



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

REGULAR ADJOURNED MEETING
Monday, April 22, 2019
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 Barry Rowley, Vice Chair Luis Flores, Commissioner Manny Martinez, and Commissioner Sergio Sahagun

4. APPROVAL OF MINUTES

The minutes of the March 25, 2019 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 Chamber.

6. AGENDA ITEMS

- a. PUBLIC HEARING - CASE NUMBER 2019-02
(continued from the March 25, 2019 meeting)
Project Address: 5060 Montclair Plaza Lane Owner, LLC
Project Applicant: 5060 Montclair Plaza Lane Owner, LLC
Project Planner: Christine Caldwell, Assistant Director of Housing/Planning Manager
Request: Conditional Use Permit to allow construction of a new electronic message center sign, a variance for the installation of additional signs, and a Precise Plan of Design to amend the existing sign program
- b. PUBLIC HEARING - CASE NUMBER 2018-21
Project Address: 10830 Ada Avenue
Project Applicant: JNT Group LLC
Project Planner: Yvonne Nemeth, Associate Planner
Request: Precise Plan of Design to construct an addition to an existing industrial building

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 meeting is adjourned to the regularly scheduled meeting of May 13, 2019 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 has been posted on the bulletin board adjacent to the south door of Montclair City Hall on April 18, 2019.



CITY OF MONTCLAIR
PLANNING COMMISSION

MEETING DATE: 04/22/19

AGENDA ITEM 6.a

Case No. 2019-02

Application: A request to consider approval for a Conditional Use Permit for construction of a new 95' high by 25' wide electronic message center (EMC) digital monument sign to replace the existing pylon sign; a Variance to allow for an increased height of the digital monument sign and area of the EMC screen, a Variance for the installation of additional freestanding monument signs for regional mall identification purposes; and a Precise Plan of Design (PPD) to amend the existing sign program for Montclair Place regional mall.

Project Address: 5060 Montclair Plaza Lane (Montclair Place)

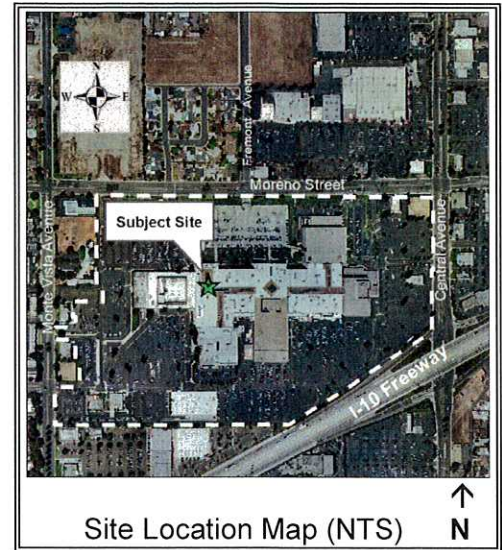
Property Owner: 5060 Montclair Plaza Lane Owner, LLC (CIM Group)

General Plan: Regional Commercial

Zoning: "C-3" (General Commercial) per North Montclair Specific Plan (NMSP)

Assessor Parcel Nos.: 1008-171-07-0000, 1008-181-05-0000, 1008-191-01-0000, 1008-191-02-0000, 1008-191-03-0000, 1008-191-04-0000, 1008-171-11-0000, 1008-171-07-0000, 1008-321-04

Parking: 6,218 parking spaces



Site Location Map (NTS)

ADJACENT LAND USE DESIGNATIONS AND USES

	<i>General Plan</i>	<i>Zoning</i>	<i>Use of Property</i>
Site	Regional Commercial	C-3 (General Commercial) per North Montclair Specific Plan	Montclair Place
North	Specific Plan	TC (Town Center) and CR (Corridor Residential) per North Montclair Downtown Specific Plan	Shopping Center
South	Regional Commercial	C-3 (General Commercial) per North Montclair Specific Plan	Montclair Place
East	Regional Commercial	C-3 (General Commercial) per North Montclair Specific Plan	Montclair Place

Report on Item Number 6.a

CASE NUMBER 2019-02

APPLICATION TYPE(S)	Conditional Use Permit, Variances, and Precise Plan of Design
NAME OF APPLICANT	5060 Montclair Plaza Lane Owner, LLC
LOCATION OF PROPERTY	5060 Montclair Plaza Lane (Montclair Place)
GENERAL PLAN DESIGNATION	General Commercial
ZONING DESIGNATION	"C-3" (General Commercial) per North Montclair Specific Plan (NMSP)
EXISTING LAND USE	Regional Mall
ENVIRONMENTAL DETERMINATION	Categorically Exempt—Sections 15302(b) and 15303(e)
PROJECT PLANNER	Christine Sanchez Caldwell

Project Proposal

The owner of the mall, 5060 Montclair Plaza Lane Owner, LLC/CIM Group, is proposing an amendment to the Master Sign Program for Montclair Place (hereafter Master Sign Program) approved in 2017. The proposed sign program amendment includes replacement of the existing freeway pylon sign with a freestanding digital monument sign, three new secondary tenant identification signs, and an identification ledge sign on the mall's south elevation. To achieve the proposed amendment the applicant is requesting the following approvals:

1. A Conditional Use Permit for the installation of a new electronic message center (EMC) digital monument sign to replace the existing pylon sign; and
2. A Variance to allow for an increased height of the EMC digital monument sign and area of the electronic message screen; and
3. A Variance for the installation of additional freestanding secondary tenant identification monument signs for regional mall identification purposes; and
4. A Precise Plan of Design (PPD) to amend the existing Master Sign Program for the Montclair Place regional mall, to include the proposed news sign types into the existing program.

If approved, the proposed amendment to the current Master Sign Program will complete the rebranding of the property's signage and play a significant role in the overall update of the mall.

Proposed Amendments

New Freeway Electronic Message Center (EMC) Digital Monument Sign

The proposed 95' high by 25' wide high EMC digital monument sign would replace the existing freeway pylon sign that currently reads *Montclair Plaza*. The new EMC digital monument sign would be installed at the same location of the current pylon sign, but will be five (5) feet shorter than the existing pylon sign. The 40' high base is a series of painted aluminum panels angled to create a large-scaled ribbed texture, similar in style as the existing entry monument signs currently located on the mall property.

The EMC portion of the sign consists of a two-sided digital LED screen with a 9x16 aspect ratio. Below the LED screen will be an eight-foot high black band that will accommodate the new branding for the mall that will read, in lower case, "**montclair place**." The proposed conditional use permit is for the installation and use of the EMC sign and the variance associated with this sign is for the increase in the overall screen display area. The proposed digital screen is 25' wide by 48' feet tall (1,200 square feet in area). The EMC ordinance limits the sign's height to 65' and its electronic screen to no more than 260 square feet in area.

In considering the associated variance request for a taller sign height and increased screen area, it should be noted that the proposed sign is five feet lower than what currently exists. For the Commissioner's review, a scaled perspective drawing is included in the Commissioner's packets detailing the scale of the proposed sign in relation to the mall and the proposed three smaller secondary tenant identification monument signs.

New landscaping will be installed below and surrounding the new sign.

Secondary Tenant Identification Monument Signs

Three secondary tenant identification monument signs are proposed along the freeway frontage directly west of the proposed EMC digital monument sign. Overall dimensions of each sign measures 43'-9" high by 16' wide and will be located within three existing parking stalls adjacent to the freeway. Bollards will be placed around the signs for protection.

The proposed secondary tenant identification monument signs are designed in a simple rectangle shape with a base composed of angled aluminum panels to create a scaled ribbed texture similar to that of the proposed digital monument sign. Each sign will accommodate five aluminum panels measuring 5' high by 16' wide for select tenants (by CIM) at the mall. The body of the sign will be black, to match the colors established by the sign program, and sign copy (for each tenant) will be limited to a maximum of two lines. Sign copy (and logos) will be routed out and push-thru acrylic typeface and limited to an area not exceeding 3' high by 13' wide. Both sides of each sign will contain identical verbiage. The proposed variance associated with this sign type is to

allow additional tenant identification monument signs at the mall. The proposed secondary signs will not include digital screens.

Building Mounted Ledge/Parapet Sign

As a part of the proposed Master Sign Program amendment, the applicant is proposing a sign for mall identification on the south elevation. As proposed, individual channel letters spelling out “**MONTCLAIR PLACE**” (all in capital letters) would be installed on the ledge of the existing south elevation parapet in the area that is between JC Penney and the new AMC Theater. Each letter is proposed to be 11'- 8" high for a total sign span of 164 feet. The individual channel letters will be constructed of weathered steel and internally illuminated with LED lighting. During the day, the sign will read black and at night the sign will read white. A support raceway-type of structure will be located behind the parapet and will not be visible to the public. It is important to note that the sign will not have an exposed raceway.

Plans for the proposed new Master Sign Program are included in the Commission packets for reference.

Planning Division Comments

The existing Master Sign Program for Montclair Place rolling out the mall's new branding identity was approved on April 24, 2017, under Case No. 2017-05 "A." As part of the newly established Master Sign Program, new signs were erected around the site including new entry monument/directional signs, new on-site wayfinding signs, an art wall sign at the new food hall, Moreno Marketplace signage, interior directional signs and blade signs, and a junior anchor sign that is now utilized by the Canyon Theater. Although the package of new freeway oriented signs with this amendment has been part of CIMs plan to rebrand the mall, CIM did not want to delay implementing its new sign program while the proposed signs with this application were still in the design development stage.

In regard to the proposed amendments to the existing Montclair Place Master Sign Program, staff finds them to be an impressive undertaking and finds the design elements associated with each new sign to be appropriate and consistent with good planning and design practices. Staff finds the proposed height, size, locations, and design of the proposed sign types are appropriate for the scale and site characteristics of the existing regional mall. At 78-acres in size and building area of 1.2 million square feet of leasable space, the regional mall is unique in terms of its size, use, and importance to the region that warrants a different and wide range approach to signage that is not typically needed for other uses. The types of signs requested by CIM for Montclair Place are characteristic of regional mall developments and consistent with the types of signs currently in use at nearby regional malls such as Victoria Gardens, and Westfield Mall in West Covina. As such, the proposed type, location, size/scale, and number of signs are essential to the ongoing improvements at the mall and its reemergence as a premier destination. Staff has taken these unique characteristics into account while analyzing the proposed sign types.

To fully comprehend the possible impacts of the EMC digital monument sign, a full-scaled mock-up banner of the proposed replacement digital sign was erected for staff's viewing in December 2018. It was determined that no sight-line issues would be created by placement of the signs at the proposed locations and it was further determined that the scale of the sign were appropriate for the size of the property. The proposed digital monument sign will be five feet shorter in height and approximately five feet narrower than the overall width of the current pylon sign. The existing landscape planter can accommodate the proposed digital monument sign and the secondary monument tenant identification signs will be installed in three parking spaces adjacent to the landscape planters; any concerns about scale or sight-line conflicts were abated after viewing the full-scaled mock-up banner placed in the actual proposed location. All the proposed signs are simple in form, yet possess the new understated stylish design being carried out throughout the mall. Lastly, the proposed digital monument sign will conform to the requirements of the Electronic Message Center (EMC) Displays Ordinance as related to operational and maintenance standards of the screen and sign.

