



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

REGULAR ADJOURNED MEETING
Monday, July 8, 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, Commissioner Ginger Eaton, Commissioner Manny Martinez, Commissioner Sergio Sahagun, and Commissioner Jaso Sanchez

4. APPROVAL OF MINUTES

The minutes of the May 13, 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 Chambers.

6. AGENDA ITEMS

- a. Special Planning Commission election

- b. PUBLIC HEARING - CASE NUMBER 2019-08
(continued from June 24, 2019 meeting)
Project Address: 10575 Central Avenue
Project Applicant: Monte Vista Water District
Project Planner: Michael Diaz, City Planner
Request: A Resolution of the Planning Commission of the City of Montclair making responsible agency findings pursuant to California Environmental Quality Act; and approving a Conditional Use Permit, Variance, and Precise Plan of Design under Case Number 2019-08 for the proposed use and the site plan, floor plans, elevations, conceptual colors and materials, and conceptual landscape plan for the renovation of the Monte Vista Water District's (MVWD) existing facility, including the construction of a new administrative building and corporate yard facilities

- c. PUBLIC HEARING - CASE NUMBER 2019-07
Project Address: 9625, 9635, 9645 and 9655 Monte Vista Avenue
Project Applicant: Chendu Holding, LLC
Project Planner: Christine S. Sanchez, Assistant Director of Housing/Planning Manager
Request: Conditional Use Permit and Precise Plan of Design to demolish medical office space and build a 62,000 s.f. two-story, 90-unit senior care facility with assisted living and memory care units

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 July 22, 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 July 3, 2019.



CITY OF MONTCLAIR
PLANNING COMMISSION

MEETING DATE: 07/08/19

AGENDA ITEM 6.b

Case No. 2019-8

Project Request: A request for approval of a Conditional Use Permit, Precise Plan of Design, and setback Variance for the renovation of the Monte Vista Water District's (MVWD) existing facility, including the construction a new administrative building and corporate yard facilities.

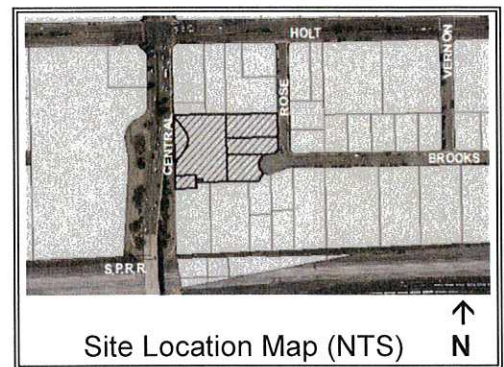
Project Address: 10575 Central Avenue

Property Owner: Monte Vista Water District

General Plan: "Public/Quasi Public and Industrial

Zoning: "Commercial" - Holt Boulevard Specific Plan (HBSP)

Assessor Parcel No.: Assessor's Parcel Numbers 1011-052-11, 12, 19, 20, and 21



Site Location Map (NTS)

ADJACENT LAND USE DESIGNATIONS AND USES

	<i>General Plan</i>	<i>Zoning</i>	<i>Use of Property</i>
Site	Public/Quasi Public and Industrial	Commercial (HBSP)	Monte Vista Water District Main Office and Corporate Yard
North	General Commercial	Commercial (HBSP)	Multi-tenant Commercial
South	Industrial Park	M1 Limited Manufacturing	Self Storage
East	General Commercial	Business Park (HBSP)	Auto Sales
West	General Commercial	Commercial" (HBSP)	Commercial Center (under construction)

Report on Item Number 6.b

PUBLIC HEARING - CASE NUMBER 2019-8

APPLICATION TYPE(S)	Conditional Use Permit Variance - Setbacks Precise Plan of Design
NAME OF APPLICANT	Monte Vista Water District
LOCATION OF PROPERTY	10575 Central Avenue Assessor Parcel Nos: 1011-052-11, 12, 19, 20, and 21
GENERAL PLAN DESIGNATION	Public/Quasi Public and Industrial Park
ZONING DESIGNATION	"Commercial" - <u>Holt Boulevard Specific Plan</u>
EXISTING LAND USE	Monte Vista Water District Offices and Corporate Yard
ENVIRONMENTAL DETERMINATION	Mitigated Negative Declaration (adopted by Monte Vista Water District)
PROJECT COORDINATOR	Michael Diaz City Planner/Planning Manager

Due to vacancies and conflicts of interest, the Planning Commission was unable to establish a qualifying quorum to review this agenda item during its June 24, 2019 meeting. As such, the Planning Commission voted to continue the review of the proposed project to the next regularly scheduled meeting on July 8, 2019.

PROJECT DESCRIPTION

Monte Vista Water District (MVWD) is requesting approval of certain applications for its Main Office Site Restoration Project (proposed Project), which entails the renovation of its current campus – main office and corporate yard - located on a 2.84-acre parcel at 10575 Central Avenue. In particular, MVWD seeks the City of Montclair's approval of the following applications for the proposed Project:

1. A Conditional Use Permit (CUP) to allow for a Civic Administration and Utility Facility per the Holt Boulevard Specific Plan (HBSP); and
2. A Variance to allow for screen and security fences and/or walls to be placed within the required street frontage setback areas; and

3. A Precise Plan of Design (PPD) for the site plan, floor plans, elevations, colors, materials and conceptual landscape plan associated with the development of the entire site (collectively, Entitlements).

Conditional Use Permit

While MVWD has been located at the subject site for decades, the original campus has gradually increased in size over the years. The Holt Boulevard Specific Plan (HBSP), adopted in 1981, designated the site as "Commercial" land use district. The HBSP requires a CUP for Civic Administration, Utility Facility, or Administrative/Professional Office uses all of which apply to the use of the site by MVWD. Since the proposed Project involves a total redevelopment of the site, the CUP requirement would apply to be consistent with the HBSP.

Variance - Setback for Fences

MVWD is requesting a variance to maintain the location of fences and/or walls on the Central Avenue side of the property in order to continue maximizing the use of the property. The variance would allow MVWD to replace an existing wall or fence within the 20-foot landscape setback area with a new decorative fence allowing visibility to the front of the new Administrative Building and visitor parking area.

Precise Plan of Design

The project site is currently fully developed with existing buildings and uses which will be removed from the site in phases to make way for the new campus, except for the former fire house which contains a tower with a wireless telecommunications antenna. The total square footage of buildings/structures removed from the site is approximately 20,943 square feet in area. The square footage of new buildings on the property will be approximately 27,139 square feet, an increase of approximately 6,196 square feet (30 percent increase). Construction of the proposed Project is anticipated to take 30 months or 2.5 years to complete.

The new MVWD campus will consist of two buildings dedicated to the administrative/civic activities (Administrative Building) and to the operations/maintenance functions (Shop Building) of the District. The west side of the Administrative Building is setback 47-feet from the Central Avenue property line and the east end of the Shop Building is setback 35 feet from the east property line. Finally, the north wall of the proposed buildings will be setback approximately 12-feet from the north property line. The respective sizes of these buildings are summarized in the following table:

Proposed Buildings¹	
<i>Building</i>	<i>Building Size (GFA)</i>
New Admin Building – 2 stories <ul style="list-style-type: none"> • Level 1 - 13,699 SF • Level 2 - 4,588 SF 	18,278 SF
New Shop Building	8,852 SF
Total	27,139 SF
¹ The existing 3,240 SF firehouse building will be retained and used as supplemental space for use from time to time.	

The new Administration Building will be located on the northwestern corner of the project site, and is designed to house MVWD employees, executive management, and boardroom for public meetings. Public access to the site during hours of operation will be provided off of Central Avenue where the current visitor entrance is located; the entrance will include a new rolling security gate that will prevent unauthorized access to the site outside of visiting hours.

The new Shop Building will be located at the northeastern corner of the site, and will contain the maintenance and repair shop for MVWD's fleet and equipment. The Shop Building will include roll-up doors to provide vehicle storage. Other activities/uses in the shop building include material and equipment storage; welding/fabrication; empty and full container rooms; a tool crib; emergency materials/equipment storage; supplies; water reclamation/wash equipment; and a heavy truck/equipment repair bay. A covered outdoor manual truck wash bay is proposed for the east end of the shop building.

The proposed Project includes an outdoor storage yard where four solar canopies are proposed. In addition to providing a form of renewable energy for site, the solar canopies would be used to create shaded parking spaces. The sizes of the new solar canopies and other proposed covered structures are listed below:

Proposed Covered Accessory Structures*		
<i>Structure Type</i>	<i>Size</i>	<i>Parking Spaces Below</i>
Solar Canopy 1	2,155 SF	12 spaces
Solar Canopy 2	594 SF	2 spaces (disabled parking spaces)
Solar Canopy 3	1,078 SF	6 spaces
Solar Canopy 4	3,031 SF	12 spaces
Fuel Canopy	627 SF	-----
Car Wash Bay	490 SF	-----
Trash Enclosure	518 SF	-----
Totals	8,493 SF	32 spaces
[*] Solar Array is anticipated to provide between 5 and 10 percent of the overall electricity required to operate the renovated MVWD Main Office Site.		

On-site parking for the proposed Project is provided as follows:

On-Site Parking	
<i>Type</i>	<i>Number</i>
Visitor (Daily Use and Board Meetings)	15 spaces (including 1 Disabled Parking Space)
Employees	45 spaces (including 3 Disabled Parking Space)*
Fleet	21 spaces (12 in angled tandem spaces)
Total	81 Spaces
* 32 spaces covered by proposed solar canopies	

Public parking will be available from the Central Avenue side of the site through a rolling security gate allowing access during regular business hours of operation. Employee and fleet vehicle parking is located toward the center and east end of the site and will be secured by a second (internal) security gate. A final site access point for “employees only” will be located at the east end of the site at the terminus of Brooks Street, via a new rolling security gate.

Architectural Design

The design of the buildings for the commercial center portion of the proposed Project reflects a contemporary Spanish Colonial architectural style featuring a number of associated design elements such as hipped roof forms, smooth plaster wall finish, clay tile roofing material, decorative metal accents, arcades adjacent to small courtyard areas, and dark bronze storefront window and door assemblies. Reveal lines within the stucco finish is utilized on all sides of each building to add visual interest. Proposed colors for the proposed Project are light-colored earth tones.

The new Administration Building is the larger and taller of the two new buildings (29-feet high to roof top) which also features an unoccupied tower that will be 37 feet high (measured to roof top), which is the tallest point of any of the proposed new structures. The proposed single level Shop Building is 18-feet in overall height and also features many of the same architectural elements of the Administration Building. The tall roll-up bay doors of the building will face the interior of the site and not be directly visible to any street.

Landscaping and Fencing

The proposed landscape plan design retains existing trees Sycamore trees along Central Avenue, and provides for additional mix of drought tolerant plant materials along both street frontages of the site and around the new Administration Building. New trees include Palo Verde (Cercidium x “Desert Museum), Desert Willow (Chilopsis linearis), Crape Myrtle (Lagerstroemia indica x fauriei “Tuscorosa”), and Eastern Redbud (Cercis canadensis). Along the north side of the building the plan calls for an evergreen screening tree mass. No turf areas are proposed as part of the conceptual landscape plan. In accordance with the State and City Landscaping and Water Conservation requirements, the applicant will be required to prepare a water budget for the proposed Project. Irrigation would be provided via drip and/or a subsurface system.

Construction Phasing

As mentioned above, construction of the proposed Project is anticipated to take 30 months or 2.5 years to complete. According to MVWD officials, the new facilities will be constructed in phases that parallel demolition, such that as the demolition of one section of the site is completed, construction of the new facilities within that section will begin. (See Attachment A)

Plans for the proposed Project are included in the Commission packets for reference. A color rendering of the proposed Project and color and material samples will be available for viewing at the Planning Commission meeting.

