning Commission, or the City Council as appropriate.
3. In the event that exhibits and written conditions are inconsistent, the written conditions shall prevail.
4. Within five days of City Council approval, the applicant shall submit the following payments to the Planning Division:
 - a. A check in the amount of **\$2,260.25**, payable to "Clerk of the Board of Supervisors," to cover the California Department of Fish and Wildlife (CDFW) fee for filing a Notice of Determination (NOD) as required by the California Environmental Quality Act (CEQA).
 - b. A check in the amount of **\$559.40**, payable to the "City of Montclair," to cover the cost of publishing a Notice of Public Hearing in a newspaper of general circulation (Inland Valley Daily Bulletin) as required by state law.
5. The applicant shall defend, indemnify, and hold harmless, the City of Montclair, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul

any approval of the City, whether by its City Council, Planning Commission, or other authorized board or officer of this subdivision. Pursuant to California Government Code Section 66474.9, the subdivider and applicant also agrees to defend, indemnify, and hold harmless, the City of Montclair, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul any map approval of the City, whether by its City Council, Planning Commission, or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City shall promptly notify the subdivider and applicant of any such claim, action, or proceeding; and the City shall cooperate fully in the defense.

6. Notice to Applicant/Subdivider: The conditions of approval for this project include certain fees, dedication requirements, reservation requirements, and/or other exactions more specifically described in the conditions of approval herein. The subdivider/applicant is hereby notified that the 90-day protest period to challenge such items has begun as of the date of the project approval. For purposes of this notice, "project approval" shall mean the date that the Planning Commission approves the Precise Plan of Design for the project and recommends City Council approval of the Tentative Tract Map. All impact fees shall be due and payable at the time stated in the adopted ordinance, resolution or policy adopting and imposing such fees. If the applicant fails to file a protest regarding any of the fees, dedications, reservations, inclusionary housing requirements or other exaction requirements as specified in Government Code §66020, the subdivider/applicant shall be legally barred from later challenges.
7. The subdivider/applicant shall reimburse the City for the legal costs associated with the preparation/review of any agreements and covenants required by these conditions.

Tentative Map (Condominium Conditions)

8. The applicant and/or property owner shall ensure that a copy of this Resolution is 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.
9. A single final map for each tract (19926 and 19926-1) shall be filed for recordation, unless the City approves the filing of multiple final maps and a phasing plan in accordance with California Government Code Section 66456.1.
10. Prior to recordation of a final map, the subdivider and applicant shall pay any outstanding fees and charges related to the reimbursement agreement entered into with the City of Montclair for the processing of these entitlements.
11. The tentative map shall expire three years from the date of City Council approval unless extended under Government Code Section 66452.6. The final map shall

be filed with the Public Works Director/City Engineer and shall comply with the Subdivision Map Act of the State of California and all applicable Ordinances, requirements, and Resolutions of the City of Montclair.

12. Prior to approval of any final map for condominium purposes the applicant shall, at the applicant's expense, prepare and submit the following documents for Tentative Tract No. 19926:

- a. Covenants, Conditions, and Restrictions (CC&Rs) for a condominium project to the Director of Community Development, in a form and content satisfactory to the Director of Community Development and City Attorney. The CC&Rs shall be reviewed by the Director of Community Development and City Attorney, at the applicant's expense, and shall, upon approval of the City, be recorded in the Office of the County Recorder of the County of San Bernardino prior to the sale of any condominium unit. At the time of initial submittal of the CC&Rs to the City for review, the applicant shall submit a cash deposit to the City in the amount of \$5,000 to be used to pay for fees and expenses related to City consultants, City Attorney, special legal counsel or other professional services necessary to review the CC&Rs. When the balance in the cash deposit account is reduced to \$2,500 or less, the City may require the applicant to deposit additional funds to cover any further estimated fees and expenses related to consultant or legal fees associated the project. Any unexpended amounts shall be refunded to the applicant within 120 days of a final inspection by the City.

The CC&Rs to be submitted to the City and recorded against the property shall state that the applicant/developer/homeowners association and a professional management company (upon sale of the units by the applicant/developer) shall be responsible for ongoing maintenance and management of all common area buildings and grounds within the Project including roadways, retaining walls, trash enclosures, drainage facilities, and water and sewer systems as described herein, as well as the management of all aspects of the condominium project.

The CC&Rs shall contain provisions permitting the City to enforce all maintenance and management obligations of the homeowners association at the homeowners association's expense in the event it fails to carry them out, including the power, after proper notice, to establish a lien against the property of both the association and individual properties for the costs of maintenance and enforcement. The CC&Rs shall include language establishing such a lien or require that a separate agreement be entered into with the City establishing such lien.

- b. An economic feasibility study prepared by a qualified professional for review and approval by the Community Development Director illustrating that the homeowners association will be adequately funded to pay for

regular ongoing expenses of the association, such as property management, landscape and common area facility maintenance, lighting, and irrigation, as well as long-term or unexpected maintenance and repair items, such as pavement repair and resurfacing, parking area striping, tree removal/replacement, masonry wall repair or replacement, and painting of common area buildings and improvements.