In 2016, the City adopted an ordinance to address Electronic Message Center (EMC) displays. The focus of the ordinance was designed to primarily address smaller properties in the City. As an example, for consideration of an EMC on a non-freeway oriented property, 200 lineal feet of street frontage and an area of three acres is required; for consideration of a freeway-oriented EMC, the shopping center is required to have a minimum of 700 feet of continuous lineal frontage along the I-10 and encompass a minimum of seven acres. Montclair Place has approximately 1,700 lineal feet of freeway frontage and encompasses 78 acres in area. As a regional mall, Montclair Place is different than other commerce centers in the City, thereby warranting the applicant's request for an increased digital monument sign than allowed without a variance in the Code. On paper, the height of the sign and proposed 1,200 square foot digital screen may appear large, but considering the context of a 78-acre sized property, distance away from existing buildings (400-750 feet), and the openness of the area around the sign (largely parking fields), the sign will be in proportion to its surroundings, especially when taken together with the proposed shorter tenant identification signs at its side.

As mentioned above, the applicant is also requesting consideration of three new secondary tenant identification monument signs be installed along the freeway frontage. The signs, each 43'-9" in height and 16' wide, will complement the design of the proposed digital monument sign. With 1,700 feet of lineal freeway frontage, staff finds the request for the three additional signs to be warranted and believes the request for a variance to increase the number of secondary signage is reasonable. As a regional mall with 124 current tenants, it is unique in the sense that nearly all of the tenants within the mall are not allowed individual exterior signs of any kind. The proposed tenant identification monument signs offer the opportunity to identify a few of the tenants (larger tenants most likely) within the building. Again, this is a typical sign strategy employed at many large scale commercial centers, and at nearly all regional mall developments. As such, staff recommends approval of the proposed variance to allow additional monument signs for this development.

Lastly, staff finds the proposed channel letter ledge sign to be innovative and a bold design befitting of the mall. This type of signage will create an instant new easily recognizable branding of the mall. Staff finds the ledge sign to be appropriately located and consistent with the provisions of the adopted sign program for the mall.

Conditional Use Permit Findings for the Digital Monument Sign

The necessary findings for granting a CUP for installation of a new digital monument sign at Montclair Place can be made, as follows:

- A. The proposed freeway digital monument sign is desirable to the public convenience and public welfare, in that the sign is an attractive state-of-the-art digital sign that will provide quality mall identification along the I-10 corridor, conveying Montclair Place to be an active and vibrant environment in the city in which to experience.
- B. The granting of the CUP for the digital monument sign will not be materially detrimental to the public welfare and to other property in the vicinity in that the proposed digital monument sign will be installed in the same location as the existing pylon sign. Digital monument signs are compatible with surrounding commercial uses, are commonly found in regional malls, and will not negatively impact any sensitive land uses in the surrounding area. Lastly, the proposed digital monument sign will conform to the requirements of the Electronic Message Center (EMC) Displays Ordinance as related to operational and maintenance standards of the screen and sign.
- C. The proposed digital monument sign conforms to good zoning practice and development standards. At 78 acres in size and a building area of 1.2 million square feet of leasable space, the regional mall is unique in terms of its size, use, and importance to the region that warrants a different and wide range approach to signage that is not typically needed for other uses. The types of signs requested by CIM for Montclair Place are characteristic of regional mall developments and consistent with the types of signs currently in use at nearby regional malls. As such, the proposed type, location, size/scale, and number of signs are essential to the ongoing improvements at the mall and its reemergence as a premier destination.
- D. The proposed digital monument sign in the proposed location is not contrary to the objectives of any part of the adopted General Plan, in that, the General Plan specifically recognizes the importance of retaining the economic viability of Montclair Place, and promotes continued maintenance and improvement of the mall to attract new patronage and new complementary uses to maximize its utilization and intensification of the area's activity. Effective and distinct sign types and their implementation coupled with improved landscaping, as proposed in this application, are key elements of that effort.

Variance Findings for Increased Height and Increased LED Screen Area for Digital Monument Sign

The necessary findings for granting a Variance for a new digital monument sign (Electric Message Center) at the proposed height and screen size can be made, as follows:

- A. The special circumstances applicable to the subject property, including its size, shape, topography, location, or surroundings, the strict application of the provisions of Chapter 11.72.370 of the Montclair Municipal Code is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications. At 78 acres in size, Montclair Place is the largest commercial center in the City with one of the longest frontages of any single use along the I-10 freeway corridor, and where the use is contained in buildings setback approximately 400-750 feet from freeway. Given these characteristics the larger-sized digital screen area and taller sign is warranted as the basic limitations contained in the EMC code would be insufficient to adequately identify this unique use. Moreover, the new EMC sign would replace an existing sign identifying the mall with a taller and wider profile that has been in place since the 1980s.
- B. That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners in the vicinity and under identical zone classifications. The proposed EMC sign enables the mall to be adequately identified with a sign that is commensurate with the size of the development it is associated with. Other commercial uses (auto dealerships) on the freeway have similar types of signs that are more or less in scale with characteristic of their respective properties. The variance allowing the proposed height and screen size for the EMC serving the mall is appropriate in scale for its unique physical characteristics as described above. Furthermore, Montclair Place is a regional mall with a regional consumer base, making the subject property a unique and distinctive retailer by which, based on its 1.2 million square feet of leasable floor area, warrants a distinct freeway sign, recognizing that many retailers not located on the mall property possessing significantly less leasable floor area enjoy freeway sign identification, while nearly all of the mall tenants have no freeway brand identification signage.
- C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to other property or improvements in the vicinity and zone in which the property is located, in that the proposed EMC digital monument sign will be five feet shorter than the existing pylon sign, will be located in the same location as the current pylon sign, that digital monument signs are compatible with surrounding commercial uses, and commonly found in regional malls, and will not negatively impact any sensitive land uses in the surrounding area.
- D. That the granting of such variance will not be contrary to the objectives of any part of the adopted General Plan, in that, the General Plan specifically

recognizes the importance of retaining the economic viability of Montclair Place, and promotes continued maintenance and improvement of the mall to attract new patronage and new complementary uses to maximize its utilization and intensification of the area's activity. Effective and distinct sign types and their implementation coupled with improved landscaping, as proposed in this application, are key elements of that effort.

Variance Findings for Secondary Tenant Identity Monument Signs

The necessary findings for granting a Variance for three additional secondary tenant identification monument signs can be made, as follows:

- A. That because of special circumstances applicable to the subject property, including its size, shape, topography, location, or surroundings, the strict application of the provisions of Chapter 11 of the Montclair Municipal Code and the North Montclair Specific Plan allowing only one monument sign on the freeway frontage is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications. Unlike other typical commercial centers, nearly all of the tenants (except major tenants) within the mall have no opportunity to utilize exterior signage to be identified by the public. As such, interior tenants are dependent on excellent mall signage including the use of freestanding tenant identification monuments signs located at key locations around the property. The proposed location of the freestanding monument tenant signs along the freeway frontage are ideally located to provide the best exposure to the public and promote tenants within the mall.
- B. That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners in the vicinity and under identical zone classifications, in that the overall 78 acres of land area and 1.2 million feet of leasable space makes the mall a unique land use and the addition of three additional well-designed monument signs is essential for identification for mall tenants who do not benefit from freeway identification signage enjoyed by other retailers located along the freeway in similar zones.
- C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to other property or improvements in the vicinity and zone in which the property is located, in that the proposed secondary tenant identification monuments signs will encompass a static traditional understated elegant non-digital screen design thereby complementing the balance of the mall's signage and will not negatively impact any sensitive land uses in the surrounding area.
- D. That the granting of such variance will not be contrary to the objectives of any part of the adopted General Plan, in that, the General Plan specifically recognizes the importance of retaining the economic viability of Montclair Place, and promotes continued maintenance and improvement of the mall to attract new patronage and new complementary uses to maximize its utilization and intensification of the area's activity. Effective and distinct sign types and their

implementation coupled with improved landscaping, as proposed in this application, are key elements of that effort.

Environmental Assessment

The project is deemed to be exempt from the California Environmental Quality Act, pursuant to Sections 15302(b) and 15303(e) of State CEQA Guidelines, in that Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to the replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity; and, accessory (appurtenant) structures. Further, the project does not result in the physical expansion of any existing building and the project site (regional mall) is in an area where all public services and facilities (including ample supply of off-street parking) are available to allow for maximum development allowed as allowed by the underlying commercial zoning and the regional commercial land use designation assigned by the Montclair General Plan. Finally, the area in which the project is located is not environmentally sensitive. Therefore, no further environmental review is required.

Public Notice

This item was advertised as a public hearing in the Inland Valley Daily Bulletin on March 15, 2019, where the item was continued to the April 22, 2019, meeting to provide additional time to refine the proposal. A second advertisement was published on April 12, 2019 in the Inland Valley Daily Bulletin. Public hearing notices were mailed to all property owners within 300 feet of the boundaries of the subject property. At the time of preparation of this report, staff had not received any comments or correspondence from the public regarding the application.

Planning Division Recommendation

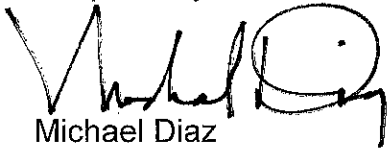
Staff finds the proposed sign program as recommended by staff to be consistent with the Montclair Municipal Code and the adopted General Plan; therefore approval of Case No. 2019-02 is recommended by taking the following actions:

- A. Move that, based on the evidence submitted, a finding is made that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 153302(b) and 15303(e) Class 2, in that the new digital monument sign and three secondary tenant identification monument signs will be located on the same site as the existing sign replaced, and adjoining landscape area, and will have substantially the same purpose and capacity as the structure replaced, including but not limited to the replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity; and, accessory (appurtenant) structures. Further, the project does not result in the physical expansion of any existing building and the project site (regional mall) is in an area where all public services and facilities (including ample supply of off-street parking) are available to allow for maximum

development allowed as allowed by the underlying commercial zoning and the regional commercial land use designation assigned by the Montclair General Plan.

- B. Move to approve a Conditional Use Permit to allow for the installation of a new 95' high by 25' wide electronic message center (EMC) freeway digital monument sign to replace the existing pylon sign to read "montclair place."
- C. Move to approve a Variance to allow for an increased height of the EMC digital monument sign to 95 feet and an increased electronic message screen area of 1,200 square feet.
- D. Move to approve a Variance for the installation of three additional freestanding secondary tenant identification monument signs for regional mall identification purposes to complement the existing Master Sign Program for Montclair Place.
- E. Move to approve a Precise Plan of Design request under Case No. 2019-02, adding a freeway EMC digital monument sign, three secondary tenant identification monument signs, and a 165' long and 11'8" high illuminated ledge sign reading "**MONTCLAIR PLACE**" to the existing Master Sign Program under Case No. 2017-05 "A," subject to the conditions of approval contained in Resolution No. 19-1928.