BACKGROUND

- MVWD, a county water district formed in 1927, provides retail and wholesale water supply services to a population of over 130,000 within a 30-square mile area, including the communities of Montclair, Chino Hills, portions of Chino, and the unincorporated area lying between the cities of Pomona, Chino Hills, Chino, and Ontario.
- On October 1, 2018, the City Council approved a lot merger request (Parcel Merger No. 2018-5) from MVWD to merge the five parcels comprising their site into a single parcel for the purpose of redevelopment into a new campus. The properties in question were generally identified as 10575 Central Avenue.
- The subject site is currently zoned "Commercial" per the HBSP which was adopted in 1991. The City of Montclair General Plan designates the site as Public/Quasi Public (Western half) and Industrial Park (Eastern half).
- The existing former Fire Station located at 10585 Central Avenue will be retained as is on the site. Built in 1950, it was the first fire station in the present-day Montclair area and was operated by the Monte Vista County Fire Protection District prior to the incorporation of the city in 1956.
- Access to the site will be located at two points on Central Avenue (western property boundary), one point at the terminus of Brooks Street (eastern property boundary), and a second point at Rose Avenue (eastern property boundary). These access points are similar to the access points provided at the site at present for MVWD's current Main Office operations.
- The property is located adjacent to fully developed streets and is surrounded by urban development that includes commercial and industrial developments and uses.

PLANNING DIVISION COMMENTS

Overall, staff finds the proposed Project to be well designed and the proposed buildings and various appurtenant structures to be appropriately situated on the site. When completed, the uses of the site will not deviate from the types of uses that presently exist.

Conditional Use Permit

Although the MVWD facility has been present and active on the subject site for many years before a CUP was required, the significant level of improvement proposed with the project requires compliance with the provisions of the subsequently adopted Holt Boulevard Specific Plan (HBSP). Under the HBSP, Civic Administration or a Utility Facility would require a conditional use permit (CUP), while Administrative/Professional Office uses would be allowed as an accessory use to another permitted use. Given the nature of the MVWD's operation at the site, the City finds it to be a combination of all the above uses and as such consistent with the HBSP. Approval of the conditional use permit associated with the proposed Project will not only bring the use into conformity with the HBSP but allow for the continued use of the site by MVWD with enhanced facilities to serve its customers.

In regard to parking for the proposed Project, although the number of spaces is one less than required, staff believes the total of 81 spaces provided with the project will be adequate for the proposed use, for the following reason. Office and Government uses are typically parked at a ratio of one (1) space per 250 square feet (for the first 30,000 s.f.), whereas general Industrial uses are parked at 1 space per 500 SF. However, since MVWD is a public utility with a public lobby and official board room that are not in constant use (similar to City Hall), the area used for calculating required parking can be reduced accordingly. Given the above ratios, and adjustments, required parking for the proposed Project is calculated to be:

Required On-Site Parking		
<i>Use</i>	<i>Area*</i>	<i>Required</i>
Office	16,070 SF	64 spaces (at 1:250 SF)
Industrial (Shop)	8,852 SF	18 spaces (at 1:500 SF)
Total		82 Spaces (81 provided)
* Figure includes reduction of 2,208 SF for public lobby and boardroom.		

Moreover, according to the information provided in the Initial Study for the proposed Project, MVWD currently employs 36 persons, which may increase by up to 11 new employees in the future for a potential total of 47 employees. The proposed Project provides 45 dedicated employee parking spaces. The 15 visitor spaces could be used to make up for the extra two employees, if needed.

The Holt Boulevard Specific Plan within the City of Montclair allows for a maximum site coverage of 45 percent. The proposed Project site coverage will be 38,917 SF of

123,894 SF total site area, which equates to 32 percent site coverage. On-site landscaping will comprise 17 percent or approximately 21,062 SF of the overall site area.

Lastly, the uses of the site allowed by the CUP will not deviate from the types of uses or intensity that exist at present. Lastly, the renovation of the MVWD facility at its existing location would be consistent with both the uses surrounding the proposed Project and the surrounding land uses and zoning classifications.

Variance

Staff finds the variance request to allow fence or walls within the required 20-foot deep landscape setback on Central Avenue to be warranted. The “puzzle piece” shaped lot of the MVWD site is unique in the area and is due to the manner in which the curvature of Central Avenue frontage road impacts the site on this side of the site. To meet the 20-foot setback requirement in a manner that follows the property line configuration would adversely affect the efficient use of the property and its internal development in a manner that is different than how required setbacks would impact regularly-shaped lots located in the same area.

While setbacks are key elements of any site design and streetscape appearance, staff believes that some flexibility in the depth of required setbacks is warranted which is the basis for the proposed setback variance. The 2017 HBSP amendments allowed the Planning Commission the flexibility of approving different setbacks for certain projects based on extraordinary and/or site specific circumstances and development limitations of a site and/or when the project is a master planned development of two and a half (2 ½) acres or more. The subject site size, unique use as a public utility, and master plan development for the subject site meets these criteria.

The reduced setback area would still allow for a sufficient amount of landscaping facing the street. Staff supports this request because it would allow for the most efficient use of the site and also minimize the potential for future public nuisance problems with unauthorized access and activities. Due to the site’s location just off Central Avenue, the need to secure the site in an efficient and attractive manner is also important. Lastly, staff notes that the approved commercial and industrial development currently under construction on the west side of Central Avenue was granted a setback variance to address a similar site location, configuration, and security concerns affecting their project.

Finally, by granting the variance, MVWD would be able to maintain the current location of the existing wall and replace it with a new fence that offers security for the site while also allowing visibility to a portion of the interior of the site where main public entry to the new Administration Building will be and to the associated visitor parking area.

Precise Plan of Design

Staff also finds the proposed Project in compliance with the applicable development standards of the proposed Commercial zoning designation by the HBSP for the property, except as modified in accordance with the requested variance for fence and/or wall placement. The proposed buildings and various appurtenant structures are appropriately situated on the site, and access to and from the site will be easy from two directions/streets. Other site improvements such as parking, trash enclosures, exterior lighting, and landscaping have been appropriately accommodated in the proposed plan. The proposed trash enclosure appears to be well placed and will be both secure and easily accessible to service providers.

In regard to the design of the buildings and structures, staff finds the proposed Spanish Colonial inspired architecture of the buildings to be well done and very attractive. The design for each building and structure are consistent and work well together as a whole and provide a good amount of visual interest. Moreover, the amount of detail provided on each building help to give them depth and visual interest in an appropriate and up-to-date manner without excess. At 37-feet to the tallest portion of the Administrative Building, it is well within the allowed height of 75-feet for the Commercial district of the HBSP.

Although the applicant is aware of the City's requirement to screen any roof top equipment items, staff has added a condition of approval addressing this concern. The proposed colors, finishes, and materials are appropriate for the proposed architecture as well. When the proposed Project is completed, it will contribute to the new improvements being made to the surrounding area near the Central Avenue and Holt Boulevard intersection.

Staff will work with the applicant in preparing a comprehensive sign program for the center which is a condition of approval for the proposed Project. When the final design details for the sign program have been further refined, it will be submitted separately for formal review by the Planning Commission.

Landscaping

As a water district, one of MVWD's objectives is to promote water conservation and to demonstrate it with their own projects. Staff finds the proposed landscape plan to be both visually interesting and consistent with the goal of conserving water. In regard to landscaping, the selected plant materials are appropriate and appear to be evenly distributed around the site where planter areas are proposed. Eventually, the height of the trees will help to lessen the height of the building. Staff will also work with applicant to provide additional visual interest and address any exposed wall areas that could be subject to graffiti. As a condition of approval, the applicant's landscape architect will be required to provide a water budget for the site in accordance with the State requirements on water conservation. The proposed irrigation system is also designed to be water efficient.

FINDINGS

With respect to both the CUP and Variance, Staff recommends that the Planning Commission find as follows:

Conditional Use Permit Findings

- A. That said use is essential or desirable to the public convenience and public welfare. Monte Vista Water District (MVWD), formed in 1927, provides retail and wholesale water supply services to a population of over 130,000 within a 30-square mile area, including the communities of Montclair, Chino Hills, portions of Chino and the unincorporated area lying between the cities of Pomona, Chino Hills, Chino, and Ontario. Approval of the CUP associated with this proposed project will allow for the continued use of the site by MVWD with enhanced facilities to serve its customers.
- B. That granting the permit will not be materially detrimental to the public welfare and to other property in the vicinity. MVWD has operated at the subject site without known adverse impacts for decades. Approval of the CUP and subsequent renovation of the existing facility will be in conformance with the development standards HBSP and current building codes so as to be a positive improvement to the community.
- C. That such use in such location conforms to good zoning practice, in that the CUP approval for the MVWD use will be fully consistent with both the General Plan and the HBSP zone classification for the project site. Moreover, the continued use, and renovation, of the MVWD campus at its existing location would be consistent with both the uses surrounding the project and the surrounding land use designations and zoning classifications; moreover, the proposed Project would not create adverse effects on the established community in any manner.
- D. That such use in such location is not contrary to the objective of any part of the adopted General Plan, because the proposed Project complies with Specific Plan objectives and incorporates good design.

Variance Findings – for Fence/Wall Setbacks

Staff recommends that the Planning Commission find 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 20-foot landscape setback would adversely impact the site. The property in question is a unique “puzzle shaped” parcel on the west and sides of the site due to the design and curvature of adjacent roadways - Central Avenue frontage road and the cul-de-sac at Brooks Street. To meet the 20-foot

setback requirement in a manner that follows the property line configuration would adversely affect the efficient use of the property and its internal development in a manner that is different than how required setbacks would impact regularly shaped lots located in the same area.

- B. The 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. MVWD already has walls within the required setback so approval of the variance would maintain the ability to utilize the current location of the existing wall and replace it with a new fence that offers security for the site while also allowing visibility to a portion of the interior of the site where main public entry to the new Administration Building will be and to the associated visitor parking area. As a public agency, security and accessibility to the public are integral objectives that the variance helps MVWD achieve at this location.
- 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 reduced setback for placement of fences/walls along the Central Avenue frontage of the site would still allow for a sufficient amount of landscaping facing the street. Moreover, the variance would minimize the potential for future public nuisance issues with unauthorized access and activities, due to the site's location just off Central Avenue. Lastly, a variance for reduced setbacks was approved for commercial and industrial development on the west side of Central Avenue which has similar site, location, configuration, and security concerns affecting their project.
- 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 orderly development throughout the City.

PRECISE PLAN OF DESIGN FINDINGS

Staff recommends that the Planning Commission find as follows:

- A. The proposed redevelopment of the subject site would be consistent with respect to the land use designation of "Commercial" zoning district of the Holt Boulevard Specific Plan. The proposed Project fully complies with the applicable development standards of the proposed Commercial zoning designation of the HBSP. The proposed buildings and various appurtenant structures are appropriately situated on the site, and access to and from the site will be easy from adjacent public streets. Other site improvements such as parking, trash enclosures, exterior lighting, and landscaping have been appropriately accommodated in the proposed plan.
- B. The proposed Project would result in a significant improvement to the appearance of the area and makes efficient use of the site, contributes to the

ongoing improvement of property values in the area, and is compatible with adjacent land uses.

- C. The site plan, building form, massing, height and design of the proposed buildings are well done and very attractive. The design for each building and structure are consistent and work well together as a whole and provide a good amount of visual interest internally and externally as viewed by the street. The design features high quality exterior materials and finishes and incorporates appropriate lighting and landscape materials to give the proposed Project a distinct and pleasing appearance.