Maintenance Obligations

The CC&Rs shall make provision for the following maintenance obligations:

- c. **Street Maintenance.** All private streets and driveways within the Condominium Development shall be owned by and the cost of repairing and maintaining them shall be borne by the applicant/developer/homeowners association and maintained by a professional management company. Private street maintenance shall be addressed in the CC&Rs and shall not be dedicated to the City for maintenance.
- d. **On-site Easements.** The cost of establishing any on-site easements shall be borne by the subdivider or successor(s) and the cost of maintaining any on-site easements shall be borne by the applicant/developer/homeowners association and maintained by a professional management company. All on-site easements shall be addressed in the CC&Rs and shall not be dedicated to the City.
- e. **Storm Drain Maintenance.** The on-site storm drainage system shall be owned by and the cost of repairing and maintaining it shall be borne by the applicant/developer/homeowners association and maintained by a professional management company. Maintenance of the storm drain system shall be addressed in the CC&Rs and shall not be dedicated to the City. The CC&Rs shall provide that the City has a right to make necessary repairs to any drainage facilities that are the responsibility of the applicant/developer/homeowners association and maintained by a professional management company, but creates nuisance conditions on property outside of the boundaries of the area owned by or under the control of the applicant/developer/homeowners association and maintained by a professional management company when said parties have been advised in writing of the need to make repairs and have not done so.
- f. **Parking Space Use and Maintenance.** All on-site resident and guest parking spaces, other than covered spaces attached to individual units, shall be owned by and the cost of repairing and maintaining them borne by the applicant/developer/homeowners association and maintained by a professional management company. Parking spaces, restrictions, and enforcement of the restrictions shall be addressed in the CC&Rs and shall not be dedicated to the City for maintenance. The CC&Rs shall include

and provide for the expenses associated with the monitoring and towing of illegally parked vehicles owned by any member. The CC&Rs shall require compliance with the approved Parking Management Plan, approved by the Community Development Director. The Parking Management Plan shall identify the assigned parking space(s) for every unit in the Project. With the exception of a garage attached to an identified unit, all parking spaces shall be identified as assigned to a specific unit number or shall be identified as a "Visitor" or "Guest" parking space. Identification of said uncovered parking spaces shall be clearly designated through signage and/or curb/pavement stenciling.

- g. On-site Parking. The CC&Rs shall stipulate that no utility trailers, commercial or construction vehicle of any length, watercraft, or recreational vehicles shall be permitted to be stored or parked overnight on any private street and/or parking areas within the complex. A "recreational vehicle" shall be generally defined as a motor home, travel trailer, truck camper, or camping trailer with or without motor power designed for human habitation for recreational or emergency occupancy.
- h. Lighting Maintenance. The applicant/developer/homeowners association, through a professional management company, shall be responsible for maintenance of exterior on-site lighting and shall promptly replace nonfunctioning lights and broken or damaged lighting devices and luminaires.
- i. Garage Use. The CC&Rs shall stipulate that garages shall, at all times, be available for the parking of vehicles assigned to units within the Project and in accordance with the approved Parking Management Plan. Storage within garages shall be allowed only to the extent such storage does not impede access to the parking space(s) within the garage.
- j. Additional Common Areas. In addition to the maintenance of the exterior of common area buildings and grounds within the Project including roadways, retaining walls, drainage facilities, and water and sewer systems as described herein, the CC&Rs shall provide for the continuing maintenance by the applicant/developer/homeowners association, through a professional management company, of all additional common areas and facilities including the private streets, auto courts, speed bumps, traffic control signs and devices, common landscaping and irrigation, including perimeter landscaping adjacent to the public streets, and all perimeter walls. All landscaped areas shall be maintained in accordance with the property maintenance standards contained in the Montclair Municipal Code.
- k. Security Requirements. Applicants/developers shall install/provide and maintain the following security and security monitoring measures during the term of the CC&Rs:

- The applicant/developer/homeowners association shall develop a "Safety and Security Plan" acceptable to the Police Department which, at a minimum, shall include the placement, operation, and maintenance of security cameras throughout the exterior of the Project.
- At any time during the term of the Agreement, should the calls for Police service or response at the Project exceed a level reasonably considered normal and customary for the size of the Project by the Police Chief during any consecutive two-month period, the applicant/developer/homeowners association shall be required to provide a State-licensed security patrol through a company retained by the homeowners association, through the property management company. Said State-licensed security patrol company shall be retained by the homeowners association, through the property management company, with the prior approval of the Police Chief, for a period of time to be determined by the Police Chief. The approval of such a State-licensed security company shall not be unreasonably withheld.

Management Obligations

The CC&Rs shall make provision for the following management obligations:

- I. Certified Residential Management Company. Upon initiation and during the life of the homeowners association, said homeowners association shall be required to retain the services of a professional management company where a representative of that company is a California Certified Residential Property Manager. Any manager or management company retained to act as an agent of the homeowners association must obtain the prior written approval of the Police Chief, which approval shall not be unreasonably withheld or delayed, provided the person assigned from the management company is a California Certified Property Manager or an employee of a California Certified Property Manager.