Respectfully Submitted,



Michael Diaz
City Planner/Planning Manager

MD/lb

Attachments: Draft Resolution No. 19-1928

- c: Josh Elituv, CIM Group, 4700 Wilshire Boulevard, Los Angeles CA 90010
Jon Prystasz, CIM Group, 4700 Wilshire Boulevard, Los Angeles CA 90010
Noah Zeligman, CIM Group, 4700 Wilshire Boulevard, Los Angeles CA 90010

Z:\COMMDEV\cc\CASES\2019-02\CIM FREEWAY MONUMENT SIGNS\ MASTER SIGN PROGRAM AMENDMENT \2019-02\PC1RPT

RESOLUTION NO. 19-1928

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING UNDER CASE NO. 2019-02, A CONDITIONAL USE PERMIT FOR INSTALLATION OF AN ELECTRONIC MESSAGE CENTER (EMC) DIGITAL MONUMENT SIGN, A VARIANCE FOR AN INCREASED HEIGHT AND DIGITAL SCREEN AREA FOR THE EMC DIGITAL MONUMENT SIGN, A VARIANCE FOR THE INSTALLATION OF THREE SECONDARY TENANT IDENTIFICATION MONUMENT SIGNS, AND A PRECISE PLAN OF DESIGN FOR AN AMENDMENT TO THE MASTER SIGN PROGRAM FOR MONTCLAIR PLACE, A REGIONAL MALL, AT 5060 MONTCLAIR PLAZA LANE, IN THE " C-3 GENERAL COMMERCIAL" LAND USE DISTRICT OF NORTH MONTCLAIR SPECIFIC PLAN (NMSP) (APNs 1008-171-07-0000, 1008-181-05-0000, 1008-191-01-0000, 1008-191-02-0000, 1008-191-03-0000, 1008-191-04-0000, 1008-171-11-0000, 1008-171-07-0000, 1008-321-04-0000)

A. Recitals

WHEREAS, on April 24, 2017, the Planning Commissions approved Case No. 2017-05 "A," a Montclair Place Master Sign Program; and

WHEREAS, on March 8, 2019, 5060 Montclair Plaza Lane, LLC, filed an application for an amendment to the Montclair Place Master Sign Program for the subject property; and

WHEREAS, such application includes a request for a Conditional Use Permit for installation of a new 95' high by 25' wide freeway electronic message center (EMC) digital monument sign to replace the existing pylon sign; and

WHEREAS, such application also includes a request for a Variance to allow for an increased height of the EMC digital monument sign and area of the electronic message screen along the I-10 Freeway frontage; and

WHEREAS, such application also includes a Variance for the installation of three additional secondary freestanding tenant identification monument signs for regional mall identification purposes along the I-10 Freeway frontage; and

WHEREAS, said property is a 78-acre regional mall with frontage on Monte Vista Avenue, Central Avenue, Moreno Street, and the I-10 Freeway; and

WHEREAS, said property has approximately 1,700 lineal feet of I-10 Freeway frontage; and

WHEREAS, the subject property is located in the "C-3 General Commercial" zoning district of the North Montclair Specific Plan (NMSP); and

WHEREAS, Chapter 11.72.060.A of the Montclair Municipal Code requires review and approval of a Precise Plan of Design for amendments to sign programs for multi-tenant projects in all commercial and industrial zones; and

WHEREAS, staff has determined that the proposed sign program meets the requirements of the Montclair Municipal Code and North Montclair Specific Plan; and

WHEREAS, the Planning Commission has reviewed the Planning Division's determination that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15302(b) and 15303(e) of State CEQA Guidelines, and based on its own independent judgment, concurs with staff's determination of said exemption and finding of no significant effect on the environment; and

WHEREAS, on April 22, 2019, commencing at 7:00 p.m. in the Council Chambers at Montclair City Hall, the Planning Commission conducted a meeting at which time all persons wishing to testify in connection with said project were heard and said proposal 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. Based upon substantial evidence presented to this Commission during the above-referenced public hearing on April 22, 2019, including written and oral staff reports, together with public testimony, this Commission hereby makes the following findings to approve the Conditional Use Permit for the proposed concert venue:
 - a. The proposed freeway digital monument sign is desirable to the public convenience and public welfare, in that the sign is an attractive state-of-the-art digital sign that will provide quality mall identification along the I-10 corridor, conveying Montclair Place to be an active and vibrant environment in the city in which to experience.

- b. The granting of the CUP for the digital monument sign will not be materially detrimental to the public welfare and to other property in the vicinity in that the proposed digital monument sign will be installed in the same location as the existing pylon sign. Digital monument signs are compatible with surrounding commercial uses, are commonly found in regional malls, and will not negatively impact any sensitive land uses in the surrounding area. Lastly, the proposed digital monument sign will conform to the requirements of the Electronic Message Center (EMC) Displays Ordinance as related to operational and maintenance standards of the screen and sign.
 - c. The proposed digital monument sign conforms to good zoning practice and development standards. At 78 acres in size and a building area of 1.2 million square feet of leasable space, the regional mall is unique in terms of its size, use, and importance to the region that warrants a different and wide range approach to signage that is not typically needed for other uses. The types of signs requested by CIM for Montclair Place are characteristic of regional mall developments and consistent with the types of signs currently in use at nearby regional malls. As such, the proposed type, location, size/scale, and number of signs are essential to the ongoing improvements at the mall and its reemergence as a premier destination.
 - d. The proposed digital monument sign in the proposed location is not contrary to the objectives of any part of the adopted General Plan, in that, the General Plan specifically recognizes the importance of retaining the economic viability of Montclair Place, and promotes continued maintenance and improvement of the mall to attract new patronage and new complementary uses to maximize its utilization and intensification of the area's activity. Effective and distinct sign types and their implementation coupled with improved landscaping, as proposed in this application, are key elements of that effort.
3. Based upon substantial evidence presented to this Commission during the above-referenced public hearing on April 22, 2019, including written and oral staff reports, together with public testimony, this Commission hereby makes the following necessary findings to approve the Variance for a new digital monument sign (Electric Message Center) at the proposed height and screen size can be made, as follows:
 - a. The special circumstances applicable to the subject property, including its size, shape, topography, location, or surroundings, the strict application of the provisions of Chapter 11.72.370 of the Montclair Municipal Code is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications. At 78 acres in size, Montclair Place is the largest commercial center in the City

with one of the longest frontages of any single use along the I-10 freeway corridor, and where the use is contained in buildings setback approximately 400-750 feet from freeway. Given these characteristics the larger-sized digital screen area and taller sign is warranted, as the basic limitations contained in the EMC code would be insufficient to adequately identify this unique use. Moreover, the new EMC sign would replace an existing sign identifying the mall with a taller and wider profile that has been in place since the 1980s.

- b. That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners in the vicinity and under identical zone classifications. The proposed EMC sign enables the mall to be adequately identified with a sign that is commensurate with the size of the development. Other commercial uses (auto dealerships) on the freeway have similar types of signs that are more or less in scale with characteristic of their respective properties. The variance allowing the proposed height and screen size for the EMC serving the mall is appropriate in scale for its unique physical characteristics as described above. Furthermore, Montclair Place is a regional mall with a regional consumer base, making the subject property a unique and distinctive retailer by which, based on its 1.2 million square feet of leasable floor area, warrants a distinct freeway sign, recognizing that many retailers not located on the mall property possessing significantly less leasable floor area enjoy freeway sign identification, while nearly all of the mall tenants have no freeway brand identification signage.
- c. That the granting of such variance will not be materially detrimental to the public welfare or injurious to other property or improvements in the vicinity and zone in which the property is located, in that the proposed EMC digital monument sign will be five feet shorter than the existing pylon sign, will be located in the same location as the current pylon sign, that digital monument signs are compatible with surrounding commercial uses, and commonly found in regional malls, and will not negatively impact any sensitive land uses in the surrounding area.
- d. That the granting of such variance will not be contrary to the objectives of any part of the adopted General Plan, in that, the General Plan specifically recognizes the importance of retaining the economic viability of Montclair Place, and promotes continued maintenance and improvement of the mall to attract new patronage and new complementary uses to maximize its utilization and intensification of the area's activity. Effective and distinct sign types and their implementation coupled with improved landscaping, as proposed in this application, are key elements of that effort.

4. Based upon substantial evidence presented to this Commission during the above-referenced public hearing on April 22, 2019, including written and oral staff reports, together with public testimony, this Commission hereby makes the following necessary findings to approve the Variance for three additional secondary tenant identification monument signs can be made, as follow.
 - a. That because of special circumstances applicable to the subject property, including its size, shape, topography, location, or surroundings, the strict application of the provisions of Chapter 11 of the Montclair Municipal Code and the North Montclair Specific Plan allowing only one monument sign on the freeway frontage is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications. Unlike other typical commercial centers, nearly all of the tenants (except major tenants) within the mall have no opportunity to utilize exterior signage to be identified by the public. As such, interior tenants are dependent on excellent mall signage including the use of freestanding tenant identification monuments signs located at key locations around the property. The proposed location of the freestanding monument tenant signs along the freeway frontage are ideally located to provide the best exposure to the public and promote tenants within the mall.
 - b. That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners in the vicinity and under identical zone classifications, in that the overall 78 acres of land area and 1.2 million feet of leasable space makes the mall a unique land use and the addition of three additional well-designed monument signs is essential for identification for mall tenants who do not benefit from freeway identification signage enjoyed by other retailers located along the freeway in similar zones.
 - c. That the granting of such variance will not be materially detrimental to the public welfare or injurious to other property or improvements in the vicinity and zone in which the property is located, in that the proposed secondary tenant identification monuments signs will encompass a static traditional understated elegant non-digital screen design thereby complementing the balance of the mall's signage and will not negatively impact any sensitive land uses in the surrounding area.
 - d. That the granting of such variance will not be contrary to the objectives of any part of the adopted General Plan, in that, the General Plan specifically recognizes the importance of retaining the economic viability of Montclair Place, and promotes continued maintenance and improvement of the mall to attract new patronage and new complementary uses to maximize its utilization and intensification of the

area's activity. Effective and distinct sign types and their implementation coupled with improved landscaping, as proposed in this application, are key elements of that effort.

5. Based upon the substantial evidence presented to this Commission during the above-referenced hearing on April 22, 2019, including written and oral staff reports together with public testimony, this Commission hereby finds the proposal to an amendment to the Master Sign Program for Montclair Place to be consistent with the overall objectives of the City of Montclair General Plan, the North Montclair Specific Plan, the Montclair Municipal Code, and good planning principles, and approves the application subject to each and every condition set forth below.

Planning

1. This Precise Plan of Design (PPD) approval is for an amendment to the Master Sign Program (under Case No. 2017-05 'A') for Montclair Place, a regional mall, at 5060 Montclair Plaza Lane, as depicted and detailed on approved plans on file with the Planning Division and as described in the staff report. The approved sign program consists of the following elements:

- a. **New EMC Digital Monument Sign** – The EMC digital monument sign shall comply with the following criteria:

- i. The sign shall not exceed 95' in height and 25' in width;
- ii. The sign shall maintain a two-sided LED screen with a 9x16 aspect ratio;
- iii. The LED screen shall not exceed 1,200 square feet in area;
- iv. The sign will comply with the operational and maintenance requirements of the EMC ordinance pursuant to Chapter 11.72.370 of the Montclair Municipal Code;
- v. The sign shall be located in the landscape planter where the existing pylon sign currently exists and where depicted on the approved site plan and accompanying plans; and
- vi. The signs shall be fabricated and installed as depicted in the approved amended sign program plans dated March 7, 2019 and as described in the staff report.

- b. **Secondary Tenant Identification Monument Signs** –The new secondary tenant identification monument signs shall comply with the following criteria:

- i. Maximum of three (3) three secondary freestanding tenant identification signs as depicted in the amended sign program shall be allowed.

- ii. Maximum size of each sign shall be 43'-9" high. The sign will accommodate up to no more than five individual tenant identification panels;
 - iii. The body of the signs will be black to match the colors established by the amended Master Sign Program;
 - iv. Sign copy and logos will be routed out and push-thru acrylic typeface and limited to an area not exceeding 3' high by 13' wide;
 - v. Both sides of the signs will contain identical verbiage;
 - vi. The secondary tenant identification monument signs shall not contain digital screens; and
 - vii. The signs shall be fabricated and installed/located as depicted in the approved amended sign program plans dated March 7, 2019 and as described in the staff report.
- c. **Building Mounted Ledge/Parapet Sign** –The new ledge/parapet sign shall comply with the following criteria:
- i. The sign shall be constructed of individual channel letters spelling out "MONTCLAIR PLACE" all in capital letters.
 - ii. The individual channel letters shall be 11'-8" high with a total lineal span of 164';
 - iii. The letters will be constructed of weathered steel and internally illuminated with LED lighting;
 - iv. The support "raceway structure" supporting the letters/sign will be located behind the parapet and will not be visible to the public; and
 - v. The signs shall be fabricated and installed/located as depicted in the approved amended sign program plans dated March 7, 2019 and as described in the staff report.
6. CUP and Variance approvals shall be valid for six (6) months and shall automatically expire on the anniversary date of Planning Commission approval unless the applicant is diligently pursuing building plan check toward interior tenant improvements for the concert venue and restaurant/bar. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's CUP and Variance expiration date.
7. This 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 and building permits to allow 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.