ENVIRONMENTAL ASSESSMENT

MVWD served as the lead agency for the proposed Project under the California Environmental Quality Act (Public Resources Code, § 21000, et seq.; hereinafter, CEQA). In its capacity as lead agency, MVWD prepared a Mitigated Negative Declaration (MND) that analyzed the proposed Project's potential to have significant effects on the environment. The MND provides that, absent mitigation, the proposed Project could have significant effects relating to Air Quality, Biological Resources, Cultural Resources, Geology, Hazards, Hydrology, Traffic, Tribal Resources, and Utilities. The MND further provides that, with the implementation of specified mitigation measures, the proposed Project's impacts would be mitigated to a level of less than significant.

MVWD circulated the MND for public review and comment from July 13, 2018 through August 2, 2018. MVWD received no public comments during the public comment period and responded to each of these comments in writing.

On or about August 22, 2018, MVWD's Board of Directors adopted the MND and found that the proposed Project would not have a significant impact on the environment with the implementation of the mitigation measures identified in the MND. MVWD's Board of Directors further authorized MVWD's General Manager to sign a Notice of Determination for the Project and file it in the County of San Bernardino. The Notice of Determination was filed on August 24, 2018.

The City of Montclair is a responsible agency for the proposed Project under State CEQA Guidelines (Cal. Code of Regs., tit.14, §15000 et seq.) section 15381 because it is a public agency, other than the lead agency, with discretionary approval power over the Project. Staff has reviewed and considered the information contained in the MND and all supporting documentation. Based on this review, Staff recommends the Planning Commission make the following findings consistent with State CEQA Guidelines sections 15091 and 15096:

1. The MND and supporting documentation complies with all CEQA requirements and is adequate for use by the City as responsible agency. Moreover, the MND and the supporting environmental documentation contains a complete, objective, and accurate reporting of the proposed Project's potential impacts.

2. For the reasons discussed in the MND, the proposed Project and the City's approval of the Entitlements would not result in any significant impact on the environment with implementation of the mitigation measures identified in the MND. These mitigation measures will mitigate to a level of less than significant all of the proposed Project's potential impacts identified in the MND, including impacts relating to Air Quality, Biological Resources, Cultural Resources, Geology, Hazards, Hydrology, Traffic, Tribal Resources, and Utilities. Substantial evidence supports the City's finding that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or mitigate to a level of less than significant the environmental effects identified in the MND.

PUBLIC NOTICE

Public notice of the fact that this item would come before the Montclair Planning Commission was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on June 14, 2019, and mailed to property owners within a 300-foot radius of the exterior boundaries of the project site in accordance with State law for consideration of these discretionary entitlements.

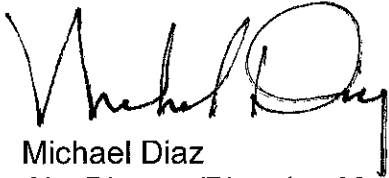
PLANNING DIVISION RECOMMENDATION

Staff finds the proposed redevelopment of the Monte Vista Water District campus renovation project to be consistent with City policy and standards and recommends the Planning Commission approve the project under Case No. 2019-8 by taking the following actions:

1. Find that the MND is adequate for use by the City as a responsible agency for the Project, that the potentially significant environmental impacts identified in the MND will be mitigated to a level of less than significant with the implementation of the mitigation measures that were identified in the MND, and that there will be no significant impact on the environment as a result of the City's approval of the Entitlements ; and
2. Direct staff to prepare, execute and file a Notice of Determination with the San Bernardino County Clerk within five (5) working days of the approval of the proposed Project; and
3. Approve a Conditional Use Permit request under Case No. 2019-8 to allow for a Civic Administration and Utility Facility per the Holt Boulevard Specific Plan (HBSP); and
4. Approve a Variance under Case No. 2019-8 to allow for screening and security fences and/or walls to be placed within the required Central Avenue street frontage setback area; and

5. Approve Precise Plan of Design for the site plan, elevations, colors and materials, and landscape plan associated with the proposed MVWD renovation project and associated on and off-site improvements per the submitted plans and as described in the staff report, subject to the conditions in Planning Commission Resolution No. 19-1931.

Respectfully submitted,



Michael Diaz
City Planner/Planning Manager

MD/cc

Attachments: Planning Commission Draft Resolution No. 19-1931
 Attachment A – MVWD Construction Scenario.

c: Van Jew, Monte Vista Water District, 10575 Central Avenue, Montclair, CA 91763
 Bill Koster, SVA Architect, Inc., 2 MacArthur Place, Suite 850, Santa Ana, CA 92707

Attachment A

MONTE VISTA WATER DISTRICT MAIN OFFICE SITE RENOVATION

10575 Central Avenue, Montclair, CA 91763

Construction Scenario.

Construction of the proposed MVWD Main Office Renovation Project is anticipated to take 30 months or 2.5 years to complete. Construction will occur in three phases:

Phase 1

- Demo Existing Buildings in Phase 1 Area, shown on Figure 3
- Relocate Overhead Power Lines
- Build New Administration Building without Engineering Wing
- Build New Shop Building, Storage Yard, Fleet/Employee Parking Area

Phase 1 will require three weeks to demolish existing structures on site, and 16 months to construct new facilities. Phase 1 of construction will require the use of 38,790 SF of asphalt.

Phase 2

- Demo Existing Administration Building
- Build New Engineering Wing of New Administration Building
- Build Visitor Parking Area

Phase 2 will require two weeks to demolish existing structures on site, and 10 months to construct new facilities. Phase 2 of construction will include development of 5,930 SF of pervious pavers.

Phase 3

- Demo Existing Buildings in Phase 2 Area, shown on Figure 5
- Build New Fleet/Employee Parking Area

Phase 3 will require one week to demolish existing structures on site, and one month to construct new facilities. Phase 3 of construction will include 51,630 SF of asphalt and the 5,930 SF of pervious pavers.

Source: Initial Study prepared by Tom Dodson & Associates, June 2018 for Monte Vista Water District

RESOLUTION NO. 19-1931

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING A CONDITIONAL USE PERMIT, VARIANCE AND PRECISE PLAN OF DESIGN UNDER CASE NUMBER 2019-8 FOR THE PROPOSED USE AND THE SITE PLAN, FLOOR PLANS, ELEVATIONS, CONCEPTUAL COLORS AND MATERIALS, AND CONCEPTUAL LANDSCAPE PLAN FOR THE RENOVATION OF THE MONTE VISTA WATER DISTRICT'S (MVWD) EXISTING FACILITY, INCLUDING THE CONSTRUCTION A NEW ADMINISTRATIVE BUILDING AND CORPORATE YARD FACILITIES LOCATED AT 10575 CENTRAL AVENUE (APNS 1011-052-11, 12, 19, 20, AND 21)

A. Recitals.

WHEREAS, on May 6, 2019, Monte Vista Water District (MVWD), property owner, filed an application for a Precise Plan of Design (PPD), Conditional Use Permit (CUP), and Setback Variance under Case No. 2019-8 for its Main Office Site Restoration Project (proposed Project), which entails the renovation of MVWD's existing facility, including the construction a new administrative building and corporate yard facilities; and

WHEREAS, the project site is 2.84 acres in area with street frontage on the west at Central Avenue and frontage on the east boundary where it meets Rose Avenue and the terminus of Brooks Street; and

WHEREAS; the Montclair General Plan designates the western portion of the site as Public/Quasi Public and Industrial Park for the eastern portion; and

WHEREAS, the designated land use of the site is "Commercial" per the Holt Boulevard Specific Plan (HBSP); and

WHEREAS, the Precise Plan of Design pertains to the overall site plan, floor plans, elevations, conceptual colors and materials, and conceptual landscape plan associated with the proposed development on the site; and

WHEREAS, MVWD served as the lead agency for the environmental review, analysis, and approval of the proposed Project under the California Environmental Quality Act (Pub. Res. Code, § 21000, et seq.; hereinafter CEQA);

WHEREAS, MVWD analyzed the proposed Project consistent with CEQA and prepared a Mitigated Negative Declaration (MND) for the Project that evaluated the Project's potential impacts on the environment; and

WHEREAS, the MND disclosed and analyzed the environmental impacts of the CUP, Variance, and PPD (collectively, "Entitlements") at issue here as part of the Project; and

WHEREAS, the MND provides that, absent mitigation, the proposed Project could have potentially significant environmental impacts relating to Air Quality, Biological Resources, Cultural Resources, Geology, Hazards, Hydrology, Traffic, Tribal Resources, and Utilities, but that these potential impacts would be mitigated to a level of less than significant with the implementation of certain specified mitigation measures; and

WHEREAS, MVWD circulated the MND for public review and comment from July 13, 2018 through August 2, 2018, during which time MVWD reported no public comments as being received; and

WHEREAS, the MVWD Board of Directors adopted the MND on August 22, 2018 and filed a Notice of Determination on August 24, 2018; and

WHEREAS, the City of Montclair hereby incorporates by reference the MND, copies of which are on file with the City; and

WHEREAS, the City has more limited approval and implementing authority over the Project and thus serves only as a "responsible agency" for the proposed Project pursuant to the requirements of CEQA; and

WHEREAS, in its role as responsible agency, the City will consider approval of the Entitlements for the proposed Project; and

WHEREAS, public notice of the fact that this item would come before the Montclair Planning Commission was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on June 14, 2019; and

WHEREAS, on June 24, 2019, at its agendaized public hearing commencing at 7:00 p.m. in the Council Chamber at Montclair City Hall, due to the inability to seat a qualifying quorum, the Planning Commission voted to continue its review of the proposed MND and all other related documents in the record to its next regularly scheduled meeting on July 8, 2019; and

WHEREAS, on July 8, 2019, at its agendaized public hearing commencing at 7:00 p.m. in the Council Chamber at Montclair City Hall, the Planning Commission independently reviewed and considered the MND and all other related documents in the

record before it and further conducted a public hearing at which time all persons wishing to testify in connection with said proposal were heard, and said application was fully studied; and

WHEREAS, all the procedures of CEQA have been met, and the MND prepared in connection with the proposed Project is sufficiently detailed so that all of the potential effects of the Project relating to those potential environmental impacts within the City's powers and authorities as responsible agency, along with all measures necessary to avoid or substantially lessen such effects, have been evaluated in accordance with CEQA; and

WHEREAS, all of the findings and conclusions made by the Planning Commission pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred;

B. Resolution.

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

SECTION 1. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. In the City's limited role as a responsible agency under CEQA, the Planning Commission has reviewed and considered the information contained in the MND, all supporting documentation, and the administrative record. Based on this review, the City finds that, as to those potential environmental impacts within the City's powers and authorities as responsible agency, the MND and supporting environmental documentation contains a complete, objective, and accurate reporting of the Project's and the Entitlements' potential impacts on the environment; the Planning Commission further finds that the MND complies with all CEQA requirements. These findings reflect the Planning Commission's independent judgment and analysis.

SECTION 3. Having considered the MND, the administrative record, and all other written and oral comments, and pursuant to State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000, et seq.) sections 15091 and 15096, the Planning Commission finds and agrees with MVWD that (1) the Project and the Entitlements' impacts on the environment would be less than significant with the implementation of the mitigation measures identified in the MND, (2) the mitigation measures identified in the MND will be implemented via the Conditions of Approval attached hereto as Exhibit "A," and (3) changes have thus been required in, or incorporated into, the Project that would reduce the Project's and the Entitlements' potential significant impacts to less than significant levels. The Planning Commission thus finds that with implementation of the

mitigation measures set forth in the MND, which the City seeks to implement as conditions of approval for the Entitlements, the Project and the Entitlements will not result in potentially significant environmental impacts. The Planning Commission further finds that there are no feasible alternatives within the City's powers that are required to avoid or substantially reduce the Project's potential impacts. Moreover, the Planning Commission further finds that any comments received by the City regarding the Project and/or Entitlements have been examined and have been determined to not modify the conclusions of the MND. Therefore, the Planning Commission adopts the County's findings made under State CEQA Guidelines section 15091 as its own.