In exercising his/her approval rights hereunder, the Police Chief may require proof of ability and qualifications of the manager and/or management company based upon: (i) prior experience, (ii) assets, and (iii) other factors determined by the Police Chief as necessary. Furthermore, upon sixty (60) days prior written demand from the City with cause, the homeowners association shall remove and replace a property manager and/or property management company. In any agreement with a property manager or property management company ("Management Agreement"), the homeowners association shall expressly reserve the right to terminate such agreement upon written demand of City with cause. That notwithstanding, City agrees that a request for removal of a property manager or management company shall be subject to a 30-day

notice of default and a reasonable opportunity to cure before any such termination is effective.

Subsequent changes in the management company or manager of a condominium project shall obtain the prior written approval of the Police Chief, as so indicated above.

- m. Management Obligations. The property management company shall maintain an adequate presence on-site as determined by the homeowners association Board of Directors to ensure that all rules and regulations are being followed and use of the facilities are managed. Should calls for Police service or response at the Project exceed a level reasonably considered normal and customary for the size of the Project by the Police Chief during any consecutive two-month period, the homeowners association shall be required to provide a State-licensed security patrol through a company retained by the homeowners association with the prior approval of the Police Chief for a period of time to be determined by the Police Chief. The approval of such a State-licensed security company shall not be unreasonably withheld.
- n. Management of Rentals. In the event that 75% or more of the units (≥ 16) within Tentative Tract No. 19926 become rentals, and to the extent enforceable under the laws of the State of California or any other applicable law, the Management Company shall employ a properly licensed property manager who holds a California-approved certification for the management of real estate to manage all rental units. Said rental units shall be managed by the Management Company (not the owner of each respective rental unit), whose services shall be paid separately by the owner of the rental unit and not by the homeowners association. The owner shall be responsible to provide the tenant/lessee with the homeowners association governing documents. The applicant/developer/homeowners association, with its property management company, shall develop all rules, documents and procedures to assure all rental occupancies of units are professionally managed, including, but not limited to:
 - ✓ Intake and processing of rental application(s)
 - ✓ Crime Free Addendum and other required addenda to application
 - ✓ Tenant-screening tools including, but not limited to, (1) credit check including unlawful detainers; and (2) criminal background checks
 - ✓ Length of lease term (minimum 180 days)
- p. Compliance with Rules. Renters occupying units within the Project shall be subject to all rules and regulations developed by the applicant/developer/homeowners association and property management company.

The applicant/developer/homeowners association, through its property management company, shall establish a warning and fine system for violation of the rules and regulations. The rules established by the property management company for rental of units shall include provisions for eviction of tenants for violations of the rules and regulations of the project.

- q. Compliance with Parking Management Plan. The applicant/developer/homeowners association, through its property management company, shall develop and require compliance with an approved Parking Management Plan. The property management company shall be responsible for implementation of such Parking Management Plan. The Parking Management Plan shall include a record of the parking spaces assigned to individual units and an identification of visitor/guest parking spaces.
- r. Fair Use of Common Recreational Facilities by Residents. The CC&Rs shall clearly delineate that all residents of the Project are permitted to use the common recreational facilities on the Project site.

Precise Plan and Project Construction Conditions

- 13. 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.
- 14. Approval of this PPD shall not waive compliance with any applicable regulations as set forth by the California Building Code and/or City Ordinances, the San Bernardino County Health Department, or the State of California.
- 15. Prior to the installation of any signs, the applicant shall submit an application for a Sign Program for the entire project to the Planning Division for review and approval. Prior to the installation of video surveillance cameras, the applicant shall submit a plan showing their location to the Chief of Police.
- 16. No changes to the approved set of plans, including the exterior design and materials/finishes, shall be permitted without prior City review and approval.
- 17. Prior to issuance of the first building permit, the applicant shall receive approval from the Building and Planning Divisions for a wall/fence plan. The wall/fence plan shall address all details for all perimeter walls and fences and internal walls, fences, and gates, including the following:

- a. A combination decorative masonry wall/wrought iron fence, 7'-6" in height, with 8'-0" pilasters along the northerly boundary of Tentative Tract No. 19926, and from the southwest corner of Tentative Tract No. 19926 easterly to the north-south driveway of said tract;
 - b. A masonry wall, minimum 6'-0" in height, along the westerly and easterly boundaries of Tentative Tract No. 19926. Said wall may be precision block, except that those sections between the return fences of Lots 1 and 15, 8 and 9, and south of the return fences on Lot 16 and Lot 22 shall be decorative masonry;
 - c. A decorative masonry wall, minimum 6'-0" in height, six (6) feet back of sidewalk along the northerly side of Lot 9 of Tentative Tract No. 19926-1 from the northwest corner of said lot easterly to the front setback line of Lot 9;
 - d. A masonry wall along the westerly and southerly boundaries of Tentative Tract No. 19926-1. Said wall may be precision block, except that section within the front yard setback area of Lots 5 and 6 shall be decorative masonry block; and
 - e. A masonry wall, minimum 6'-0" in height, along the northerly property line of Lot 1 of Tentative Tract No. 19926-1. Said wall shall be decorative masonry block on the north-facing side and, at a minimum, on the south-facing side within the front yard setback of said Lot 1.
 - f. Double wall or fence/wall conditions shall not be permitted. The applicant shall be responsible for coordinating with the adjacent property owners to the east regarding the replacement of property line walls, if required. Wall, fence, and gate heights, materials, and finishes shall be to the satisfaction of the City Planner.
18. Safety/security/street lighting within Tentative Tract No. 19926 shall be installed along all private driveways and pedestrian walkways. Luminaires shall be fitted with reflectors or refractors as necessary to control glare and nuisance light spill to residential units. Driveways and walkways shall not be illuminated via building-mounted luminaires. Lighting on private streets may be owned and maintained by the homeowners association or Southern California Edison.
19. The proposed locations for neighborhood mailboxes within Tentative Tract No. 19926 shall comply with locational requirements set forth in Section 11.22.050 of the Montclair Municipal Code with respect to being within an enclosed building or a weather-protected location subject to City review and approval prior to installation. The applicant shall also ascertain any requirements for such mailboxes from the United States Postal Service (USPS). The City acknowledges that proposed locations for neighborhood mailboxes shall be to the satisfaction of the USPS.