8. No changes to the provisions of the approved sign program shall be permitted without prior City review and approval. Any modification, intensification, or expansion of the use and design plan beyond that which is specifically in the approved sign program, with this CUP, Variance, and PPD, shall require review and approval by the Planning Commission.
9. Within five (5) days of approval by the Planning Commission, the applicant shall submit the following payments to the Planning Division:
 - a. A check in the amount of **\$50.00**, payable to "Clerk of the Board of Supervisors," to cover the County administrative fee for filing a Notice of Exemption as required by the California Environmental Quality Act (CEQA).
 - b. A check in the amount of **\$682.28**, payable to the "City of Montclair," to cover the actual cost of publishing a Notice of Public Hearing in a newspaper of general circulation (Inland Valley Daily Bulletin) as required by state law.
10. In establishing and conducting the subject use, the applicant shall at all times comply with any and all laws, ordinances and regulations of the City of Montclair, the County of San Bernardino and the State of California[, including but not limited to Chapter 11.72.370 of the Montclair Municipal Code. Approval of this CUP and Variances shall not waive compliance with any such requirements.
11. A complete and revised Montclair Place Master Sign Program document incorporating all of the approved sign types and locations (installed or uninstalled) shall be submitted to the Planning Division in hard copy spiral bound form (two copies) and in electronic form. Dimensions, locations, sign types, etc., shall all be included in the document. The document shall be submitted to the Planning Division within 45 days of this approval.
12. The landscape improvements associated with this sign approval shall be constructed in accordance with the submitted plans dated March 7, 2019, and shall be completed at the time of installation of the EMC digital monument sign and the three secondary tenant identification monument signs.
13. An approved sign permit and issuance of a building permit(s) shall be required prior to the installation of each new sign authorized by this sign program.
14. No sign permits shall be issued for individual business(es) that do not possess a valid City of Montclair business license.

15. No exposed raceways or electrical conduit/wire shall be allowed on the exterior visible face of any building for any building-mounted sign.
16. All signs shall be maintained in good and/or working condition at all times, including regular cleaning. All damage and/or defective parts shall be immediately repaired or replaced as necessary. Any graffiti, etching, discoloration, etc., shall be removed and surfaces refinished as necessary to restore original or like new appearance.
17. Damage to panel/wall surfaces, or any other exterior feature, when signs are removed shall be repaired prior to the installation of any new sign(s). "Ghost" images of previous signs shall be painted out to the satisfaction of the City Planner.
18. Temporary promotional signs shall comply with Chapter 11.72 of the Montclair Municipal Code, including, but not limited to, the following:
 - a. Temporary banners for the purpose of announcing the grand opening or advertising promotions shall require banner permits from the Planning Division prior to installation.
 - b. Promotional window signs shall not occupy more than 25 percent of the aggregate window area.
 - c. At no time shall pennants, inflatable signs, "human" signs, other similar advertising devices be utilized on the property or off-site.
19. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
20. To ensure compliance with the provisions of this Planning Commission approval, a final inspection is required from the Planning Division when work has been completed on any sign. The applicant shall inform the Planning Division and schedule an appointment for such an inspection.
21. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void or annul, the any action of, or permit or approval issued by the City and/or any of

its officials, officers, employees, agents, departments, agencies, and instrumentalities, thereof (including actions approved by the voters of City), for or concerning the project, whether such Actions, are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any action brought and City shall cooperate with the applicant in the defense of the Action.

Building Division

22. The applicant shall comply with the latest adopted California Building 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 submitted plans.
23. Submit four complete sets of plans including the following:
 - a. Site/Plot Plan fully dimensioned showing structures to be demolished and locations of proposed structures. Show all dedications, easements and right of ways located in close proximity of the proposed structures.
 - b. Electrical Plans including dedicated circuits, conduit routing, size and materials, feeder sizes, disconnects, over current protection ratings, low and high voltage separation, routing on site plan to the panel providing circuits to signs, and single line diagrams.
24. Waste recycling plan, recycling 65 percent of all construction debris.
25. Submit two sets of structural calculations and soils report.
26. Submit two sets of energy conservation calculations.
27. Architect's/Engineer's stamp and signature are required prior to plan check approval.
28. Contractors must show proof of State Contractors License and City Business Licenses and Workers' Compensation Insurance coverage to the City prior to permit issuance.
29. Provide a certification from the Civil Engineer of record, certifying that the structures are being constructed in the proper location and will not be encroaching into any dedications, easements or right of ways.

30. Provide an approval letter from the property owner prior to submitting plans for review.
31. All utility services to the project shall be installed underground.
32. Plans shall be submitted for plan check and approved prior to construction. All plans shall be marked with the project file number.
33. Construction activity shall only be permitted from the hours of 7:00 a.m. to 8:00 p.m. daily.
34. A demolition permit shall be obtained for any existing structures, which will be partially or totally removed. An Asbestos Report to certify complete removal of all asbestos prior to issuance of the demolition permit. In addition, provide verification that notification to the AQMD (Air Quality Management Department) has been completed.
35. 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.
36. Tower access ladders shall also be located entirely inside the structure. Exterior structure mounted ladders are not permitted.
37. Contractor shall pay in advance for inspection services performed outside the scope of normal inspection procedures, regular business hours, or in addition to the regular number of inspection allotted. Contractor is to make advance arrangements with the Building Division for inspections to be performed outside of regular business hours or outside the scope of regular inspections.
38. All illuminated signs shall have visible UL identification on each letter or character. Per the California Electrical Code, an electrical disconnect shall be provided within sight of the sign.
39. Provide a plan showing safeguards during construction. This may include, but may not be limited to; traffic diversion or controls, parking restrictions, coordination with Cal-trans requirements, etc.
40. Submit two sets of structural calculations, if required, and two sets of energy conservation calculations.

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

APPROVED AND ADOPTED THIS 22ND DAY OF APRIL 2019.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____
Barry Rowley, Chair

ATTEST: _____
Michael Diaz, Secretary

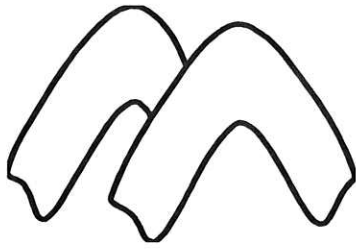
I, Michael Diaz, Secretary of the Planning Commission of the City of Montclair, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Montclair, at a regular meeting of the Planning Commission conducted on the 22nd day of April 2019, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

z:\COMMDEV\CSCALDWELL\CASES\2019-02PC\RESOLUTION



CITY OF MONTCLAIR
PLANNING COMMISSION

MEETING DATE: 4/22/2019

AGENDA ITEM 6.b

Case No. 2018-21

Application: A Precise Plan of Design (PPD) request to construct a 69,182-square-foot addition to an existing 64,814-square-foot tilt-up industrial building on a 6.15 gross acre site.

Project Address: 10830 Ada Avenue

Property Owner: JNT Group LLC
 5202 Mountain Springs Ranch Rd.
 La Verne, CA 91750

General Plan: Industrial Park

Zoning: MIP (Manufacturing Industrial Park)

Assessor Parcel No.: 1011-281-12-000

City/Public Utility Easements: None



Adjacent Land Use Designations and Existing Uses			
	General Plan	Zoning	Existing Use of Property
Site	Industrial Park	MIP (Manufacturing Industrial Park)	The 3.2-acre vacant portion of the existing 6.15-acre parcel (west of an existing 64,812-square-foot industrial building)
North	Industrial Park	MIP (Manufacturing Industrial Park)	5185 Cliffwood Ave. Furniture Warehousing (Hisonic International Inc.) 5157 Cliffwood Ave. Electronic Warehousing (Paul Audio Inc.)
East	Commercial Service San Bernardino County	CS (Commercial Service) San Bernardino County	8 existing single-family residential homes & 2 warehousing/parking lot uses
West	Industrial Park	M1 (Limited Manufacturing)	Industrial Uses
South	Business Park	C3 (General Commercial)	Public Storage

Report on Item Number 6.b

PUBLIC HEARING - CASE NUMBER 2018-21

APPLICATION TYPE(S)	Precise Plan of Design
NAME OF APPLICANT	JNT Group LLC
LOCATION OF PROPERTY	10830 Ada Avenue
GENERAL PLAN DESIGNATION	Industrial Park
EXISTING ZONE DISTRICT	MIP (Manufacturing Industrial Park)
EXISTING LAND USE	Vacant land (west of an existing 64,812-square-foot industrial building)
ENVIRONMENTAL DETERMINATION	Mitigated Negative Declaration (MND)
PROJECT COORDINATOR	Yvonne Nemeth

Project Description

The applicant is requesting approval of a Precise Plan of Design (PPD) to construct a 69,182-square-foot addition to the existing 64,814-square-foot industrial building built in 2003 on the subject 6.15-acre parcel. The new addition will be located on the undeveloped western half of the site and when completed will double overall size of the building on the parcel. Construction activities for the project would consist of site preparation, building construction, paving, and landscaping on the undeveloped western half of the site. The existing tenants are EC Industrial Supply Inc. and Reach Cooling. However, EC Industrial Supply Inc. would be the occupant of the newly expanded building.

The elements of the proposed building are broken down as follows:

Proposed Building (Phase II)	
<i>Use</i>	<i>Square Footage</i>
Warehouse Area	62,528 SF
Ground Office Space	3,897 SF
Mezzanine Office Space	2,757 SF
Total	69,182 SF
*Phase I for existing 64,814 s.f. building was approved under Case No. 2003-2.	

The proposed office area includes a lobby, kitchen/break room, workstations, conference room(s), restrooms, stairways, and office storage.

The proposed addition is designed to match the design characteristics (including floor plan) of the existing concrete tilt-up building constructed in 2003. When completed, both buildings will appear as one large building and be interconnected. Exterior design features included projecting canopies at office areas and the use of reflective glass windows.

Parking

The minimum number of parking spaces required for this site and uses is based on the overall square footage for both the existing and proposed buildings. The applicant is proposing 216 parking spaces, which is 37 more spaces than required for the entire development of the site. The following table shows the breakdown of parking for the site:

Overall Parking			
Building	Square Footage	Parking Required*	Parking Provided
Existing Building (2003)	64,812 SF	89	68 (-21)
New Building	69,182 SF	90	148
Total	133,994 s.f.	179	216 (+37)
* MMC: Office - 1 space per 250 s.f. Warehouse – 1 space per 1,000 square feet			

Parking for the project is located at the entrances of the office areas of each building and around the perimeter of the site. In addition, nine bicycle parking spaces are provided at the entrance of the new addition.

Pursuant to the Municipal Code, one loading space is required for every 15,000 square feet for a total of five loading spaces required for the new expansion. The applicant is proposing to meet the minimum requirement for a total of five loading spaces along the south side where the existing seven dock doors are located. Two existing driveways serve the site - one along the north side of the site and the main drive on the south side. The south driveway provides primary truck access to the loading docks on the south side of the building(s).