SECTION 4. Based on the entire record before the Planning Commission, all written and oral evidence presented to the Planning Commission, and the findings set forth in this Resolution, the Planning Commission hereby approves a Conditional Use Permit, a Variance, and Precise Plan of Design under Case No. 2019-8, subject to the conditions of approval attached hereto in Exhibit "A".

SECTION 5 .Based on the entire record before the Planning Commission and all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows with respect to the recommendation of approval of a Conditional Use Permit:

- A. That said use is essential or desirable to the public convenience and public welfare. Monte Vista Water District (MVWD), formed in 1927, provides retail and wholesale water supply services to a population of over 130,000 within a 30-square mile area, including the communities of Montclair, Chino Hills, portions of Chino and the unincorporated area lying between the cities of Pomona, Chino Hills, Chino, and Ontario. Approval of the CUP associated with this project will allow for the continued use of the site by MVWD with enhanced facilities to serve its customers.
- B. That granting the permit will not be materially detrimental to the public welfare and to other property in the vicinity. MVWD has operated at the subject site without known adverse impacts for decades. Approval of the CUP and subsequent renovation of the existing facility will be in conformance with the development standards HBSP and current building codes so as to be a positive improvement to the community.
- C. That such use in such location conforms to good zoning practice, in that the CUP approval for the MVWD use will be fully consistent with both the General Plan HBSP zone classification for the project site. Moreover, the continued use, and renovation, of the MVWD campus at its existing location would be consistent with both the uses surrounding the project and the surrounding land use designations and zoning classifications and not create adverse effects on the established community in any manner.
- D. That such use in such location is not contrary to the objective of any part of the adopted General Plan, in that the adopted General Plan encourages compliance

with Specific Plan objectives and good design for all project which this project proposal provides.

SECTION 6. Based on the entire record before the Planning Commission and all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows with respect to the recommendation of approval of a Variance from required setback on Central Avenue:

- A. That because of special circumstances applicable to the subject property, including its size, shape, topography, location, or surroundings, the strict application of the 20-foot landscape setback would adversely impact the site. The property in question is a unique shaped parcel on the west and sides of the site due to the design and curvature of adjacent roadways - Central Avenue frontage road and the cul de sac at Brooks Street. To meet the 20-foot setback requirement in a manner that follows the property line configuration would adversely affect the efficient use of the property and its internal development in a manner that is different than how required setbacks would impact regularly shaped lots located in the same area.
- B. The 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. MVWD already has walls within the required setback so approval of the variance would maintain the ability to utilize the current location of the existing wall and replace it with a new fence that offers security for the site while also allowing visibility to a portion of the interior of the site where main public entry to the new Administration Building will be and to the associated visitor parking area. As a public agency, security and accessibility to the public are integral objectives that the variance helps MVWD achieve at this location.
- 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 reduced setback for placement of fences/walls along the Central Avenue frontage of the site would still allow for a sufficient amount of landscaping facing the street. Moreover, the variance would minimize the potential for future public nuisance issues with unauthorized access and activities, due to the site's location just off Central Avenue. Lastly, a variance for reduced setbacks was approved for commercial and industrial development on the west side of Central Avenue which has similar site, location, configuration, and security concerns affecting their project.
- 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 orderly development throughout the City.

SECTION 7. Based on the entire record before the Planning Commission and all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows with respect to the recommendation of approval of a Precise Plan of Design:

- A. The proposed redevelopment of the subject site would be consistent with respect to the land use designation of "Commercial" zoning district of the Holt Boulevard Specific Plan. The project fully complies with the applicable development standards of the proposed Commercial zoning designation of the HBSP. The proposed buildings and various appurtenant structures are appropriately situated on the site, and access to and from the site will be easy from adjacent public streets. Other site improvements such as parking, trash enclosures, exterior lighting, and landscaping have been appropriately accommodated in the proposed plan.
- B. The proposed project would result in a significant improvement to the appearance of the area and makes efficient use of the site, contributes to the ongoing improvement of property values in the area, and is compatible with adjacent land uses.
- C. The site plan, building form, massing, height and design of the proposed buildings are well done and very attractive. The design for each building and structure are consistent and work well together as a whole and provide a good amount of visual interest internally and externally as viewed by the street. The design features high quality exterior materials and finishes and incorporates appropriate lighting and landscape materials to give the project a distinct and pleasing appearance.

SECTION 8. Pursuant to Section 66412.3 of the Government Code, based on the entire record before the Planning Commission and all written and oral evidence presented to the Planning Commission, the Planning Commission finds the proposed improvements with the subject application will provide new and desirable commercial development along the Holt Boulevard corridor of the City.

SECTION 9. The Planning Commission directs staff to file a CEQA Notice of Determination with the County of San Bernardino Clerk of the Board of Supervisors within five (5) working days of adoption of this Resolution.

SECTION 8. The location and custodian of the documents and any other material that constitute the record of proceedings upon which the Planning Commission based its decision is as follows: Planning Division, Community Development Department, City of Montclair, 5111 Benito Street, Montclair, California 91763, or by telephone at (909) 625-9477.

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

APPROVED AND ADOPTED THIS 8TH DAY OF JULY, 2019.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____

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 8th day of July, 2019, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

EXHIBIT A
Conditions of Approval

Resolution No. 19-1931
Case No. 2019-8

Planning

1. This approval shall be for the following applications allowing the complete renovation of the Monte Vista Water District (MVWD) campus – main office and corporate yard - located on a 2.84-acre parcel at 10575 Central Avenue:
 - a. A Conditional Use Permit (CUP) to allow for a Civic Administration and Utility Facility per the Holt Boulevard Specific Plan (HBSP); and
 - b. A Variance to allow for screen and security fences and/or walls to be placed within the required landscape setback area along Central Avenue landscape setback area along Central Avenue; and
 - c. A Precise Plan of Design (PPD) for the site plan, floor plans, elevations, colors, materials, and conceptual landscape plan associated with the development of the entire site.
 - d. These entitlements are granted based upon the maps, plans, and elevations submitted by the Monte Vista Water District on file with Planning Department. Minor modifications to this approval which are determined by the City Planner to be in substantial conformance with the approved site plan, building elevations, landscaping, and exterior lighting, and which do not intensify or change the use or require any deviations from adopted standards, may be approved by the City Planner upon submittal of prepared plans submitted for review and approval.
2. 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, the State of California, or Federal Government. Approval of this CUP shall not waive compliance with any such requirements.
3. The CUP and Variance approval 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 eventual construction of the project. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's PPD expiration date.

4. Precise Plan of Design (PPD) approval shall be valid for a period of one year and shall automatically expire on the anniversary date of Planning Commission approval, unless the applicant is diligently pursuing building plan check toward eventual construction of the project. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's PPD expiration date.
5. No changes to the approved set of plans, including the exterior design and materials/finishes, shall be permitted without prior City review and approval.
6. Any modification, intensification, or expansion of the use beyond that which is specifically approved by the above-noted entitlements and that is not reflected in the map, plans, and drawings approved with this action shall require review and approval by staff, the Planning Commission, or the City Council as appropriate.
7. In the event that exhibits and written conditions are inconsistent, the written conditions shall prevail.
8. Within five days of City Council approval, the applicant shall submit the following payments to the Planning Division:
 - a. A check in the amount of **\$50**, payable to "the City of Montclair" to cover the fee for filing a Notice of Determination (NOD) as required by the California Environmental Quality Act (CEQA).
 - b. A check in the amount of **\$420.40**, payable to the "City of Montclair," to cover the cost of publishing a Notice of Public Hearing in a newspaper of general circulation (Inland Valley Daily Bulletin) as required by state law.
9. 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.

10. The applicant and/or property owner shall ensure that a copy of this Resolution is reproduced on the first page of the construction drawings and shall be distributed to all design professionals, contractors, and subcontractors participating in the construction phase of the Project.
11. 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 City Planner.
12. All mechanical equipment including, but not limited to, utility meters, air conditioners, vents, and repair equipment shall be located within the building, or screened in a manner that is compatible with the architectural design of the building to the satisfaction of the City Planner. Wooden lattice or fence-like screens/covers are not appropriate screening materials and shall not be allowed.
13. Surface-mounted exposed conduit or electrical lines shall not be allowed. Electrical switchgear, meters, etc., shall be screened or housed in an enclosure to the extent allowed by the utilities.
14. Freestanding electrical transformers and Fire Department double check detector assembly equipment shall be screened with masonry walls compatible with the building architecture and/or landscaping to the satisfaction of the City Planner and Fire Marshal. Efforts shall be made to place these elements in locations that are as unobtrusive as possible.
15. No outdoor pay telephones, loudspeakers, or vending machines shall be installed or used on the property.
16. Business operations at the site shall be subject to the applicable noise requirements of Chapter 6.12 of the Montclair Municipal Code. Outdoor noise levels for industrial areas are a maximum of 70 db between the hours of 7:00 a.m. and 10:00 p.m.
17. No outdoor storage, including storage containers, shall be allowed around the building, drive aisles, or upon required parking spaces.
18. All vehicle or equipment maintenance and/or fabrication activities shall be conducted inside the existing buildings or other approved facilities on site.

19. All utilities within development boundaries shall be placed underground. This requirement shall apply to existing on-site utility poles and overhead wires for electrical services, transformers and switches, telephone and cable television facilities, serving the new structures and uses located within property boundaries.
20. Prior to the issuance of building permits, the applicant shall provide as part of the plan check submittal the following plans for City Planner review and approval:
 - a. Fencing/wall/gate plan with details for the entire site. The design of the decorative wall and/or metal fence and gates shall be complementary to overall appearance and colors of the new buildings and constructed of durable and easily maintained materials as follows:
 - i. Fencing shall have a durable finish (e.g., powder coat) in a color that complements the building.
 - ii. The maximum height of the fence shall not exceed eight feet (8'-0") in height along any interior side or rear property line as adjusted for existing grade conditions and subject to the satisfaction of the City Planner. The use of chain-link fencing and security deterrents such as barbed or concertina wire are expressly prohibited.
 - iii. Block walls shall incorporate a finish cap piece. Unfinished gray colored masonry block is prohibited. However, gray colored split face block is acceptable.
 - iv. Any gates utilized for either development shall be made accessible to emergency personnel (Police and Fire) during times when they are closed. Contact the Montclair Fire Department for further information and requirements.
 - v. Any wall or fence (or combination wall/fence) facing a street or the railroad right of way shall be designed to deter graffiti to the satisfaction of the City Planner. Open fencing and/or landscaping screens are highly encouraged.
 - vi. The applicant shall be responsible for coordinating with the adjacent property owners regarding the replacement of existing walls or fences, if required. Double wall or fence situations shall not be allowed.
 - b. Exterior lighting and photometric plan for the entire site. The plans shall indicate the location of all exterior light fixtures (area, building, parking lot, etc.) and the overall illumination levels across the site (both parcels). All proposed exterior lighting shall comply with the following standards:

- i. Provide a minimum maintained illumination level of one (1) foot-candle across the site.
 - ii. All lighting fixtures shall be vandal-resistant and of a design that complements the architecture of the building.
 - iii. 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 and properties adjacent to the subject site. Cut-off shields may be required to ensure illumination does not adversely impact adjacent properties to the greatest extent possible.
 - iv. Freestanding light fixtures and poles shall not exceed a maximum height of 20'-0" as measured from adjacent grade to top of luminaires.
 - v. 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.
 - vi. 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 not be permitted.
 - vii. "Wall-washers" or decorative landscape lighting shall be subject to review and approval by the Planning Division.
- c. Complete Landscape Documentation Package meeting the intent and design criteria of the Montclair Water Efficient Landscaping and Conservation Ordinance (Chapter 11.60 of the Montclair Municipal Code). The Landscape Documentation Package shall include the following items:
- i. Landscape Concept Plan
 - ii. Water Budget;
 - iii. Landscape Construction Drawings (including a grading plan, irrigation plan, and planting plan).