20. 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.
21. All mechanical equipment including, but not limited to, utility meters, air conditioners, vents, and repair equipment shall be located within the building or screened in a manner that is compatible with the architectural design of the building to the satisfaction of the City Planner. Wooden lattice or fence-like screens/covers are not appropriate screening materials and shall not be allowed.
22. Surface-mounted exposed conduit or electrical lines shall not be allowed. Electrical switchgear, meters, etc., shall be screened or housed in an enclosure to the extent allowed by the utilities.
23. Freestanding electrical transformers and Fire Department double check detector assembly equipment shall be screened with masonry walls compatible with the building architecture and/or landscaping to the satisfaction of the City Planner and Fire Marshal. Efforts shall be made to place these elements in locations that are as unobtrusive as possible.
24. Prior to issuance of any grading or building permit for the project, the applicant shall submit a complete Landscape Documentation Package meeting the intent and design criteria of the Montclair Water Efficient Landscaping and Conservation Ordinance (Chapter 11.60 of the Montclair Municipal Code). The Landscape Documentation Package shall include the following items:
 - a. Development Review Application accompanied by the associated fee;
 - b. Landscape Concept Plan;
 - c. Water Budget;
 - d. Landscape Construction Drawings (including a grading plan, irrigation plan, and planting plan).

A Landscape Documentation Package shall be approved when the Community Development Director verifies that the proposed Landscape Concept Plan for the project complies with the provisions of Chapter 11.60, other applicable provisions of this code, and when any applicable land use permit or other entitlement requirements have been fulfilled. A copy of the approved plan will be kept on file in order to use at a later date to ensure that the plan was implemented as permitted and maintained as required.

25. Pursuant to Section 11.60.240 of the Montclair Municipal Code, all landscaping and irrigation systems shall be maintained in accordance with the approved site and/or landscape plan to ensure water use efficiency. A regular maintenance

schedule shall be submitted to the City with the Certificate of Completion and a copy shall be kept by the homeowners association and property management company for reference.

26. Any plant material that does not survive or which was removed or destroyed shall be replaced upon its demise or removal with plant material of like type and size as that which was originally approved and installed.
27. Plant material shall not be severely pruned such that the natural growth pattern or characteristic form is significantly altered. Trees shall be pruned to ISA (International Society of Arboriculture) standards and only as necessary to promote healthy growth and for aesthetic purposes (i.e., to enhance the natural form of the tree). Improperly or severely pruned trees, including topping as defined by the Water Conservation Ordinance, which results in the removal of the normal canopy and/or disfigurement of the tree shall be replaced with trees of similar size and maturity as that which was removed or, as required by the Community Development Director.
28. Modifications to and/or removal of existing landscaping shall require prior approval by the Planning Division.
29. All landscaping on the project site shall be regularly maintained in a healthy and vigorous living condition at all times. This shall include proper pruning, weeding, removal of litter, fertilizing, and sufficient irrigation of all plants. Dead vegetation shall be promptly replaced with healthy, living plants in accordance with standard seasonal planting practices. The applicant/developer/homeowners association shall also be responsible to keep the landscaped areas reasonably free of weeds, trash, and debris.
30. To ensure compliance with the conditions of approval, a final inspection is required from the Building and Planning Divisions upon completion of construction and all improvements. The applicant shall contact the City to schedule an appointment for such inspections.