Landscaping

The primary landscape area for the project is the front setback area fronting Ada Avenue along with smaller pockets of landscaping along the south and north sides of the property within required setbacks. The Water Quality Management Plan (WQMP) prepared for the project requires a new landscape design for the existing front setback area to serve as a bio-retention basin for the site. Accordingly, the new landscape design includes new trees, shrubs, ground cover, river rocks, and boulders. All new plant materials are water-saving varieties, and the new irrigation system will conserve water in compliance with the City's Water Conservation Ordinance.

Six of the existing trees that backs up against the building will need to be removed to accommodate the new bio-retention basin, but will be replaced with new trees that include eleven 24" Podocarpus graciliors (Fern Pines), two 36" Koelreuteria bipinnata (Chinese Flame Trees), and nine 15-gallon Callistemon citrinus (Lemon Bottombrush trees). However, the seven existing mature sized Camphor Trees (Cinnamomum camphora) will be protected along the street frontage. In addition, existing three Crape Myrtles and two Queen Palms will remain untouched.

Plans for the proposed project are included in the Commission's packets for reference.

Background

- On June 3, 1964, the property was annexed into the City as part of Annexation No. 2. The areas surrounding the site immediately to the west, north, and south are developed with industrial buildings and/or uses, including some with outdoor storage. Along the east side of the project site, there are existing legal, non-conforming residential properties within the County of San Bernardino's jurisdiction.
- In 2003, APR Wonder Group LLC purchased the property and received a Precise Plan of Design approval under Case No. 2003-2. The project was originally intended to be developed in two phases, with Phase I (existing 64,812-square-foot building) being completed in 2003 on the front (eastern) half of the site. Development of Phase II was contingent upon the availability of funding.
- According to County of San Bernardino records, APR Wonder Group LLC sold the property to JNT Group LLC on July 12, 2006. The current site is leased to two separate businesses: EC Industrial Supply Inc. and Reach Cooling. EC Industrial Supply Inc. is a wholesale and manufacturer of international components and products (i.e., hot forging, screw machining, stamping, die-casting, wire forming, fabrication, fasteners, plastics and rubber). Reach Cooling is also a wholesaler of radiators, condensers, and intercoolers for automotive and heavy duty truck applications.

Planning Division Comments

Staff is supportive of the proposed project with conditions of approval. As mentioned above, the project mirrors the existing building and when completed the existing and new buildings will appear as one. Moreover, the same tenant located within the existing building will occupy the new space so staff does not anticipate any future concerns since the use will not change. Since the immediate area surrounding the site is largely developed with industrial buildings and/or uses, including some with outdoor storage, the new building will fit in appropriately.

In compliance with current local and state laws, the trash enclosure, exterior lighting, landscaping, and required elements of the approved Water Quality Management Plan (WQMP) are accommodated in the project. Although no outdoor storage is proposed at this time, staff observed some existing outdoor items (i.e., pallets) located along the north and west sides of the property. The applicant's representative confirmed that this is only temporary, and will be moved inside the new warehouse building once it is constructed.

Staff is not aware of any past noise complaints regarding current or past uses, and does not expect the proposed use, as conditioned with this approval, to have any significant negative impacts on the adjacent land uses since the operation has been industrial for a number of years.

Traffic

Staff observed that the site and surrounding businesses appear to be low-key operators generating relatively low volumes of traffic in the area. However, with the 69,182-square-foot expansion, staff was initially concerned with the increased traffic flow along Ada Avenue. As part of the Initial Study, a traffic analysis was prepared and generated by a traffic consultant. The estimated trip generation for the entire project resulted less than 33-peak hour trips, which is overall less than the 50-peak hour trips (morning and evening) threshold, and deemed to pose no significant negative impacts. The analysis was based on the *ITE Trip Generation Manual (10th Edition)*, published by the Institute of Transportation Engineers (ITE) and the County of San Bernardino traffic analysis requirements. Moreover, the Director of Public Works has reviewed and approved the traffic analysis provided by the traffic consultant. Further, details are discussed in the IS and are included in the Commission's packets for review.

Environmental Assessment

Due to the size and scope of the project, the preparation of an Initial Study (IS) was required to meet the requirements of California Environmental Quality Act (CEQA). As such, an Initial Study was prepared and released for public review and comment on March 15, 2019. 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 by the IS as subject to potential environmental impacts were limited to Cultural Resources and Tribal Cultural Resources. Three (3) mitigation measures are proposed and are included as conditions of approval for the project. Therefore, a Mitigated Negative Declaration (MND) is proposed for the project.

Public Notice

Availability of the Initial Study and notice of the public hearing was advertised in the Inland Valley Daily Bulletin newspaper on March 15, 2019. In addition, notices were mailed to all responsible agencies and all trustee agencies responsible for resources affected by the project to obtain the recommendations of those agencies in accordance with CEQA Section 15053.G for consideration of these discretionary entitlements. As of this writing, no comments have been submitted to staff.

Planning Division Recommendation

Staff recommends the Planning Commission find the proposal to construct a new, 69,182-square-foot industrial/warehouse addition to an existing 64,812-square-foot industrial building on a 6.15-acre site at the northwest corner of Mission Boulevard and Ada Avenue to be compatible with surrounding land uses. Staff further recommends the Planning Commission approve the proposed project by taking the following actions:

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

1. Certify 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 construction of the 69,182-square-foot industrial/warehouse building expansion and associated parking and landscaping improvements; 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 the applicant to pay appropriate fees within five (5) days of this action.
- B. Approve the Precise Plan of Design request for the site plan, elevations, conceptual landscape plan, colors and materials associated with the proposed 69,182 square-foot industrial/warehouse building expansion and associated site development improvements on the 6.15-acres site at 10830 Ada Avenue, per the submitted plans and as described in the staff report, subject to conditions of approval contained in Planning Commission Resolution No. 19-1927.

Respectfully Submitted,



Michael Diaz
City Planner

MD/le

c: Sylvia Tran, XEBEC Building Company, 3010 Old Ranch Parkway, Suite 470, Seal Beach, CA 90740

z:\COMMDEV\MD\CASES\2018-21 PC REPORT

RESOLUTION NO. 19-1927

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING A PRECISE PLAN OF DESIGN UNDER CASE NO. 2018-21 FOR THE SITE PLAN, FLOOR PLANS, ELEVATIONS, COLORS, MATERIALS, AND CONCEPTUAL LANDSCAPE PLAN FOR A 69,182-SQUARE-FOOT INDUSTRIAL WAREHOUSE BUILDING AT 10830 ADA AVENUE (APN 1011-281-12).

WHEREAS, on January 15, 2003, the previous property owner APR Wonder Group LLC, received a Precise Plan of Design (PPD) approval under Case No. 2003-2 to develop the site in two phases, with the first phase developed as a 64,812-square-foot tilt-up industrial building, and the other half of the lot to remain undeveloped due to financial constraints; and

WHEREAS, on September 10, 2018, the current property owner JNT Group LLC, filed an application for a Precise Plan of Design under Case No. 2018-21, to develop the second phase on the remaining half of the total 6.15-acre lot; and

WHEREAS, the 6.15-acre site is located within the MIP - Manufacturing Industrial Park zone with direct access to Ada Avenue, a fully developed street; and

WHEREAS, the applicant proposes to develop a 69,182-square-foot industrial/warehouse building expansion and added site improvements on the undeveloped western portion of the site; and

WHEREAS, the PPD pertains to the site plan, floor plan, elevations, colors, materials, and conceptual landscape plan associated for the expansion to an existing industrial/warehouse building on a developed site; and

WHEREAS, the new industrial/warehouse building expansion is appropriately situated on the site with on-site parking for 216 vehicles; and

WHEREAS, staff has determined the proposal meets the intent and applicable development standards of the MIP (Manufacturing Industrial) zoning district; and

WHEREAS, City staff provided notice of the project to the San Manuel Band of Mission Indians, Soboba Band of Luiseno Indians, and Gabrieleño Band of Mission Indians Kizh Nation; and

WHEREAS, only the Gabrieleño Band of Mission Indians Kizh Nation requested consultation, which was subsequently conducted via conference call on November 14, 2018, at which time modifications to proposed mitigation measures addressing Tribal Cultural resources were discussed and agreed to; and

WHEREAS, City staff prepared and provided a response letter with revised mitigation measures to the Gabrieleño Band of Mission Indians Kizh-Nation, which were formerly accepted on January 5, 2019, and which concluded their request for consultation; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the City prepared an Initial Study for the project and released it for a 20-day public review and comment, beginning on March 15, 2019, and ending on April 3, 2019, with no comments received by staff; and

WHEREAS, based on the findings of the Initial Study, staff has determined that the project could have a significant impact on the environment. However, revisions to the project have been made by or agreed to by the project proponent to reduce to no significant effects on the environment. In addition, implementation of proposed mitigation measures identified as subject to potential environmental impacts were Cultural Resources and Tribal Cultural Resources. Three (3) mitigation measures have been proposed and are included as conditions of approval for the project. As such, a Mitigated Negative Declaration (MND) is proposed for the project; 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 finds there is no substantial evidence the project may have a significant effect on the environment with the implementation of mitigation measures and directs staff to prepare a Mitigated Negative Declaration and adopt the proposed Mitigated Negative Declaration and finding that there will be a DeMinimis impact on fish and wildlife; and

WHEREAS, a Notice of Public Hearing was duly given and posted in the manner and for the time frame prescribed by law; and

WHEREAS, on April 22, 2019, 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 application 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. This Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

SECTION 2. Based upon substantial evidence presented to the Planning Commission during the above-referenced hearing on April 22, 2019, including written and oral staff reports together with public testimony, this Planning Commission hereby finds the proposal to be consistent with the overall objectives of the City of Montclair's General Plan, Montclair's Municipal Code, and good planning principles, and approves the application, subject to conditions of approval set forth below:

Planning

1. This Precise Plan of Design (PPD) approval is for the construction of a new, 69,182-square-foot industrial/warehouse building expansion and associated site improvements, including additional parking and landscaping for the property located on the west side of an existing 64,812-square-foot building on Ada Avenue, as described in the staff report and depicted on approved plans.
2. PPD approval shall be valid for a period of one year and shall automatically expire on the anniversary date of the Planning Commission approval, unless the applicant has submitted plans for, and is diligently pursuing, building plan check and building permits to allow eventual construction of the project. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's PPD expiration date.
3. No changes to the approved set of plans, including the exterior design and materials/finishes, shall be permitted without prior City review and approval. Any modification, intensification, expansion of the use, or outdoor use, and design plan beyond that which is specifically approved with this PPD shall require review and approval by the Planning Commission.
4. In establishing and conducting the subject use, the applicant shall at all times comply with any and all laws, ordinances, and regulations of the City of Montclair, the County of San Bernardino and the State of California. Approval of this PPD shall not waive compliance with such requirements.
5. Within five (5) days of approval by the Planning Commission, the applicant shall submit the following payments to the Planning Division:

- a. A check in the amount of \$2,404.75 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 for the proposed Mitigated Negative Declaration as required by the California Environmental Quality Act (CEQA).
 - b. A check in the amount of \$822.74, the actual cost of publication, 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.
6. The applicant and property owner shall sign an Acknowledgment of Conditions form and submit the document to the Planning Division within 15 days of receipt of the Planning Commission Resolution.
7. The applicant and/or property owner shall ensure that a copy of the Planning Commission Resolution, including all conditions of approval, be reproduced on the first page of the construction drawings and shall be distributed to all design professionals, contractors, and subcontractors participating in the construction phase of the project.
8. Any future business(es) occupying the completed building shall be required to obtain and maintain valid business licenses and comply with all applicable City regulations at all times. As part of the routine review process for each new business license application, the property and subject lease spaces will be inspected to ensure compliance with all applicable codes, including the provision of adequate on-site parking.
9. No outdoor pay phones, loudspeakers, or vending machines shall be installed or placed on the property.
10. All automobile parking spaces shall be clearly delineated with double-line (e.g. "hairpin") striping.
11. There shall be no outdoor storage of personal or other items (including motor vehicles) not directly related to the primary use of the property shall be prohibited anywhere on the exterior of the site.
12. No temporary or permanent living quarters shall be established on the premises within any building or motorhome/recreational vehicle. Indications that the property is being used as temporary or permanent living quarters, including action such as spending a significant time at the location on more than one day and/or sleeping at the location.
13. Future business operations of the site shall be subject to the applicable noise requirements of Chapter 6.12 of the Montclair Municipal Code.