A Landscape Documentation Package shall be approved when the Community Development Director verifies that the proposed Landscape Concept Plan for the project complies with the provisions of Chapter 11.60, other applicable provisions of this code, and when any applicable

land use permit or other entitlement requirements have been fulfilled. A copy of the approved plan will be kept on file in order to use at a later date to ensure that the plan was implemented as permitted and maintained as required.

- d. The trash enclosure(s) details. All trash enclosures shall have a solid roof cover and be designed to complement the overall architecture of the main building and in compliance to City standards.
 - i. Contact Burrtec Waste Industries to determine the number of required bins to support the most likely end user(s) of the building.
 - ii. Black-colored concrete shall be used for the trash enclosure floor and its apron.
 - iii. Access to the trash enclosure shall be constructed with disabled-access features.
- 21. Prior to the installation of any signs, the applicant shall submit an application for a Sign Program for the entire project to the Planning Commission for review and approval.
- 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. Prior to issuance of a Certificate of Occupancy for any new building or structure, the applicant shall install approved landscaping materials in the immediate vicinity of said building or structure on the property, subject to the satisfaction of the City Planner. The following standards shall apply:
 - a. All shrubs shall be minimum five-gallon container size (except herbaceous perennials and woody spreading shrubs on slopes).
 - b. All new trees (including any required street trees) shall be minimum 24-inch box size and double-staked.
 - c. A minimum of 3 inches of bark mulch (shredded or chips) shall be provided on all planted areas

- d. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.
25. All landscaping and irrigation systems shall be maintained in accordance with the approved site and/or landscape plan to ensure water use efficiency at all times. Future modifications to and/or removal of existing landscaping shall require prior approval by the Planning Division.
26. 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.
27. All landscaping on the project site shall be regularly maintained in a healthy and vigorous living condition at all times. This shall include proper pruning, weeding, removal of litter, fertilizing, and sufficient irrigation of all plants. Dead vegetation shall be promptly replaced with healthy, living plants in accordance with standard seasonal planting practices. The property owner shall also be responsible to keep the landscaped areas reasonably free of weeds, trash, and debris.
28. 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 Community Development Director.
29. All automobile parking spaces shall be clearly delineated with double-line (e.g. "hairpin") striping.
30. 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.
31. 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.
32. Freestanding electrical transformers and Fire Department double check detector assembly (DCDA) equipment shall be screened with masonry walls compatible with the building architecture and/or landscaping to the satisfaction of the City

Planner and Fire Marshal. Efforts shall be made to place these elements in locations that are the least visually intrusive as possible.

33. The property owner shall be responsible for maintaining all buildings, yards, structures, signs, parking areas and other improvements at all times in such a manner that does not detract from the appearance of the site and 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.
34. All graffiti shall be removed affected surfaces within 24 hours of discovery or notification by the City. The paint utilized to cover the graffiti shall match the affected structure. In the event that the paint finish of the abated area is noticeably distinguishable from the balance of the surface area of the building side just abated for graffiti, or noticeably distinguishable from the rest of the structure, the entire surface area of either the abated side or of the structure shall be painted to minimize the disparity, subject to City Planner approval.
35. The applicant/property owner shall upon notification by the City restore and/or replace any glazing, architectural metal panels, or other exterior design feature/material that have been permanently damaged by graffiti, etching, or by other means.
36. This permit may be modified or revoked for failure to abide by these conditions or in the event that the use is determined to be a nuisance to surrounding properties, businesses, or the community at large.
37. 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.

Environmental – MVWD MND Mitigation Measures

38. AIR-1 Fugitive Dust Control. The following measures shall be incorporated into Project plans and specifications for implementation:
 - Apply soil stabilizers or moisten inactive areas.
 - Water exposed surfaces as needed to avoid visible dust leaving the construction site (typically 2-3 times/day).
 - Cover all stock piles with tarps at the end of each day or as needed.
 - Provide water spray during loading and unloading of earthen materials.
 - Minimize in-out traffic from construction zone.
 - Cover all trucks hauling dirt, sand, or loose material and require all trucks to maintain at least two feet of freeboard.

- Sweep streets daily if visible soil material is carried out from the construction site.
39. AIR-2 Exhaust Emissions Control. The following measures shall be incorporated into Project plans and specifications for implementation:
- Utilize well-tuned off-road construction equipment.
 - Establish a preference for contractors using Tier 3 or better heavy equipment.
 - Enforce 5-minute idling limits for both on-road trucks and off-road equipment.
40. BIO-1 The State of California prohibits the “take” of active bird nests. To avoid an illegal take of active bird nests, any grubbing, brushing or tree removal should be conducted outside of the the State identified nesting season (Raptor nesting season is February 15 through July 31; and migratory bird nesting season is March 15 through September 1). Alternatively, the site shall be evaluated by a qualified biologist prior to the initiation of ground disturbance to determine the presence or absence of nesting birds. Active bird nests MUST be avoided during the nesting season. If an active nest is located in the project construction area it will be flagged and a 300-foot avoidance buffer placed around it. No activity shall occur within the 300-foot buffer until the young have fledged the nest.
41. CUL-1 Should any cultural resources be encountered during construction of these facilities, earthmoving or grading activities in the immediate area of the finds shall be halted and an onsite inspection shall be performed immediately by a qualified archaeologist. Responsibility for making this determination shall be with MVWD’s onsite inspector. The archaeological professional shall assess the find, determine its significance, and make recommendations for appropriate mitigation measures within the guidelines of the California Environmental Quality Act.
42. CUL-2 Should any paleontological resources be encountered during construction of these facilities, earthmoving or grading activities in the immediate area of the finds shall be halted and an onsite inspection should be performed immediately by a qualified paleontologist. Responsibility for making this determination shall be with the City’s onsite inspector. The paleontological professional shall assess the find, determine its significance, and make recommendations for appropriate mitigation measures within the guidelines of the California Environmental Quality Act.
43. CUL-3 Should human remains or funerary objects be encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project

44. GEO-1 Stored backfill material shall be covered with water resistant material during periods of heavy precipitation to reduce the potential for rainfall erosion of stored backfill material. If covering is not feasible, then measures such as the use of straw bales or sand bags shall be used to capture and hold eroded material on the Project site for future cleanup.
45. GEO-2 All exposed, disturbed soil (trenches, stored backfill, etc.) shall be sprayed with water or soil binders twice a day, or more frequently if fugitive dust is observed migrating from the site within which the MVWD Main Office is being constructed.
46. HAZ-1 All spills or leakage of petroleum products during construction activities will be remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste will be collected and disposed of at an appropriately licensed disposal or treatment facility. This measure will be incorporated into the SWPPP prepared for the Project development.
47. HAZ-2MVWD shall prepare an updated Business Plan, with a Spill Prevention Control Countermeasures Plan, and submit this document to the City Fire Department for review and approval. All hazardous materials that may be used at the project site shall be identified (including quantities); methods of storage shall be defined; measures to prevent release of the hazardous materials to the environment shall be defined; and management procedures for disposal of hazardous waste, including proper manifesting, shall be identified. The City Fire Department shall review and approve this plan prior to movement of any hazardous materials onto the site.
48. HYD-1 MVWD shall require that the construction contractor prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) which specifies Best Management Practices (BMPs) that will prevent all construction pollutants from contacting stormwater and with the intent of keeping all products of erosion from moving offsite into receiving waters. The SWPPP shall include a Spill Prevention and Cleanup Plan that identifies the methods of containing, cleanup, transport and proper disposal of hazardous chemicals or materials released during construction activities that are compatible with applicable laws and regulations. BMPs to be implemented in the SWPPP may include but not be limited to:
 - The use of silt fences;
 - The use of temporary stormwater desilting or retention basins;
 - The use of water bars to reduce the velocity of stormwater runoff;
 - The use of wheel washers on construction equipment leaving the site;
 - The washing of silt from public roads at the access point to the site to prevent the tracking of silt and other pollutants from the site onto public roads;

- The storage of excavated material shall be kept to the minimum necessary to efficiently perform the construction activities required. Excavated or stockpiled material shall not be stored in water courses or other areas subject to the flow of surface water; and
 - Where feasible, stockpiled material shall be covered with waterproof material during rain events to control erosion of soil from the stockpiles.
49. TRAF-1 The construction contractor will provide adequate traffic management resources, as determined by the City of Montclair. The City shall require a construction traffic management plan for work in public roads that complies with the Work Area Traffic Control Handbook, or other applicable standard, to provide adequate traffic control and safety during excavation activities. The traffic management plan shall be prepared and approved by the City prior to initiation of excavation activities. At a minimum this plan shall include how to minimize the amount of time spent on construction activities; how to minimize disruption of vehicle and alternative modes of transport traffic at all times, but particularly during periods of high traffic volumes; how to maintain safe traffic flow on local streets affected by construction at all times, including through the use of adequate signage, protective devices, flag persons or police assistance to ensure that traffic can flow adequately during construction; the identification of alternative routes that can meet the traffic flow requirements of a specific area, including communication (signs, webpages, etc.) with drivers and neighborhoods where construction activities will occur; and at the end of each construction day roadways shall be prepared for continued utilization without any significant roadway hazards remaining.
50. TRC-1 Retain a Native American Monitor: The project Applicant will be required to obtain the services of a tribal monitor approved by the Gabrieleño Band of Mission Indians-Kizh Nation and will be present on-site during the construction phases that involve any ground disturbing activities. Ground disturbance is defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, weed abatement, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete monitoring logs on a daily basis that will provide descriptions of the daily 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 Tribal Representatives and monitor have indicated that the site has a low potential for archeological resources.
51. TRC-2 Unanticipated Discovery of Tribal Cultural and Archaeological Resources: Upon discovery of any archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor approved by the Gabrieleño Band of Mission Indians-Kizh Nation. 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. Typically, the Tribe will request reburial or preservation for educational purposes. Work may continue on other parts of the project while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5 [f]). If a resource is determined by the qualified archeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is 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.

52. TRC-3 Unanticipated Discovery of Human Remains and Associated Funerary Objects: Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC) and PRC 5097.98 shall be followed.
53. TRC-4 Resource Assessment & Continuation of Work Protocol: Upon discovery, the tribal and/or archaeological monitor will immediately divert work at minimum of 50 feet and place an exclusion zone around the burial. The monitor(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD).

54. TRC-5 Kizh-Gabrieleno Procedures for burials and funerary remains: If the Gabrieleno Band of Mission Indians – Kizh Nation is designated MLD, the following treatment measures shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. These remains are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.
55. TRC-6 Treatment Measures: Prior to the continuation of ground disturbing activities, the land owner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive diagnostics on human remains.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location mitigated between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

56. TRC-7 Professional Standards: Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.
57. UTIL-1: The contract with demolition and construction contractors shall include the requirement that all materials that can feasibly be recycled shall be salvaged and recycled. This includes but not limited to wood, metals, concrete, road base and asphalt. The contractors shall submit a recycling plan to MVWD for review and approval prior to the construction of demolition/construction activities.