Airport Influence Area Real Estate Transaction Disclosure

31. The proposed project is located within the Airport Influence Area of Los Angeles/Ontario International Airport (ONT) and was evaluated and found to be consistent with the Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Bureau of Real Estate (CalBRE) and include the following language within the NOI:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

Building (909/625-9477)

32. Submit four complete sets of plans including the following:
 - a. Site/Plot Plan;
 - b. Floor Plan;
 - c. Reflected Ceiling Plan;
 - d. Electrical Plans, including the size of the main switch, number and size of service entrance conductors, panel schedules, and single line diagrams;
 - e. Plumbing Plans, including isometrics, underground diagrams, water and waste diagram, fixture units, gas piping, and heating and air conditioning;
 - f. A plan of all existing structures on the site including all walls to be demolished; and
 - g. Waste recycling plan, demonstrating the recycling a minimum of 50% of all construction debris.
33. Submit two sets of structural calculations, if required, and two sets energy conservation calculations.
34. Architect's/Engineer's stamp and "wet" signature are required prior to plan check approval.
35. The applicant shall comply with the latest adopted California Building Code, Montclair Municipal Code, and other applicable codes, ordinances, and regulations in effect at the time of permit application. These applicable codes shall be indicated on the first page of the submitted plans.
36. Contractors must show proof of State and City licenses and Workers' Compensation coverage to the City prior to permit issuance.

37. Separate permits are required for fencing and/or walls, trash enclosures, and site lighting.
38. All utility services to the project shall be installed underground.
39. Plans shall be submitted for plan check and approved prior to construction. All plans shall be marked with the project file number.
40. Construction activity shall be permitted only between the hours of 7:00 a.m. and 8:00 p.m. daily.
41. Prior to issuance of building permits, the applicant shall pay development fees at the established rate. Such fees may include, but are not limited to, Transportation Development Impact fees, permit and plan check fees, school fees, sewer connection fees, and parkland development fees. All required school fees shall be paid directly to the Ontario-Montclair School District and Chaffey Joint Union High School District. Applicant shall provide a copy of the school fees receipt to the Building Division prior to permit issuance.
42. Per the Montclair Municipal Code, all construction work carried out under the review of the Building Division shall be of good quality. The Building Official shall have the authority to enforce the installation of work that is straight, level, plumb, square, etc., as the situation requires. All work shall be well fit and of a durable nature. Paint and stucco in all cases shall not be below standard for the use applied.
43. Provide and clearly indicate on submitted plans disabled-accessible path(s) of travel to the public right-of-way and all required disabled-accessible parking spaces and parking lot signs. Sidewalks, paths-of-travel, and curb cuts shall comply with the requirements of the California Building Code, Title 24. The maximum cross-slope on a sidewalk or path-of-travel shall not exceed two percent (2%).
44. The address of each new residence shall be displayed in minimum four-inch (4") tall numerals on a contrasting background and backlit with a low voltage illumination source. Said identification shall be installed in a consistent location on each residence. Residences within Tentative Tract No. 19926 shall display the address on the front and rear of the residence.
45. A Certificate of Occupancy is required prior to the occupancy of each residence. Issuance of a Certificate of Occupancy shall be contingent upon the Fire Department inspection and the final approvals from other departments and/or agencies.
46. Striping of all parking spaces within Tentative Tract No. 19926 shall incorporate "cane" or "hairpin" striping style, with the required 9'-0" parking space width measured to the center of the "cane"/"hairpin."

47. Electrical and fire suppression service shall rise completely within the interior of each residence/building. Roof ladders shall also be located entirely inside buildings.
48. Temporary construction and storage trailers to be placed on the subject site shall require prior approval from the Building and Planning Divisions. Before any trailer is set in its intended location, a permit shall be obtained from the Building Division. Plans and structural calculations shall be required for tie-down devices. Trailers intended for public use are required to meet disabled-accessibility requirements. Such a trailer shall require access to the facility by way of ramps that comply with the California Building Code (CBC) 2013 edition, Chapter 11B. In addition, access to each feature of the trailer shall be required.
49. Construct trash enclosure(s) within Tentative Tract No. 19926 per City Standard (available at the Building Division's public counter) or per a plan approved by all applicable City departments.
50. The use of decorative foam trim or surrounds on building exteriors shall be limited to applications above the ground floor. If foam trim/surrounds are installed at the ground floor, a minimum two-coat stucco application over mesh shall be required. The strength and durability of the stucco-over-foam trim and resistance to damage shall be equal to or greater than that of the remainder of the exterior walls.
51. Prior to issuance of a Certificate of Occupancy, the applicant shall:
 - a. Submit to the Building Division electronic images of all plans and records that were submitted for the purpose of obtaining a building permit. Electronic images shall comply with the City's Electronic Imaging Policy.
 - b. Complete all on- and off-site improvements.
 - c. Install all disabled-accessible parking stalls and parking lot signage within Tentative Tract No. 19926.

Water Quality Management Plan (909) 625-9470

52. Prior to the issuance of any grading or building permit, the applicant shall obtain approval for a Water Quality Management Plan (WQMP) from the City of Montclair per the requirements of Federal, State, and local regulations. The applicant shall comply with all requirements of the approved WQMP for this project.
53. The applicant/developer/homeowners association shall be responsible to contract with a qualified firm to inspect and maintain any and all manufactured stormwater treatment devices specified by the approved WQMP, following all manufacturers' recommendations. It shall also be the responsibility of the