14. The placement and design of any walls and or fence on the site shall be consistent with the submitted conceptual plans and shall match the overall appearance and colors of the existing building. Fences and walls shall be constructed of durable, easily maintained materials, and shall also meet the following requirements:
 - a. Metal fencing shall have a durable finish in a color that matches the existing fence to the satisfaction of the City Planner.
 - b. The maximum height of the fence shall not exceed eight feet (8'-0") along the interior side or rear property line, as adjusted for existing grade conditions and subject the satisfaction of the City Planner.
 - c. Applicant shall coordinate with adjoining property owners when developing a fence/wall plan to avoid double fence/wall conditions to the west and south.
 - d. Electric wire, barbed, or concertina wire is strictly prohibited.
 - e. Any proposed block walls shall entirely match the existing and incorporate a finished cap piece (except concrete tilt-up walls). Unfinished gray colored masonry block is prohibited.
 - f. Any gates on the premises shall be made accessible to emergency personnel (Police/Fire/Building and Safety) during times when they are closed. Contact Scott Sherwood, Deputy Fire Marshal, at (909) 447-3552 or ssherwood@cityofmontclair.org for further information on requirements.
15. All proposed exterior lighting shall comply with the following standards:
 - a. Provide a minimum maintained illumination level of one (1) foot-candle across the site.
 - b. All lighting fixtures shall be vandal-resistant and of a design that complements the architecture of the building.
 - c. All parking lot and other freestanding light fixtures shall incorporate 90-degree cut-off style luminaires and flat lenses so as to direct illumination downward to the surface to be illuminated and away from public rights-of-way surrounding the subject site.
 - d. Freestanding light fixtures and poles shall not exceed a maximum height of 25'-0" as measured from adjacent grade to top of luminaires, and match existing.

- e. Above-grade concrete support pedestals for all proposed freestanding light poles throughout the project site shall be clad in a color coordinated stucco finish to complement the main building.
 - f. Wall-mounted fixtures shall be shielded. The use of unshielded wall packs, barn lighters, other similar unshielded luminaires, and/or decorative lighting installed solely for the purpose of illuminating the roof shall be permitted.
 - g. "Wall-washers" or decorative landscape lighting shall be subject to review and approval by the Planning Division.
16. The trash enclosure(s) shall have a solid roof cover and be designed to complement the overall architecture of the main building. Contact Burrtec Waste Industries to determine the number of required bins to support the most likely end user(s) of the building.
17. Prior to issuance of a Certificate of Occupancy, the applicant shall install approved landscaping materials on the site to the satisfaction of the City Planner. The following standards shall apply:
- a. Seven existing 24"-30" Cinnamomum Camphora (Camphor Trees) that fronts Ada Avenue shall remain preserved and in good health. If the said tree(s) die or appears to be in poor health over time, the applicant shall replace each one like-for-like to the satisfaction of the City Planner.
 - b. All shrubs shall be minimum five-gallon container size (except herbaceous perennials and woody spreading shrubs on slopes).
 - c. Three inches in depth of shredded mulch must be placed on top of the jute netting to control erosion on any slopes.
 - d. A minimum of 3 inches of bark mulch (shredded or chips) shall be provided on all non-sloped, planted areas.
 - e. All newly planted trees shall be minimum 24-inch box size and properly double-staked for a maximum of two years from the date of this approval.
 - f. *Muhlenbergia capillaris* must be planted a minimum spacing of 4 feet on center to maintain growth and ease in maintenance.
 - g. *Muhlenbergia lindeheimeri* 'Autumn Glow' must have a minimum spacing of 5 feet on center to maintain aesthetical growth and ease in maintenance.
 - h. *Nerium Oleander* shall be removed and replaced with a different small scale foundation planting option that does not die due to disease.

- i. *Pennisetum setaceum* 'Fountaingrass' shall be removed and replaced with either *Muhlenbergia rigens*, *Bouteloua gracilis*, or *Aristida purpurea*.
 - j. All landscape planting areas shall have 100 percent irrigation coverage by a permanent automatic irrigation system.
18. All landscaping and permanent irrigation systems shall be maintained in accordance with the approved site and/or landscape plan to ensure water use efficiency.
19. Any plant material that does not survive, or is removed or destroyed, shall be replaced upon its demise or removal with plant material of a like type and size as that originally approved and installed.
20. Plant material shall not be severely pruned such that it stunts or deforms its natural growth pattern or characteristic feature(s). 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, that results in the removal of the normal canopy and/or disfigurement of the tree shall be replaced with a tree of similar size and maturity as that which was removed or as required by the City Planner.
21. Signage on the building shall be limited to the name of the business only and numerical address. A monument sign may be installed subject to City review and approval. A separate Sign Permit Application shall be submitted by the property owner (or licensed sign contractor) for the abovementioned sign(s) to the Planning and Building Divisions for review, approval, and issuance of all necessary permits prior to installation of any sign(s).
22. Temporary promotional signs shall comply with Chapter 11.72 of the Montclair Municipal Code. Temporary banners for the purpose of announcing a grand opening or promotional event shall require a banner permit from the Planning Division prior to installation.
23. No portable flags, pennants, spinners, painted-on signs, off-premise signs, trailer-mounted electronic sign/message boards or other similar types of portable signs shall be allowed.
24. No exterior surface-mounted exposed ducts, conduit or electrical lines shall be allowed on walls, awnings, or other exterior faces of the building. In addition, all electrical switchgear, meters, etc., shall be screened or housed in an enclosure to the extent allowed by the utilities.

25. All roof-mounted mechanical equipment (e.g., vents, meters, HVAC units, ducts, conduit, satellite dishes, photovoltaic systems, etc.), enclosures or equipment screen walls shall not project above the roof parapet.
26. Screening of roof-mounted equipment shall be accomplished with mechanical roof wells recessed below the roof line or by solid and permanent roof-mounted screens. Screening shall be compatible with the architectural style, materials, and color of the building upon which the equipment is located, subject to the approval of the City Planner.
27. Ground-mounted mechanical equipment shall be fully screened from view from streets or surrounding residential or commercial uses by a combination of decorative walls and an evergreen hedge equal to or exceeding the height of the equipment.
28. Access to the roof of the building shall be from within the structure and not by means of roof access ladders mounted to the exterior of the building.
29. All on-site ground-mounted mechanical equipment, including, but not limited to, utility meters, air conditioners, condenser units, and repair equipment shall be located within the building or on the exterior of the building only when necessary and screened in a manner that is compatible with the architectural design of the building, subject to the satisfaction of the City Planner.
30. Freestanding electrical transformers and double-check detector assembly (DCDA) equipment shall be painted to match the landscaping or 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 visually unobtrusive as possible.
31. The property owner shall be responsible for maintaining all buildings, yards, structures, signs, parking areas and other improvements in such a manner that does not detract from the appearance of the surrounding area. Parking lots shall be maintained in an attractive and suitable fashion with any potholes, significantly cracked or uneven paving, and any other significant damage repaired in a timely fashion throughout the life of the project.
32. Graffiti or etching of glass areas on the building or on other site improvements shall be removed/replaced immediately by the applicant/property owner upon notification by the City.
33. To ensure compliance with the provisions of this Planning Commission approval, a final inspection is required from the Planning Division when work has been completed. The applicant shall inform the Planning Division and schedule an appointment for such an inspection.

34. The applicant shall agree to defend, at its sole expense, any action brought against the City, its agents, officers, or employees because of the issuance of this approval; or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees for any court costs and attorney fees that the City, its agents, officers, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve applicant of its obligations under this condition.

CEQA Mitigation Measures

35. Mitigation Measure Cul-1: Prior to the issuance of a grading permit, the project developer shall provide a letter to the City of Montclair Building Division from a qualified professional archeologist meeting the Secretary of Interior's Professional Qualifications for Archaeology as defined at 36 CFR Part 61, Appendix A, stating that the archeologist has been retained to provide on-call services in the event archeological resources are discovered. The archeologist shall be present at the pre-grading conference to establish procedures for archeological resource surveillance. In the event a previously unrecorded archaeological deposit is encountered during construction, all activity within 50 feet of the area of discovery shall cease and the City shall be immediately notified. The archeologist shall be contacted to flag the area in the field and determine if the archaeological deposits meet the CEQA definition of historical (State CEQA Guidelines 15064.5 (a)) and/or unique archaeological resource (Public Resources Code 21083.2(g)). If the find is considered a "resource," the archeologist shall pursue either protection in place or recovery, salvage and treatment of the deposits. A qualified archaeologist and a Native American Monitor of Gabrieleño Ancestry shall evaluate all archaeological resources unearthed by project construction activities. If the resources are Native American in origin, they shall have the opportunity to consult with the City and/or project developer on appropriate treatment and curation of these resources. If unique archaeological resources cannot be preserved in place or left in an undisturbed state, recovery, salvage and treatment shall be required at the applicant's expense. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the archaeologist. Resources shall be identified and curated into an established accredited professional repository. The archaeologist shall have a repository agreement in hand prior to initiating recovery of the resource. Excavation as a treatment option shall be restricted to those parts of the unique archaeological resource that would be damaged or destroyed by the project.

36. Mitigation Measure TCR-1: Prior to the issuance of any grading permit for the proposed project, the City of Montclair shall ensure that the project applicant retain the services of a Tribal monitor approved by the Gabrieleño Band of Mission Indians-Kizh Nation for Native American monitoring during ground-disturbing activities. This provision shall be included on proposed project plans and specifications. Ground-disturbing activities are defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that may include, but are not limited to, pavement removal, pot-holing or augering, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The project site shall be made accessible to the monitor(s) provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall be approved by the Gabrieleño Band of Mission Indians-Kizh Nation and shall be present on site during the construction phases that involve any ground-disturbing activities. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance, for any tribal cultural resources and/or archaeological resource(s) interned during grading and excavation activities pertinent to the provisions outlined in California Public Resources Code (PRC) Division 13, Section 21083.2 (a) through (k).

If evidence of any tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find to recover and/or determine the appropriate plan of recovery for the resource. The recovery process shall not unreasonably delay the construction process.

Construction activity shall not be contingent on the presence or availability of a monitor, and construction may proceed regardless of whether or not a monitor is present on site. The monitor shall complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed or when the monitor has indicated that the site has a low potential for tribal cultural resources and/or archaeological resources.

37. Mitigation Measure TCR-2: All tribal cultural resources and/or archaeological resources unearthed by proposed project construction activities shall be evaluated by the qualified archaeologist and Native American monitor approved by the Gabrieleño Band of Mission Indians-Kizh Nation. Upon discovery of any archaeological resources, construction activities shall cease in the immediate vicinity of the find until the find can be assessed. Construction work shall be permitted to continue on other parts of the project site while evaluation and, if necessary, additional evaluation and/or preservation measures takes place CEQA Guidelines Section 15064.5 [f]). If the resources are Native American in origin, the Gabrieleño Band of Mission Indians-Kizh Nation shall coordinate with

the landowner regarding treatment and curation of these resources. If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measure shall be made available through coordination between the Gabrieleño Band of Mission Indians-Kizh Nation and the project applicant. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and California PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to a local school or historical society in the area for educational purposes.