Building

58. 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. Provide an existing plan of the building including all walls to be demolished.
 - g. Waste recycling plan, recycling 65% of all construction debris.
59. The applicant shall comply with the latest adopted California Building Code, other applicable codes, and ordinances and regulations in effect at the time of permit application. These applicable codes shall be indicated on the first page of submitted plans.
60. Submit two sets of structural calculations, and two sets energy conservation calculations.
61. Architect's/Engineer's stamp and "wet" signature are required prior to plan check approval.
62. Submit detailed plans for all walls and fencing associated with the project.
63. A demolition permit is required prior to the demolition of any existing structure on the site.

64. Clearly indicate on submitted plans disabled-accessible path(s) of travel to the public right-of-way from the affected area of new construction or renovation. 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%).
65. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.
66. Exposed raceways shall be prohibited on all building. Conduits, vents and piping shall not be located on the exterior of the building.
67. 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.
68. 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.
69. Security gates to the rear of the building shall be equipped with Medeco locks or other acceptable devices to allow access by emergency personnel and utility providers at all times.
70. 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.
71. 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.
72. Fire sprinkler risers and roof access ladders shall be located entirely within the enclosed buildings. Double-detector check facility shall be adequately screened by landscaping or an architectural screen wall.
73. 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.

74. Construction drawings submitted to the Building Division for plan check review shall comply with Montclair Security Ordinance No. 357, including, but not limited to, adherence to the following standards:
 - a. Address numerals shall be in a font acceptable to the Planning Division, minimum 10 inches in height, minimum 1½ inches in depth, and in a color that adequately contrasts with the background to which they are attached.
 - b. The facility shall be provided with a minimum maintained illumination level of one (1) foot-candle from dusk until termination of business every business day. During all other hours of darkness, a minimum of one-quarter (.25) foot-candles of illumination shall be maintained at grade.
75. No soil shall be imported or exported to or from the project site from an adjacent building site or from other sources for construction purposes without first obtaining approval from the City Engineer. A plan satisfactory to the City Engineer shall be prepared showing the proposed haul route within the City. Subject plan shall include provisions for street sweeping and cleanup. Applicant/contractor shall comply with all NPDES requirements.
76. Underground Service Alert shall be notified 48 hours prior to any excavation at (800) 422-4133.
77. 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.
78. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.
79. 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.
80. 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.

81. 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.
82. 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 handicapped 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.

Water Quality Management Plan

83. 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.
84. Owner understands that infiltration testing must be conducted and a report submitted for review within 30 days of demolition of the building pad including the revised WQMP.
85. Owner understands that if the stormwater treatment device is infeasible at proposed location, and an alternative treatment device is proposed that may affect site design project owner may have to revisit with the Planning Department for any revised site changes.
86. Owner understands no construction may commence prior to the approval of the WQMP.
87. Post-construction stormwater treatment devices associated with the WQMP must be constructed and operational prior to receiving Certificate of Occupancy for first phase of construction.

88. 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.
89. 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) 983-5501 for further information regarding permit and fees.
90. Prior to issuance of a rough grading and/or precise grading permit, the applicant must:
 - a. Must have a City approved WQMP.
 - b. Submit to the Engineering Division an electronic copy of the approved WQMP in PDF format.
 - c. Obtain a State Construction General Permit and proof must be shown (WDID Number) on both rough grading plan and precise grading plan.
91. Prior to issuance of Certificate of Occupancy, the applicant shall:
 - a. Submit to the Engineering Division as built drawings as it relates to the WQMP.
 - b. Record the WQMP Maintenance Agreement with the County of San Bernardino and provide evidence of said recording to the Engineering Division.
92. 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 NPDES Coordinator that all conditions and requirements of the WQMP have been implemented or complied with. For projects, developments, or properties intended to be leased or sold, developer shall also submit evidence to the NPDES Coordinator 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.
93. 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

94. It is required prior to receiving Certificate of Occupancy the Landscape Architect of record to comply and submit a Letter of Completion to both Planning Division and Engineering Division.
95. 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.
96. 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.
97. 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.
98. 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.
99. 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.
100. 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

101. Developer shall comply with all requirements of the Subdivision Map Act and the Montclair Municipal Code.
102. 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.

103. A park land fee is not applicable for this site.
104. Payment of transportation-related development impact fees. Fees shall be assessed at the rate in effect at the time the fees are paid.
105. Any street improvements shall be shown on street improvement plans, they may also be included in the grading plans.
106. All pavement damaged by excavation shall be replaced with permanent pavement per the City Standard for paving and trench repair STD No. 121.
107. Replace all existing lifted or cracked curb gutter and sidewalk adjacent to the property. Additionally remove sidewalk that shows signs of ponding or is pitting, scaling or spalling.
108. Project shall pave the curb adjacent lane for the limits of the property.
109. Project shall add at least one light along property frontage. Streetlights will be owned and maintained by Southern California Edison (SCE). The minimum lighting level for all streets shall be to the satisfaction of the City Engineer.
110. Developer shall pay Regional Sewerage Capital Outlay fees as specified in the Montclair Municipal Code and by Inland Empire Utilities Agency.
111. Discharge of wastewater into the sewer collection system shall conform to all requirements of the Montclair Municipal Code.
112. 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.
113. 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.
114. All drainage facilities shall comply with requirements of the approved WQMP.
115. 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.

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

Environmental

117. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
118. 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 for fee information.
119. A Wastewater Discharge Survey is required to be completed and submitted to the Environmental Manager for review prior to plan submittal. Contact Environmental Manager Nicole deMoet at (909) 625-9446 for more information.
120. The proposed capacity of the sand oil clarifier for the Vehicle Wash Bay and Maintenance Building is to be determined by the Environmental Manager. Contact Environmental Manager Nicole deMoet at (909) 625-9446 for more information.

Fire

121. This is a general plan review only and is to determine if this project should be allowed to move forward to the City Development Review and/or the Fire Prevention Bureau plan check phase. 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.
122. 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).
123. When submitting plans Provide 3 Complete architectural, structural, Fire Alarm and Fire Sprinkler plans, including all specifications, shall be submitted 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)
124. 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)

125. 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).
126. Provide an accurate description of the scope of work for the project on the title page.
127. Show all exterior and interior building dimensions on the plans.
128. The plan check application can be found on the City of Montclair web site: <http://www.cityofmontclair.org> and clicking on following Departments, Fire, Fire Prevention, Plan check and permit process.
129. 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.
130. All fees are required to be paid in full prior to any permit issuance.
131. 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).
 - o 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.
132. Provide additional fire apparatus access roads (2016 CFC 503.1.2). Show fire apparatus access on all sides of the building on the plans.
133. 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).
134. 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).
135. 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).

136. 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)
Traffic calming devices shall be prohibited unless approved by the fire code official. (2016 CFC 503.4.1)
137. 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).
138. 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)
139. 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.
140. Security gates are required to be setback 45 feet from the public roadway curb line.
141. 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).
142. 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).
143. Install parapet ladders and emblems. Locations to be determined by the Fire Prevention Bureau during plan check.
144. Commercial Address numbers must be 8-10" tall and automatically illuminated and facing the street. Contact Planning for further information. (CFC 2016 505.1).
145. Exact number, location, and type of fire extinguishers shall be determined by Fire Prevention Bureau.
146. Public Water Systems must meet all Monte Vista Water District standards. Contact the Monte Vista Water District at 909-624-0035.
147. Exact number, location, and design of fire hydrants shall be determined by Fire Department and the Monte Vista Water District.
148. 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.

149. An approved water supply capable of providing the required fire flow for fire protection shall be provided (2016 CFC 508.1).
150. 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
 - o 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.
151. 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.
152. 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)).
153. The installation of check valves is required between fire hydrants and Fire Department Connections (FDC).
154. Show pipe size of the fire water system on the plans.
155. 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)
156. Provide a site plan showing all fire hydrants and distances to nearest fire hydrants in all directions along fire apparatus access roads.
157. Minimum underground fire service supply pipe shall be 6 inches in diameter. (MMC 10.28.060K(5)).
158. Double Check Detector Assembly shall be painted Rustoleum Hunt Club Green, satin acrylic finish stock #7944502.

159. 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.
160. 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.
161. Any Outdoor detached facilities greater than 200 square feet is required to install an approved fire sprinkler system. (MMC 10.28.060 J(3)).
162. Fire sprinkler system plans are required to be a separate plan submittal with a completed application and all fees pre-paid.
163. 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 detections system plans are required to be a separate plan submittal with a completed application and all fees pre-paid.
164. 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".
165. 2016 CFC Chapter 33 conditions shall apply to this project during construction and demolition (2016 CFC 3301.1).
166. Develop and maintain an approved pre-fire plan in cooperation with the fire department (2016 CFC 3308.2).
167. 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).
168. 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 through-out the project. (CFC 2016 503.2.3)

169. 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).
170. Fire apparatus roads shall not be obstructed in any manner, including the parking of vehicles (CFC 2016 503.4).
171. 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).
172. Welding, cutting, open torches and other hot work operations and equipment shall comply with 2016 CFC Section 2601.1.
173. 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).
174. Structures under construction, alterations or demolition shall be provided with not less than one approved portable fire extinguisher (2016 CFC 3315.1).
175. KNOX boxes are required and shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Code Official (2016 CFC 1410.2 & 506).

Police

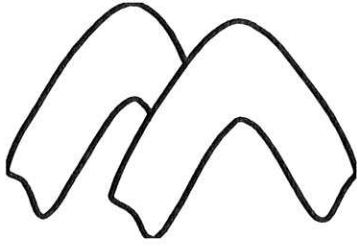
176. Prior to the installation of video surveillance cameras, the applicant shall submit a plan showing their location to the Chief of Police.
177. In conjunction with the ongoing operation of the business, the premises shall comply with all applicable local, State, and Federal requirements placed upon them by any regulatory or governing entity.
178. This Conditional Use Permit (CUP) shall be reviewed one year from the date of approval and may be reviewed each year thereafter. The review shall be conducted jointly by the Community Development Director and Police Chief or designees. The purpose of this review shall be to identify uniquely adverse issues such as curfew, loitering, vandalism, criminal activity, noise, or nuisance

issues. If such issues are identified, the CUP shall be presented to the Planning Commission for their consideration of conditions, modifications or revocation.

179. 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 Conditional Use Permit shall be reviewed for consideration of further conditions, modifications or revocation.
180. There shall be no special promotional events held on the property, unless a written request for such is received and approved by the Community Development Director and the Police Chief or their designee.
181. 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.
182. The premises 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 be positioned as 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, which allows for the widest view from the entrance, without significant lens distortion, and one camera per entrance/exit door. Typical acceptable camera angles range from 50-130 degrees. Cameras shall be capable of no less a resolution than 1920×1080 pixels, otherwise known as 1080p. Cameras shall be capable of no less a resolution than 1920×1080 pixels, otherwise known as 1080p. All cameras shall have IR or low light capability.

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 reduce frame-rate when no motion is detected, however must record at no less than 30 frames per second when motion is detected. Motion sensors shall be configured to activate properly in all areas covered including the parking area, if applicable. 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.

183. Alarm systems are encouraged to compliment the CCVS system. Current responsible party information shall be on file with the Police Department for appropriate response and notifications.



CITY OF MONTCLAIR
PLANNING COMMISSION

MEETING DATE: 07/08/19

AGENDA ITEM 6.c

Case No. 2019-07

Application: A request for Conditional Use Permit and Precise Plan of Design approval to demolish 18,760 SF of existing medical office space and build a 62,000 SF two-story, 90-unit senior care facility with assisted living and memory care units (Phase 1) on two acres of a 3.98-acre site.