- applicant/developer/homeowners association to maintain inspection reports and have them readily available for review by City staff upon request. In the event that any stormwater treatment device fails due to lack of, or insufficient maintenance and/or inspection, or some other unforeseen circumstance, it shall be the responsibility of the applicant/developer/homeowners association to correct the deficiency and restore the stormwater treatment device(s) to its original working condition.
54. Prepare and submit plans for erosion and sediment control. Plans shall include all phases of the construction project, including rough grading, utility and road installation, and vertical construction to the satisfaction of the City Engineer. Contact Joe Rosales, NPDES Coordinator, at (909) 625-9470.
 55. Prior to issuance of a grading permit, a State Construction General permit shall be obtained and proof provided (WDID number) to the Building Division, if applicable.
 56. At the time of grading permit issuance, post-construction Best Management Practices (BMP) inspection permit fees associated with the approved WQMP shall be paid. Contact Joe Rosales, NPDES Coordinator, at (909) 625-9470 for further information regarding permit and fees.
 57. Prior to a final inspection, the applicant shall:
 - a. Submit to the Engineering Division an electronic copy of the approved WQMP in PDF format.
 - b. Submit to the Engineering Division as-built drawings as they relate to the WQMP.
 - c. Record the WQMP Maintenance Agreement with the County of San Bernardino and provide evidence of said recording to the Engineering Division.
 58. Prior to a final inspection for each residence, the person or corporation responsible for the preparation of the WQMP shall certify in writing to the Building Official that all conditions and requirements of the WQMP 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 ongoing maintenance responsibilities with respect to the requirements of the WQMP.
 59. The applicant shall ensure that all requirements of the approved WQMP for the project are incorporated and consistent with the approved landscape and irrigation plans for the project. All required Best Management Practices (BMPs) shall be duly noted and shown on the landscape plans per the approved WQMP.

60. The applicant shall ensure each property/homeowner completes the WQMP Maintenance Agreement for each lot prior to occupancy.

Engineering (909/625-9478)

61. Developer shall comply with all requirements of the Subdivision Map Act and the Montclair Municipal Code.
62. Prior to issuance of building permits, transportation development impact fees shall be paid to the City. Fees shall be assessed at the rate in effect at the time the fees are paid.
63. Prior to a final inspection for the first residence, parkland (Quimby Act) fees shall be paid to the City. Fees shall be assessed at the rate in effect at the time the fees are paid.
64. All interior streets and drives within Tentative Tract No. 19926 shall be private and maintained by a homeowners association. Interior street designs shall be acceptable to the Public Works Director/City Engineer and Building Official. Maximum permissible cross slope shall not exceed 5%.
65. Street improvement plans are required for all public streets. Construction drawings shall be 24" by 36" with City standard title block. Construction drawings for private streets may be included on grading plans, which shall also be on 24" by 36" sheets.
66. Add "stop" signs, limit lines, and "stop" legends for eastbound and westbound traffic at the north/south entry drive of Tentative Tract No. 19926.
67. The applicant shall install a "one way" sign in the Mission Boulevard median opposite the vehicular exit from Tentative Tract No. 19926.
68. The east-west public street shall be a continuation of Carlton Street from the west and shall have the same width and cross-section within a 60-foot right-of-way. The north-south public street shall be called Coalinga Avenue and its design shall comply with City standards. The names of the north-south and east-west private streets within Tentative Tract No. 19926 shall be left to the discretion of the developer so long as they are not in conflict with other street names in the City, subject to the approval of the Public Works Director/City Engineer. The private, north-south street within Tentative Tract No. 19926 shall not be called Coalinga Avenue. Design of all street improvements shall be to the satisfaction of the Public Works Director/City Engineer, Community Development Director, and Montclair Fire Department.
69. The existing landscaping and irrigation along the Mission Boulevard frontage is currently maintained by the City of Montclair. Developer shall isolate the

irrigation within the project frontage from the Montclair-maintained system and reconnect to the private system constructed in conjunction with Tentative Tract No. 19926. Maintenance of the landscaping and irrigation shall be assumed by the developer/homeowners association upon completion of the work and prior to issuance of the first Certificate of Occupancy.

70. All sidewalks along public and private streets shall comply with the Americans with Disabilities Act (ADA) and City standards with respect to surface, width, and slope. Sidewalks on public streets shall be curb-adjacent. Disabled-accessibility shall be continuous through or around drive approaches. The sidewalk along the Mission Boulevard frontage shall be in a location consistent with existing sidewalks. A continuous path-of-travel shall be maintained across private streets. Sidewalks along private streets, alleys, and paseos shall be subject to the approval of the Public Works Director/City Engineer and Community Development Director. Path-of-travel along private streets shall be shown on the grading plan.
71. Streetlights along public streets shall be owned and maintained by Southern California Edison (SCE). The minimum lighting level for all streets shall be to the satisfaction of the Public Works Director/City Engineer. Existing streetlights along Mission Boulevard shall be relocated if necessary to accommodate proposed street work. Streetlights along private streets and alleys may be owned and maintained by the homeowners association or SCE, and shall be stand-alone luminaires wired independently of all dwelling units.
72. All existing overhead utilities within project boundaries and within street frontages adjacent to project shall be placed underground. All existing or new guy wires required to anchor end poles shall be located beyond the project limits. No poles or guy wires shall be permitted to remain with property frontage.
73. All utilities within the tract boundary shall be placed underground. This requirement applies to electrical services, transformers and switches, and where technology exists, telephone and cable television facilities as well.
74. Where existing fences or walls of adjacent properties encroach into the subject property, they shall be removed and replaced with new walls and/or fences consistent with the conditions set forth in Condition No. 18 herein. New tract perimeter walls shall be placed at or within six inches (6") of property lines. Where existing walls and/or fences are set back from the property lines on adjacent properties, the developer shall coordinate with adjacent property owners to allow fences and/or walls to be removed and replaced with new development walls at or within six inches (6") of the property line. Double wall or fence/wall conditions shall not be permitted.
75. Payment of all outstanding sewer reimbursement fees as imposed by a district, if any, or any assessments, shall be required.