The incorporation of the above mitigation measures would reduce potential Native American impacts to less than significant.

Building Division

38. 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. Waste recycling plan, recycling 65 percent of all construction debris.
39. The applicant shall comply with the latest adopted California Building 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 submitted plans.

40. Submit two sets of structural calculations, if required, and two sets energy conservation calculations.
41. Architect's/Engineer's stamp and "wet" signature are required prior to plan check approval.
42. Submit detailed plans for all wall and fencing associated with this project. Separate permits are required for fencing and/or walls. Double wall conditions which have been created by an adjacent property line wall are not allowed.
43. All utility services to the project shall be installed underground.
44. Plans shall be submitted for plan check and approved prior to construction. All plans shall be marked with the project file number.
45. Construction activity shall only be permitted from the hours of 7:00 a.m. to 8:00 p.m. daily.
46. Prior to issuance of building permits for a new commercial or industrial development project or major addition, the applicant shall pay development fees at the established rate. Such fees may include, but are not limited to: Transportation Development Fees, permit and plan check fees, and school fees. All required school fees shall be paid directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District. Applicant shall provide a copy of the school fees receipt to the Building Division prior to permit issuance.
47. Construct trash enclosure(s) per City Standard (available at the Building Division public counter).
48. Electrical and fire suppression service shall rise within the interior of the building(s). Roof ladders shall also be located entirely inside the building.
49. 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.
50. 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 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%).

51. Construction drawings submitted to the building division for plan review shall comply with the Montclair Security Ordinance No. 357, including, but not limited to, adherence to the following standards:
 - a. Install a numerical address on the north building elevation in a location satisfactory to the City Planner.
 - b. Provide and maintain a minimum illumination level of one (1) foot-candle from dusk until dawn everyday.
 - c. Install an approved emergency lighting to provide adequate illumination automatically in the event of an interruption of electrical service.
52. A Certificate of Occupancy is required prior to the occupancy of the building. Issuance of the Certificate of Occupancy shall be contingent upon the Fire Department inspection and the final approvals from all other departments and/or agencies.
53. Prior to the issuance of a Certificate of Occupancy, the applicant shall:
 - a. Complete all on- and off-site improvements.
 - b. Install all disabled-accessible parking stalls and parking lot signage.
54. No temporary construction trailer shall be placed on the property without first obtaining approval from the Building and Planning Divisions.
55. Decorative foam trim shall not be used in areas subject to damage such as entry doors, garage doors, etc. Use of decorative foam shall not be allowed to be used below the second story.
56. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.
57. Exposed raceways shall be prohibited on all building-mounted and freestanding signs. An architectural sign backing/raceway may be allowed on the commercial building, subject to review and approval by the City Planner.
58. 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.
59. All mechanical devices and their component parts, such as air conditioners, evaporative coolers, exhaust fans, vents, transformers, or similar equipment,

whether located on the ground or on the roof of the structure, shall be concealed on all sides from public view in a manner that is compatible with the architectural design of the building and to the satisfaction of the Planning Division.

60. All gates and fences which surround the building shall be accessible for persons with disabilities. One access from the interior of the fenced area shall be accessible and lead to public way.
61. 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.
62. Fire sprinkler risers and roof access ladders shall be located entirely within the enclosed buildings. Double-check facility shall be adequately screened by landscaping or an architectural screen wall.
63. All trash enclosures shall be constructed of a material consistent with the primary type and color of that used on the building. The construction of such trash enclosure(s) shall conform to City standards and shall have a solid roof complementary to the main building. Black-colored concrete shall be used for the trash enclosure floor and its apron.
64. A Certificate of Occupancy is required prior to occupancy of the subject building. Issuance of a Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.
65. Prior to issuance of a Certificate of Occupancy, the person or corporation responsible for the preparation of the Water Quality Management Plan shall certify, in writing, to the Building Official that all conditions and requirements of the Water Quality Management Plan have been implemented or complied with. For projects, developments, or properties intended to be leased or sold, developer shall also submit evidence to the Building Official that lessee or purchaser has been advised in writing of lessee's or purchaser's on-going maintenance responsibilities with respect to the requirements of the Water Quality Management Plan.
66. Prior to the issuance of the Certificate of Occupancy a Final Grade Certificate shall be provided to the Building Official issued from the Registered Civil Engineer of Record that all on-site improvements have been constructed in accordance with all City Standards, Specifications, Conditions of Approval and approved plans.
67. Temporary construction and storage trailers placed on the property shall first obtain approval from the Planning and Building Divisions. If any trailers will include uses for public access, handicap accessibility requirements shall apply. Before any trailer is set in its location, obtain all permits from the building

division. Plans and structural calculations will be required for the tie-down devices. Trailers used for public use (and not used for construction only) are required to be disabled-accessible. The trailer will require access to the facility by way of ramps which comply with the California Building Code (CBC) 2016 edition, Chapter 11B, in addition to access to each feature of the trailer.

68. Prior to the issuance of a grading permit, the City Engineer and the Building Official shall confirm that the grading plan, building plans, and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures, as specified in SCAQMD's Rules and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short term fugitive dust impacts on nearby sensitive receptors.
- All active portions of the construction site shall be watered every three hours during daily construction activities and when dust is observed migrating from the project site to prevent excess amounts of dust.
 - Pave or apply water every three hours during daily construction activities or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas. More frequent watering shall occur if dust is observed migrating from the site during disturbance.
 - Any on-site stockpiles of debris or on-site haul roads, dirt, or other dusty material shall be enclosed, covered, or watered twice daily or non-toxic soil binders shall be applied.
 - All grading and excavation operations shall be suspended when wind speeds exceed 25 miles per hour.
 - Disturbed areas shall be replaced with ground cover or paved immediately after construction is completed in the affected area.
 - Track-out devices such as gravel bed track-out aprons (3 inches deep by 25 feet long, 12 feet per lane and edged by rock berm or row of stakes) shall be installed to reduce mud/dirt track-out from unpaved truck exit routes. Alternatively, a wheel washer shall be used at truck exit routes.
 - On-site vehicle speed shall be limited to 15 miles per hour.
 - All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site.

- Re-route construction trucks away from congested streets or sensitive receptor areas.
 - Dispose of surplus excavated material in accordance with local ordinances and use sound engineering practices.
 - Sweep all streets once per day if visible soil materials are carried to adjacent streets (recommended water sweepers using reclaimed water).
69. All trucks that are to haul excavated or graded material on-site shall comply with State Vehicle Code Section 32114 (Spilling Loads on Highways), with special attention to Sections 32114(b)(F)(e)(4), as amended, regarding the prevention of such material spilling onto public streets and roads. Prior to the issuance of grading permits, the applicant shall demonstrate to the City Engineer how the project will be operated subject to the provisions set forth in Sections 23114(b)(F),(e)(4).
70. All construction equipment used for the project shall be maintained in good operating condition so as to reduce operational emissions. The contractor shall ensure that all construction equipment is being properly serviced and maintained per manufacturers' specifications. Upon request, maintenance records shall be available at the construction site for City verification.

Water Quality Management Plan

71. The WQMP must have final approval from the Engineering Division prior to obtaining grading/building permit(s). Contact Joe Rosales, NPDES Coordinator at (909) 625-9470.
72. The property owner shall be responsible to contract with a qualified firm to inspect and maintain any stormwater treatment devices specified by the approved WQMP, following all WQMP recommendations. It shall also be the responsibility of the property owner 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 property owner to correct the deficiency and restore the stormwater treatment device(s) to its original working condition.
73. 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.

74. Prior to receiving a City grading permit, a State Construction General permit must be obtained and proof must be shown (WDID number) to the Building Division.
75. At the time of Grading permit issuance, Post-Construction 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.
76. Prior to issuance of a Certificate of Occupancy, 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 it relates 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.
 - d. Provide a letter from the Engineer of Record that states all BMPs associated with the WQMP are constructed and functional per the City approved WQMP.
 - e. The Landscape Architect must complete the Certification of Landscape Completion form and submit one copy to Planning and one copy to the Engineering Division.
77. Prior to release of the Certificate of Occupancy for the building, 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 are in compliance. For projects, developments, or properties intended to be leased or sold, developer shall also submit evidence to the Building Official that lessee or purchaser has been advised in writing of lessee's or purchaser's on-going maintenance responsibilities with respect to the requirements of the WQMP.
78. 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.

Landscape Conditions of Approval Associated with the WQMP

79. It is required prior to receiving Certificate of Occupancy that the Landscape Architect of record to comply and submit a Letter of Completion to both Planning Division and Engineering Division.
80. Property Owner/Lessee is required to employ a Bonded and California Licensed C-27 Landscape Contractor to conduct all landscaping on property.
81. Landscape Contractor must have City Business License to operate in the City of Montclair.
82. To ensure the landscaping associated with the stormwater treatment device(s) is maintained properly for the life of the project, the property owner/lessee must provide to the Public Works Department every third year after receiving the Certificate of Occupancy, a wet-stamped letter of certification from a licensed, certified Landscape Architect, or recognized horticulturist organization or business.
83. The certified letter must state that the plants located within the boundaries of and immediately adjacent to stormwater treatment devices are currently in good health and has been maintained to continue to promote the long-term functional and aesthetic performance of the stormwater treatment device. For example, if the planted component of the stormwater device was designed to control erosion, aid in pollutant capture, or maintain permeability, the plant material must be kept at a level of health and vigor to continually meet these functional requirements.
84. Individuals qualified to submit the certification letter must be able to identify species present and report on their conditions. Providing the original planting design documents to the consulting horticulturist may help them in this process.
85. If mulch is present in the assessment area, this must be noted in the letter along with the current depth of the mulch layer and a description of which areas of the stormwater treatment device are mulched.
86. Five to ten clear and representative site photos showing the condition of the various plant materials located in and adjacent to the stormwater treatment device and any other notable conditions related to the device, printed in color on standard 8.5 x 11 paper, must also be submitted as part of the letter.
87. Representatives of the Public Works Department may follow up with site inspections to confirm the accuracy of certification letters and the overall functional condition of stormwater treatment devices.

Engineering

88. Developer shall comply with all requirements of the Subdivision Map Act and the Montclair Municipal Code.
89. Construction permit 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.
90. A park land fee is not applicable since this will be a commercial site.
91. Payment of transportation-related development impact fees. Fees shall be assessed at the rate in effect at the time the fees are paid.
92. Submit any street improvements on street improvement plans. They may also be included in the grading plans.
93. Payment of Regional Sewerage Capital Outlay fees, as specified in the Montclair Municipal Code and by Inland Empire Utilities Agency.
94. Discharge of wastewater into the sewer collection system shall conform to all requirements of the Montclair Municipal Code.
95. 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 the City NPDES Coordinator Joseph Rosales 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.
96. A grading plan shall be prepared subject to the approval of the City Engineer. An erosion control plan is to 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.
97. 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 City Engineer. A plan acceptable to the 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.
98. All drainage facilities shall comply with requirements of the approved WQMP.
99. All off-site and on-site trenching and excavation shall conform to CAL-OSHA standards. Excavations that exceed five feet in depth require a CAL-OSHA permit.

100. Underground Service Alert shall be notified at least 48 hours prior to any excavation. Contact Underground Service Alert at 800-422-4133.