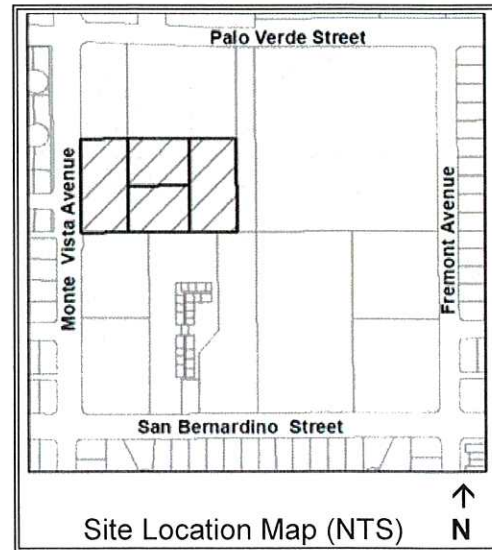
Project Address: 9625, 9635, 9645 & 9655 Monte Vista Avenue

Property Owner: Chendu Holding, LLC

General Plan: Office Professional

Zoning: Administrative Professional (AP)

Assessor Parcel Nos.: 1008-651-09, 10, 11, and 12



ADJACENT LAND USE DESIGNATIONS AND USES

	<i>General Plan</i>	<i>Zoning</i>	<i>Use of Property</i>
Site	Office Professional	Administrative Professional	Medical Use
North	Office Professional	Administrative Professional	Professional Offices
South	Office Professional and Senior Housing	Administrative Professional	Medical Use and Senior Housing
East	Multi-Family	Multi-Family Residential (R3)	Multi-Family Apartments
West	Low 3-7 Units/Acre Residential and Planned Development	Single Family (R-1) and Single Family Overlay (R-1 SL)	Single Family Residential And Single Family Small Lot

Report on Item Number 6.c

CASE NUMBER 2019-07

APPLICATION TYPE	Conditional Use Permit and Precise Plan of Design
NAME OF APPLICANT	Chendu Holdings, LLC
LOCATION OF PROPERTY	9625, 9635, 9645 and 9655 Monte Vista Avenue
GENERAL PLAN DESIGNATION	Office Professional
ZONING DESIGNATION	Administrative Professional (AP)
EXISTING LAND USE	Medical Office Buildings
ENVIRONMENTAL DETERMINATION	Mitigated Negative Declaration (MND)
PROJECT PLANNER	Christine Sanchez Caldwell Assistant Director of Housing/Planning Manager

Project Proposal

The proposed project is a two-phased development of a Senior Assisted Living and Memory Care facility on a 3.98-acre site currently comprised of four separate parcels addressed as 9625, 9635, 9645, and 9655 Monte Vista Avenue, which will be merged into one single lot for development of the project. The proposed development also requires the approval of a Conditional Use Permit (CUP) and Precise Plan of Design (PPD). The project elements are summarized as follows:

Montclair Senior Assisted Living	
Phase 1	
<i>Demolition</i>	<i>New Construction</i>
9625 and 9645 Monte Vista Avenue 20,092 SF 9635 and 9655 Monte Vista Avenue to remain.	Two-story Building - <u>62,023</u> SF <ul style="list-style-type: none"> 15 memory care units (28 beds) 75 assisted living units (75 beds) Total: 90 units with 103 beds.
Phase 2	
<i>Demolition</i>	<i>New Construction</i>
9635 Monte Vista Avenue 9,911 SF	Two-Story Building - <u>22,000</u> SF <ul style="list-style-type: none"> 50 memory care/assisted living units (50 beds)
Total	84,023 SF

During Phase 1, the remaining buildings at 9635 and 9655 Monte Vista Avenue will be repainted to complement the new color scheme of the new main building. The rear building, 9655 Monte Vista Avenue, will not be demolished in either phase and is designed to retain its medical offices/uses throughout the life of the project.

The senior assisted living component provides an alternate safe and healthy living option for the senior population while also providing personal care for residents who cannot take care of themselves. Although there are no age restrictions, assisted living communities and memory care facilities are primarily occupied by a senior population. The memory care component will accommodate Alzheimer's and/or dementia patients. The operator will provide meals and provide transportation for errands, shopping, medical appointments, etc. The developer will be retaining a health care company to operate and manage both the assisted living and memory care components of the project. The operation of this type of facility requires a Senior Care License issued by California Department of Social Service and a Kitchen Health Permit by the San Bernardino County Health Department.

Architectural Design

The Phase 1 two-story building design is a warm contemporary architectural style that incorporates rich brick veneer elements on all elevations. A porte-cochere grounds the front entry and provides residents and guests covered relief from rain or heat. Metal awnings/canopies are used on the buildings to provide design articulation. Required fire exit doors/stairs are also shown as part of the overall building design. Window frame color will be dark bronze/black further complementing the overall design of the building. A condition of approval requiring all windows be inset a minimum of 2" will enhance the buildings' overall design appearance. The two-story building is 29' high, with the front tower extending nearly 35' high, as measured from finished grade to the highest point of the entry tower.

The building design for Phase 2 has not been designed at this time and is not part of this review. If Phase 2 is implemented, a subsequent design review will be required.

Landscape Plan

A preliminary landscape plan which utilizes plant species that are compatible with the overall architectural style of the proposed buildings has been provided. The plan features a variety of trees selected to provide texture, shade, and greenery in the setback area along the Monte Vista Avenue frontage, and within the parking areas of the property along, and between, the buildings. In addition, shrubs, vines and ground covers populate the planters and create visual interest throughout the new campus. All new plant materials would be water-saving varieties and the irrigation system would be designed to conserve water in compliance with the City's Water Conservation Ordinance.

Parking

The subject site currently has a total of 247 available parking spaces. Montclair Municipal Code (MMC) requires one parking space for every two beds for a senior living facility and one parking space for every 160 square feet of gross floor area of a medical and dental office. Therefore, the proposed project, at complete buildout, would require a total of 158 parking spaces, of which 76 parking spaces would be assigned for the assisted living and memory care buildings, and 82 parking spaces for the 13,187-square foot rear medical office building (9655 Monte Vista Avenue) which is to remain onsite. In accordance with MMC, the project requires a total of 196 parking stalls, which the developer is providing, but 51 fewer parking spaces than currently exists.

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

Background

- The 3.98-subject site is comprised of four separate legal parcels each developed with an existing building. The buildings were developed in 1980 and have been used for medical and office purposes since then.
- The project site is zoned Administrative Professional (AP) and allows for assisted living and memory care facility with the approval of a Conditional Use Permit.
- The developer will retain Alta Vista Healthcare, Inc., to operate and manage both the assisted living and memory care components of the project.

Planning Division Comments

Staff finds the proposed project to be well designed and the proposed buildings—Phase 1 and Phase 2—appropriately situated on the site. At 3.98 acres in size, the property is of an adequate size and shape to support the proposed project as designed with required site improvements for access, parking, landscaping, and the requirements associated with the approved Water Quality Management Plan (WQMP). Moreover, the project is in compliance with the applicable development standards of the AP zoning designation of the property, including setbacks, building height, and parking as generally described above.

Onsite parking is properly distributed around the site. Although 51 parking spaces currently existing on the subject site would be eliminated, the project meets the City's current minimum parking requirements for the senior assisted living and memory care components, as well as meets the minimum parking requirements for the remaining medical building(s). It should be noted that the majority of the residents/patients at the facility will not be drivers, thereby freeing up a number of parking spaces. A scheduled shuttle bus service will be available for the assisted living residents for shopping, medical appointments, etc. When completed, the new development will drastically improve the

run down appearance and conditions of the existing site. Moreover, the new project would establish a high standard for a new generation of medical-type and assisted living facilities in the community.

Building Design and Landscaping

Staff worked at length with the architect on the design of the building and is generally pleased with its overall design and architectural symmetry. The exterior wall forms and use of brick veneer work together to create an attractive-looking building. Special attention with materials and massing was applied to the front entrance and porte-cochere. The dark windows further add to the overall richness of the proposed colors and materials for the building, and the City's requirement for a minimum 2" window inset will augment the building's overall design appearance. Overall, staff finds the proposed color palette of neutral tans, browns, and whites for the balance of the building, as depicted on the material board, to be appropriate. However, based on the small sample board provided by the applicant, staff is not convinced the proposed brick color, Eagle Bluff, is ideal for the building—a darker color may be more fitting. Staff is therefore recommending the applicant continue to work with staff on the final brick veneer color palette during the building plan check process.

The remaining two buildings (until 9635 Monte Vista Avenue is demolished during Phase 2) shall be updated, refurbished, and painted to complement the fresh rhythm of the new building. The fascia and other deteriorated features of the remaining buildings will be required to be replaced, refurbished, or modified to bring them up to an acceptable non-deteriorated state.

The plans show a five foot high parapet which should be tall enough to provide appropriate screening of all rooftop equipment from street level and from all corners of the property. If necessary, the height of the parapet could be increased as necessary to achieve full screening of any roof-top equipment items. Staff has added a condition of approval addressing screening of rooftop equipment.

Staff finds the proposed landscaping to be appropriate and sufficient to enhance the overall appearance of the new building. The selected plant materials are evenly distributed around the site where planter areas are proposed, and no turf areas are proposed. Staff will continue to work with the applicant in final plant material selection and placement to ensure the trees and shrubs are appropriately located so as to not detract from the design of the building.

CONDITIONAL USE PERMIT FINDINGS

Staff believes the necessary findings for granting the CUP for a senior assisted living and memory care center can be made, as follows:

- A. The proposed senior assisted living and memory care facility would be beneficial to the public convenience and public welfare, in that the project would provide a safe and healthy alternate living option to a primarily senior-aged population.

Personal care is provided for residents who cannot care for themselves and all residents would benefit from nutritional well-balanced meals and will be provided transportation to medical appointments, errands, and other areas of interest.

- B. Granting the CUP to allow the establishment of a senior assisted living and memory care facility will not be materially detrimental to the public welfare and to other property in the vicinity in that proposed project will generate relatively less peak-hour or total traffic counts on the site compared to the existing medical office uses. The majority of the residents will not drive cars and will rely primarily on the shuttle service provided by the operator. In addition, a senior assisted living and memory care facility is complementary to the surrounding healthcare-focused land uses.
- C. The proposed senior assisted living and memory care facility at the subject location conforms to good zoning practice, in that the Montclair Municipal Code allows for assisted living/memory care facilities in the Administrative Professional (AP) zone, subject to CUP approval. The CUP allows the City to place reasonable conditions to govern the overall operation of the senior assisted living and memory care facility.
- D. The subject use in the proposed location is not contrary to the objective of any part of the adopted General Plan, in that the General Plan encourages a wide range of healthcare and medical service uses complementary to the local community hospital.

PRECISE PLAN OF DESIGN FINDINGS

Staff believes the necessary findings for approving the PPD for a senior assisted living and memory care facility can be made, as follows:

- A. The proposed development of a 62,023 square-foot assisted living and memory care facility and associated on-site improvements is consistent with the current zoning designation and applicable development standards of the AP (Administrative Professional) zone. Phase 2 construction of a future 22,000 square foot building (memory care center) will require prior Planning Commission Precise Plan of Design approval. The design of the building will be generally consistent and/or complement the overall design, colors, and materials used on Building 1.
- B. The proposed assisted living and memory care development project would result in a substantial and significant improvement to the appearance of the site by replacing underutilized and dilapidated and neglected buildings and landscape planters with a new contemporary development that incorporates the efficient use of the site, high quality site design, and architectural design features.