76. Payment of Regional Sewerage Capital Outlay fees as specified in the Montclair Municipal Code and by Inland Empire Utilities Agency is required.
77. Sewers intended to be maintained by the City of Montclair shall be designed and constructed per Public Works Department standards, and shall be located in public streets or easements dedicated to the City for sanitary sewer purposes. Sewers not constructed per Public Works Department standards shall be designed and constructed per California Building Code and City of Montclair Building Division requirements and shall be privately maintained by the developer/homeowners association. All sewer design shall be subject to the approval of the City Engineer.
78. Sewer improvement plans are required for all sewers, public or private, and shall include both plan and profile views on 24" by 36" construction drawings. Sewers intended to be privately maintained shall not include City standard title block, and shall be labeled "NOT TO BE MAINTAINED BY CITY OF MONTCLAIR."
79. Discharge of wastewater into the sewer collection system shall conform to all requirements of the Montclair Municipal Code.
80. A Water Quality Management Plan (WQMP) is required for this project. Approval of the WQMP is required prior to the preparation of grading and/or other improvement plans. Requirements for the WQMP may be obtained from Joe Rosales, NPDES Coordinator, at (909) 625-9470. Requirements of the WQMP may require significant modifications to the approved tentative map. If significant modifications are required, a resubmittal to the Planning Commission and City Council may be required.
81. All drainage facilities shall comply with the requirements of the approved WQMP.
82. A grading plan shall be prepared subject to the approval of the Public Works Director/City Engineer. An erosion control plan shall be included and considered an integral part of the grading plan. Grading plans shall be designed in accordance with City standards and guidelines, and shall be on 24" by 36" sheets.
83. No soil may be imported or exported to or from the project site from any adjacent building site or from other sources for construction purposes without first obtaining approval from the Public Works Director/City Engineer. A plan acceptable to the Public Works Director/City Engineer shall be prepared showing proposed haul routes within the City. The plan shall include provisions for street sweeping and cleanup. Contractor(s) shall comply with all National Pollutant Discharge Elimination System (NPDES) requirements.
84. All on- and off-site trenching and excavation shall conform to CAL-OSHA standards. Excavations that exceed five feet in depth require a CAL-OSHA permit.

85. Underground Service Alert shall be notified at least 48 hours prior to any excavation. Contact Underground Service Alert at 8-1-1.
86. Storm drains, catch basins, and other drainage devices located in private streets, driveways, and/or private property shall be maintained by the homeowners association. All design and construction shall comply with standards and requirements of the San Bernardino County Flood Control District.
87. Prior to approval of the final map, a subdivision agreement will be required. The agreement shall contain provisions for performance and payment bonds for all work within the public rights-of-way and a monumentation bond for tract monuments in accordance with the Subdivision Map Act.
88. No construction traffic or construction-related traffic shall use Carlton Street during construction except as may be necessary for concrete or paving at join points. No foot traffic shall be permitted from existing Carlton Street to the development until development is complete. Continuous chain-link fencing or other suitable fencing shall be installed and maintained at the current easterly terminus of Carlton Street throughout the duration of construction.

Fire (909) 447-3552

89. Permits are required for the plan review and inspection of fire detection, fire sprinkler, and occupancy plan reviews.
90. Prior to issuance of building permits, the applicant shall submit four (4) complete sets of architectural, structural, fire alarm, and fire sprinkler plans for review. Plans and specifications shall include, but are not limited to, construction type, exits, fire protection equipment, building protection, and interior finish. The applicant is responsible for, and shall apply for and receive, all Fire Department permits and pay all required fees prior to issuance of building permits. Fire Department Plan check application may be found on the City's website at: (www.cityofmontclair.org/fire/fire_prevention/plan_check_and_permit_process).
91. Construction documents and calculations for all fire protection systems and permits are required prior to system installation.
92. Contractor's license number, including expiration date, wet stamp, and signature of the contractor licensee shall be required on each plan.
93. The applicant shall provide an accurate description of the scope of work, including all interior and exterior building dimensions on the plans.
94. The project is required to comply with the 2013 California Fire Code as amended in the Montclair Municipal Code, and Montclair Fire Department development standards.

95. Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of each building as measured by an approved route around the exterior of the building or facility.
96. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. The minimum 26-foot wide road width shall be a minimum of 20 feet in length, centered on the fire hydrant.
97. Provide a scaled site plan illustrating turning radii for all corners, using a minimum 20-foot inside turning radius and 45-foot outside turning radius.
98. Fire Department apparatus access roads in excess of 150 feet in length shall include approved provisions for turnaround of fire apparatus (i.e., cul-de-sacs, "hammerheads," or "boots"). Show fire apparatus turnaround dimensions where fire apparatus roads and driveways exceed 150 feet in length.
99. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus roads shall not exceed a 10% grade without mitigating protection measures to the satisfaction of the Fire Chief or his/her designee.
100. The angles of approach and departure for any means of access shall not exceed the design limitations of the fire apparatus of the Montclair Fire Department, subject to the approval of the Fire Chief or his/her designee.
101. Fire apparatus access roads between 20 and 28 feet in width shall be posted on both sides of the road with "NO PARKING, FIRE LANE" signs, red curbs, and curb legends. Fire apparatus access roads between 28 and 36 feet in width shall be posted on one side of the road with "NO PARKING, FIRE LANE" signs, red curbs, and curb legends. Signs shall be 12" by 18" with red letters on a white background and shall be a maximum of seven feet (7'-0") as measured from the roadway to the bottom of the sign. Signs shall be within sight of the traffic flow and shall be spaced a maximum of 60 feet apart or by painting a red striped line along the edge of the roadway with "NO PARKING, FIRE LANE" stenciled in white.
102. Planned residential developments (PRDs) and condominiums are required to submit grading plans for review of access and circulation. Full-size (24" by 36") drawing shall be accompanied by a reduced-size drawing not larger than 8½" by 14". Developments will be reviewed for access and those with required fire lanes shall be required to obtain Fire Department permits. Permits are required for fire lanes, alternate access to drives with gates, and security gates.
103. Security gates and access proposed for Tentative Tract No. 19926 shall comply with the following standards:

- a. Fire apparatus access road gates shall provide a minimum clear opening of 20 feet and shall comply with other requirements of 2013 CFC, Section D103.5.
 - b. Security gates providing primary access are required to be set back a minimum of 45 feet from the curb line of the adjacent public roadway.
 - c. Motorized security gates are required to have an Opticom system installed to Fire Department specifications. Motorized gates shall also be capable of manual operation by one person in the event of power failure.
 - d. A Knox box shall be required, be of an approved type, and shall contain master keys to allow the Fire Department to gain necessary access.
 - e. Trees, signs, poles, and similar obstructions shall not be placed near buildings so as to interfere with the operation of an aerial device on an aerial fire apparatus.
104. Monte Vista Water District (909/624-0035) is the water provider for the project. The applicant shall ascertain minimum project requirements from MVWD.
105. The water system for the project shall meet the following standards:
- a. Provide a site plan showing all fire hydrants and distances to nearest fire hydrants in all directions along fire apparatus access roads, and on-site fire hydrants and mains when the exterior of a facility or building is more than 300 feet from a fire hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building. The exact number, location, and design of hydrants shall be determined by the Fire Department.
 - b. Private water system service mains and appurtenances shall be installed in accordance with NFPA 24 (508.2.1) and comply with the 2013 California Fire Code. The applicant shall install a Fire Department Connection (FDC) at the DDCA/OS&Y to act as a Fire Department boost. The combination FDC shall be equipped with two (2) 2½-inch NST female swivel inlets and one (1) 7-inch NST female swivel. The riser to the FDC shall be a minimum of six inches (6") in diameter. Knox locking caps are required on all FDCs for water-based fire protection systems to prevent FDC theft. Plans shall be submitted to the Fire Department showing fire water system detail, including all pipe sizes.
 - c. Minimum underground fire service supply pipe shall be six inches (6") in diameter.
 - d. An approved water supply capable of providing the required flow for fire protection shall be provided.

106. An approved automatic fire sprinkler system, as defined by the most current edition of NFPA 13, shall be installed in all newly-constructed buildings of any occupancy group. Submit four (4) sets of plans to the Montclair Fire Department for review and approval before commencement of construction.
107. Submit four (4) sets of plans to the Montclair Fire Department for review and approval of all trash enclosures before commencement of construction. Trash enclosures shall be fully enclosed and shall be required to have fire sprinklers should any one of the following conditions exist:
 - a. The trash enclosure has a combustible roof covering;
 - b. The trash enclosure contains two or more individual trash bins or containers; or
 - c. The trash enclosure is under or within five (5) feet of combustible construction.
108. Conditions of 2013 CFC Chapter 33 shall apply to this project during construction and demolition.
109. The applicant shall develop and maintain an approved pre-fire plan in cooperation with the Montclair Fire Department.
110. An approved water supply for fire protection, either temporary or permanent, shall be made available prior to combustible materials arriving on-site. The water supply, including mains and hydrants, shall be acceptably tested, painted, and approved by the Monte Vista Water District and Montclair Fire Department prior to issuance of permits.
111. A minimum 20-foot wide, paved asphalt roadway, two inches (2") in thickness, shall be provided throughout the project site prior to the delivery and stockpiling of combustible materials. Fire apparatus access road and water supply shall be subject to inspection and approval by the Montclair Fire Department.
112. Approved vehicle access for firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent Fire Department connections, and shall be provided by temporary or permanent roadways capable of supporting imposed loads of fire apparatus under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.