Environmental

101. A Wastewater Discharge Survey must be completed and submitted to the Environmental Manager for review and approval prior to Plan submittal. All new business occupant(s) of the building shall complete a Wastewater Discharge Survey prior to plan review. Contact Nicole deMoet, Environmental Manager, at (909) 625-9446 for more information.
102. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
103. Regional Sewerage Supplemental Capital Outlay Fees are required in accordance with Section 9.20.440 of the Montclair Municipal Code and the Inland Empire Utilities Agency (IEUA). Contact Nicole deMoet, Environmental Manager at (909) 625-9446 for fee information.
104. All trash enclosures must be designed in accordance with the provisions of AB 341 Mandatory Commercial Recycling and AB 1826 Mandatory Commercial Organics Recycling (MORE) as established by the California Department of Resources Recycling and Recovery (CalRecycle). Applicant is required to provide documentation to the Environmental Manager from Burrtec Waste Industries, Inc. that a service agreement was set up with the hauler that meets all Mandatory Commercial Recycling Requirements for waste hauling as established by the State of California.

Fire

105. Additional requirements may be necessary to comply with all applicable codes and will be determined during the Fire Department plan check process. The Fire Prevention Bureau requires three sets of plans be submitted with an application and all fees pre-paid.
106. Permits are required for the plan review and inspection of fire detection, fire sprinkler, hood and duct, and occupancy plan reviews. Fees shall be collected by the Fire Prevention Bureau at the time an application for permit is filed (CFC 2016 105.3.8).
107. When submitting plans, provide three (3) complete architectural, structural, Fire Alarm and Fire Sprinkler plans, including all specifications, to the fire department for review prior to the issuance of any building permits. These plans and specifications shall include, but are not limited to, construction type, exits, fire

protection equipment, building protection, and interior finish. The developer is responsible for, and shall apply for and receive, all Fire Prevention Bureau permits, paying all necessary fees prior to beginning construction. (2016 CFC 105.4.1)

108. Construction documents and calculations for all fire protection systems and permits are required for the installation, rehabilitation or modification of any fire protection system. Construction documents for fire protection systems shall be submitted for review and approval prior to system installation. (2016 CFC 105.4.2.1 and Chapter 9)
109. Each page shall bear the contractor's license number, including expiration date, wet stamp and signature of the contractor licensee on each plan (California Business & Professions Code Sec. 7031.5).
110. Provide an accurate description of the scope of work for the project on the title page.
111. Show all exterior and interior building dimensions on the plans.
112. The plan check application for the Fire Prevention Bureau can be obtained by contacting Deputy Fire Marshal, Scott Sherwood, at (909) 447-3552 or ssherwood@cityofmontclair.org.
113. This project is required to comply with the 2016 California Fire Code, as amended in the Montclair Municipal Code, and Montclair Fire Prevention Bureau development standards.
114. All fees are required to be paid in full prior to any permit issuance.
115. Fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility (2016 CFC 503.1.1). Exception: Dimension may be increased if the building is equipped throughout with an approved automatic sprinkler system installed in accordance with 2016 CFC Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
116. Provide additional fire apparatus access roads (2016 CFC 503.1.2). Show fire apparatus access on all sides of the building on the plans.
117. Fire apparatus roads shall have an unobstructed width of not less than 20 feet. (D103.6.1) and vertical clearance of not less than 13 feet 6 inches. Show all dimensions on the plans. (2016 CFC 503.2.1)
118. Provide a site plan using a 20-30-40 scale to show the turn radius for all corners, using a minimum 32 feet inside & 45 feet outside. (CFC 2016 503.2.4)

119. Provide fire apparatus turn-around dimensions (hammerhead, boot, or cul-de-sac) where fire apparatus access roads and driveways exceed 150 feet (2016 CFC 503.2.5)
120. 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. (2016 CFC 503.2.3)
121. Traffic calming devices shall be prohibited unless approved by the fire code official. (2016 CFC 503.4.1)
122. Fire apparatus access roads shall not exceed 10 percent in grade. Exception: grades steeper than 10 percent with mitigating protection measures as approved by the fire code official. (CFC 2016 503.2.7)
123. The angles of approach and departure for any means of access shall not exceed the design limitations of the fire apparatus of the fire department, subject to the approval of the Fire Code Official. (CFC 2016 503.2.8)
124. Fire apparatus access road gates shall have a minimum gate width of 20 feet, and must comply with other requirements of the 2016 CFC 503.6.
125. Security gates are required to be setback 45 feet from the public roadway curb line.
126. A Knox Box is required and shall be of an approved type and shall contain Master keys to allow the fire department to gain necessary access (2016 CFC 506.1).
127. Exterior doors and openings shall be maintained readily accessible for emergency access by firefighters. An approved ramped access walkway leading from the fire apparatus road to exterior openings is required (2016 CFC 504.1).
128. Install parapet ladders and emblems. Locations to be determined by the Fire Prevention Bureau during plan check.
129. Exact number, location, and type of fire extinguishers shall be determined by Fire Prevention Bureau.
130. Public Water Systems must meet all Monte Vista Water District standards. Contact the Monte Vista Water District at 909-624-0035
131. Exact number, location, and design of fire hydrants shall be determined by Fire Department and the Monte Vista Water District.

132. Private Water Systems must comply with the NFPA 24 standard and the 2016 California Fire Code. Must install a Fire Department Connection (FDC) located at the Double Detector Check Assembly (DCDA) / Outside Screw and Yoke valve (OS&Y) to act as a Fire Department Boost. The combination FDC shall be equipped with two 2 ½ -inch NST female swivel inlets and one 7-inch NST female swivel and the riser to this FDC must be at least 6 inches in diameter.
133. An approved water supply capable of providing the required fire flow for fire protection shall be provided (2016 CFC 508.1).
134. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in 2016 CFC Appendix B, Table B105.1 Exception: A reduction in required fire flow of up to 50 percent, as approved, is allowed when the building is provided with an automatic sprinkler system installed in accordance with 2013 CFC Section 903.3.1.1, 903.3.1.2 or 903.3.1.3. The resulting fire flow shall not be less than 1,500 gallons per minute for the prescribed duration as specified in Table B105.1
135. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24 (508.2.1). Submit plans to the fire department showing the fire water system detail.
136. Fire Department Connections (FDC) and Post Indicator Valves (PIV) locations to be determined by the fire department during plan check. Every sprinkler system shall have at least (1) fire department connection located within 50 feet of a fire hydrant. (MMC 10.28.060K(1)).
137. The installation of check valves is required between fire hydrants and Fire Department Connections (FDC).
138. Show pipe size of the fire water system on the plans.
139. Provide a site plan showing on-site fire hydrants and mains shall be provided 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. (CFC 2016 508.5.1)
140. Provide a site plan showing all fire hydrants and distances to nearest fire hydrants in all directions along fire apparatus access roads. Minimum underground fire service supply pipe shall be 6 inches in diameter. (MMC 10.28.060K(5))
141. An approved automatic fire sprinkler system shall be provided throughout, as defined by the most current edition of NFPA 13, in all newly constructed buildings of any occupancy group. (CFC 2016 903.2). Three (3) sets of plans

shall be submitted to the Montclair Fire Prevention Bureau for review and approval prior to starting work.

142. Trash enclosures shall be fully enclosed and shall have fire sprinklers installed should any one of the following conditions exist; the trash enclosure has a combustible roof covering, the trash enclosure contains two or more individual trash containers, or the trash enclosure is under or within 5 feet of combustible construction. (MMC 10.28.060) Three (3) sets of plans shall be submitted to the Montclair Fire Prevention Bureau for review and approval prior to starting work.
143. Any Outdoor detached facilities greater than 200 square feet is required to install an approved fire sprinkler system. (MMC 10.28.060 J(3))
144. Fire sprinkler system plans are required to be a separate plan submittal with a completed application and all fees pre-paid.
145. The application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures shall be in compliance with 2016 CFC Chapter 9 (2016 CFC 907.1). Fire alarm and detection system plans are required to be a separate plan submittal with a completed application and all fees pre-paid.
146. When automatic fire sprinkler systems or fire alarm systems are installed in buildings constructed for multiple tenants and these systems protect multiple tenant spaces, the main controls and control appurtenances, such as risers, fire alarm control panels, and valves for such systems, shall be located in an attached or included room or an approved weather resistant enclosure with at least one exterior access door of not less than 3'-0" by 6'-8".
147. 2016 CFC Chapter 33 conditions shall apply to this project during construction and demolition (2016 CFC 3301.1).
148. Develop and maintain an approved pre-fire plan in cooperation with the fire department (2016 CFC 3308.2).
149. 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 Fire Prevention Bureau prior to the issuance of permits (2016 CFC 3312.1).
150. Fire Apparatus access road and water supply must be inspected and approved by the Montclair Fire Department prior to lumber being dropped at the project site. The Fire Apparatus access road shall be 2" thick, 20' wide (minimum) paved asphalt road throughout the project. (CFC 2016 503.2.3)

151. Access for firefighting. Approved vehicle access 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. Vehicle access shall be provided by temporary or permanent roads, 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 (2016 CFC 3310.1).
152. Fire apparatus roads shall not be obstructed in any manner, including the parking of vehicles (CFC 2016 503.4).
153. Buildings and structures under construction shall post temporary 8-10" inch address signs meeting fire department standards and at locations determined by the Fire Code Official (CFC 2016 505.1.2).
154. Welding, cutting, open torches and other hot work operations and equipment shall comply with 2016 CFC Section 2601.1.
155. Provide a readily accessible telephone on-site for emergency use. The street address of the construction site. The emergency telephone number of the fire department dispatch center at 911 for emergencies and (909) 884-7248 for non-emergencies shall be posted adjacent to the telephone (2016 CFC 3309.1).
156. Structures under construction, alterations or demolition shall be provided with not less than one approved portable fire extinguisher (2016 CFC 3315.1).
157. All Double Check Detector Assemblies (DCDA) shall be painted and maintained by the property owner with the following paint color specifications: Rustoleum satin interior/exterior acrylic latex paint, "Hunt Club Green" No. 7944502 (quart). This condition is subject to Fire Department inspection and approval when work is completed.

Police

158. The activity level of the business shall be monitored by the Police Department to establish the level of police services used for the business. Should the level of police services demonstrate that the applicant has not controlled excessive, or unnecessary activity resulting in high use of police services then this Precise Plan of Design shall be reviewed for consideration of further conditions, modifications or revocation.
159. There shall be no special promotional events held on the property, unless a written request for such is received and approved by the City Planner and the Police Chief or their designee.

160. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot.
161. The applicant shall install and maintain a closed circuit video surveillance (CCVS) system. The system shall, at minimum, be capable of monitoring all entrances/exits to the premises and exterior storage and parking areas. Cameras shall be positioned to allow for identification of patron facial features and physical characteristics. A minimum of one camera shall be placed in a position to monitor the parking lot of the premises, positioned in a manner that allows for the widest view from the entrance, without significant lens distortion. Typical acceptable camera angles range from 50-130 degrees. Cameras shall be capable of no less a resolution than 1920x1080 pixels, otherwise known as 1080p. IR (night vision) is preferred, however cameras shall, at minimum, be capable of low-light operation. Audio recording is desirable, but not a requirement. Camera footage shall be retained for a period no less than 90 days. To conserve storage space, cameras may be motion activated. When active, cameras shall record no less than 30 frames per second. Motion sensors shall be configured to activate properly in all areas covered, including the parking area. Motion sensors may be configured to prevent incidental activation from hanging or moving displays. Depending on the nature of the premises, additional cameras may be required areas such as cash registers or access to restroom areas.

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

APPROVED AND ADOPTED THIS 22ND DAY OF APRIL 2019.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____
Barry Rowley, Chair

ATTEST: _____
Michael Diaz, Secretary

I, Michael Diaz, 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 April 2019, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

Z:\COMM\YVONNE NEMETH\CASES\2018-21 PC RESOLUTION