- C. The proposed building design features high quality exterior materials/finishes, water efficient landscaping plantings that are intentionally designed to soften views of the plain, wall elements of the building, and provide appropriate lighting and hardscape improvements that would result in an enhanced visual appearance for the site.

ENVIRONMENTAL ASSESSMENT

An Initial Study (IS) was prepared for the project and released for public review and comment on June 7, 2019. Based on the findings of the Initial Study, staff has determined the project will not have any significant negative impacts on the environment upon implementation of the recommended mitigation measures. Areas identified as subject to potential environmental impacts requiring mitigation were Biological Resources, Cultural Resources (short term during site preparation), Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Tribal Cultural Resources (short term during site preparation). Eleven mitigation and standard measures have been proposed and have been included as conditions of approval for the project. Therefore, a Mitigated Negative Declaration is proposed for the project.

One response from the public was received regarding the preparation of the IS. The comment was received from one of the tenants of the medical office at 9655 Monte Vista Avenue—the one building that will not to be demolished pursuant to this plan. The letter asked a few questions about the units, landscaping, and underlying zoning of the property. A copy of the letter with questions from the tenant and responses from the applicant are provided in Exhibits A and B. None of the questions impact the review of the project.

PUBLIC NOTICE AND COMMENTS

Availability of the Draft Initial Study and Notice Preparation and scheduled Public Hearing for July 8, 2019, was advertised in the Inland Valley Daily Bulletin newspaper on June 28, 2019, and mailed to surrounding property owners within a 300-foot radius of the exterior boundaries of the project site in consideration with state law. The Draft Initial Study was made available for 20 days, June 7, 2019, through June 26, 2019, to a set list of state and local agencies, designated Native American Tribes pursuant to AB 52, on the City's website, the Planning Division public counter, and at the Montclair City Library.

Planning Division Recommendation

Staff recommends the Planning Commission find the proposal to construct a two-phased assisted living and memory care facility at 9625, 9635, and 9645 Monte Vista Avenue that includes two buildings and associated site improvements for the 3.98-acre site to be well-designed and compatible with surrounding land uses. Accordingly, staff recommends approval of Case No. 2019-07 by taking the following actions:

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

1. Certify that the Commission has reviewed and considered the environmental assessment based upon the findings and proposed mitigation measures in the Initial Study prepared for the project, and find that there will be no significant impact on the environment as a result of the proposed construction of the 62,023 and 22,000-square-foot buildings and associated site improvements on the 3.98-acre site at 9625, 9635, and 9645 Monte Vista Avenue; and
 2. Adopt the proposed Mitigated Negative Declaration (MND) 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. Consider approval of Planning Commission Resolution No. 19-1932 for the following actions:
1. Move to approve a Conditional Use Permit under Case No. 2019-07, approving a two-phased development project for the construction and operation of an assisted living and memory care facility with a total of 153 beds at 9625, 9635, and 9645 Monte Vista Avenue, per the submitted plans and as described in the staff report, subject to the conditions of approval in attached Resolution No. 19-1932.
 2. Move to approve the Precise Plan of Design request, under Case No. 2019-07, for the site plan, elevations, conceptual landscape plan, colors and materials, and other site plan improvements associated with the proposed 62,023-square-foot assisted living and memory care building, and for the remodel of the remaining buildings on the 3.98-acre site at 9625, 9635, 9645, and 9655 Monte Vista Avenue, per the submitted plans and as described in the staff report, subject to conditions of approval contained in Planning Commission Resolution No. 19-1932.

Respectfully Submitted,



Michael Diaz
City Planner
MD/csc

Attachments: Draft Resolution No. 19-1932

Initial Study and Mitigated Negative Declaration

Exhibit A Letter from Dr. Hsu, dated June 24, 2019

Exhibit B Response Letter from Irwin Partners Architects, June 25, 2019

c: Chendu Holding, LLC , 1738 Brigden Road, Pasadena CA 91104

Robert Chiang, Clover Estate, Inc., 2361 Fullercreek Road, Chino Hills, CA 91709

Greg Irwin, Irwin Partners Architects, 245 Fischer Avenue, Costa Mesa, CA 92626

Dr. Frank Hsu, Inland Pulmonary Medical Group, 9655 Monte Vista Ave. Suite 402, Montclair CA 91763

Z:\COMMDEV\CC\CASES\2019-07 ASSISTEDLIVING-MEMORYCARE\9625 MONTEVISTAVE\2019-07PCRPT



INLAND PULMONARY MEDICAL GROUP
Specializing in Internal Medicine, Pulmonary Disease, Critical Care, Sleep Disorder

Frank J. Y. Hsu, M.D., F.C.C.P. • Gene S. Hong, M.D., F.C.C.P. • Amarin Kongchalalai, M.D., F.C.C.P. • Elbert K. Chang, M.D., F.C.C.P.
Nicolaas M. Grobler, M.D., F.C.C.P. • Shahram Khorrami, M.D., F.C.C.P. • Mublna Gaffar, M.D., F.A.C.P

Exhibit "A"

CITY OF MONTCLAIR

Michael Diaz, Planning Manager

JUN 24 2019

City of Montclair, Community Development Department

COMMUNITY DEVELOPMENT
DEPARTMENT

5111 Benito Street, Montcalir, CA. 91763

Dear Mr. Diaz:


I received "Notice of Intent to adopt a Mitigated Negative Declaration" the regarding planned Montcair Senior Living Project.

I read your letter and the description of the plan. I have some questions regarding the plan.

1. In your description of the first phase, you indicated that there will be 75 units of assisted living with 75 beds. Do you mean that all the units are private room for single person?
2. The letter did not indicate how much green area will be in relation to the entire parcel. Can you give us some idea?
3. This area is designated as AP zoning now. Is this a special permission, as assist living is usually built on R3 zoning?

Thank you for your assistance.

Frank Hsu, M.D.


Inland Pulmonary Medical Group

9655 Monte Vista Ave. Montcair # 402

Exhibit "B"

Michael Diaz, Planning Manager
City of Montclair, Community Development Department
5111 Benito Street, Montclair, CA 91763

June 25, 2019

Dear Mr. Diaz,

In response to the letter we received from Frank Hsu, regarding the "Notice of Intent to adopt a Mitigated Negative Declaration" with regards to the Montclair Senior Living Project.

1. In your description of the first phase, you indicated that there will be 75 unites of assisted living with 75 beds. Do you mean that all the units are private rooms for single person?
 - a. *Answer: Yes, single occupancy for assisted living.*
2. The letter did not indicate how much green are will be in relation to the entire parcel. Can you give us some idea?
 - a. *Answer: Landscape is 14%, which exceeds the 12% required by zoning code.*
3. This area is designated as AP zoning now. Is this a special permission, as assisted living is usually built on R3 zoning?
 - a. *The subject use is allowed a Conditional Use Permit approval process.*

Thank you.

Todd Balicki, Project Manager

Irwin Partners Architects

RESOLUTION NO. 19-1932

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING A CONDITONAL USE PERMIT UNDER CASE NO. 2019-07 FOR DEVELOPMENT OF A SENIOR ASSISTED LIVING AND MEMORY CARE FACILITY AT 9625, 9635, 9645 AND 9655 MONTE VISTA AVENUE AND PRECISE PLAN OF DESIGN APPROVAL OF THE SITE PLAN, FLOOR PLANS, ELEVATIONS, COLORS, MATERIALS, AND CONCEPTUAL LANDSCAPE PLAN FOR CONSTRUCTION OF THE 62,023 SQUARE-FOOT BUILDING AND REMODEL OF THE REMAINING BUILDINGS (ASSESSOR PARCEL NUMBERS 1008-651-09-0000, 1008-651-10-0000, 1008-651-11-0000, AND 1008-651-12-0000)

WHEREAS, on September 17, 2018, Chendu Holdings, LLC, property owner, filed an application for a Conditional Use Permit (CUP) and Precise Plan of Design (PPD) identified as Case No. 2019-07, to allow the development of a two-phased senior assisted living and memory care facility at 9625, 9635, 9645, and 9655 Monte Vista Avenue; and

WHEREAS, the subject property is approximately 3.98 acres in size and is comprised of four separate legal parcels with four freestanding office buildings, two of which will be demolished to accommodate the first phase of the project; and

WHEREAS, the four existing properties will be merged into a single parcel pursuant to a lot merger and allow the development of the proposed project per approved plans; and

WHEREAS, the Phase 1 includes the demolition of two buildings, 9625 and 9645 Monte Vista Avenue, to all the construction of a new two-story 60,023 square foot assisted living and memory care facility; and

WHEREAS, the subject site is located in the AP (Administrative Professional) zone; and

WHEREAS, an assisted living and memory care facility is allowed in the AP zone pursuant to the approval of a Conditional Use Permit; and

WHEREAS, the Precise Plan of Design pertains to the site plan, floor plans, elevations, colors, materials, and conceptual landscape plan associated with the proposed development and redevelopment of the site; and

WHEREAS, the Precise Plan of Design details the site plan, building placements, landscaping, and parking fields for both construction phases of the project; and

WHEREAS, the application only includes design plans for the two-story 62,023 SF building to be built during Phase 1 of the project; and

WHEREAS, the building design plans for Phase 2 shall require prior City review approval for Precise Plan of Design prior to construction of the Phase 2 improvements that will include building elevations, colors, materials, etc.; and

WHEREAS, staff finds the project to be in compliance with the guidelines and applicable development standards of the AP (Administrative Professional) zone; 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 June 7, 2019, and ending on June 26, 2019; and

WHEREAS, notice of the availability of the Initial Study and Planning Commission review of this item was mailed out to property owners within a 300-foot radius of the project site boundaries; and

WHEREAS, one comment was received by staff on June 24, 2019, from the Inland Pulmonary Medical Group, 9655 Monte Vista Avenue, regarding the number and type of rooms, the amount of landscaping for the project, and whether the zoning for the project was appropriate; and

WHEREAS, 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 eleven proposed mitigation and standard measures. Areas identified as subject to potential environmental impacts requiring mitigation were Biological Resources, Cultural Resources (short term during site preparation), Geology and Soils, Hazards and Hazardous Materials, and Tribal Cultural Resources (short term during site preparation). Eleven (11) mitigation measures and standard conditions have been proposed and included as conditions of approval for the project. Therefore, a Mitigated Negative Declaration 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 Notice of Determination for the Mitigated Negative Declaration and a De Minimis finding of no effect 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 July 8, 2019, commencing at 7:00 p.m. in the Council Chambers 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 this Commission during the above-referenced public hearing on July 8, 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 senior assisted living and memory care facility at 9625, 9635, and 9645 Monte Vista Avenue as follows:

- A. The proposed senior assisted living and memory care facility would be beneficial to the public convenience and public welfare, in that the project would provide a safe and healthy alternate living option to a primarily senior-aged population. Personal care is provided for residents who cannot care for themselves and all residents would benefit from nutritional well-balanced meals and will be provided transportation to medical appointments, errands, and other areas of interest.
- B. Granting the CUP to allow the establishment of a senior assisted living and memory care facility will not be materially detrimental to the public welfare and to other property in the vicinity in that proposed project will generate relatively less peak-hour or total traffic counts on the site compared to the existing medical office uses. The majority of the residents will not drive cars and will rely primarily on the shuttle service provided by the operator. In addition, a senior assisted living and memory care facility is complementary to the surrounding healthcare-focused land uses.
- C. The proposed senior assisted living and memory care facility at the subject location conforms to good zoning practice, in that the Montclair Municipal Code allows for assisted living/memory care facilities in the Administrative Professional (AP) zone, subject to CUP approval. The CUP allows the City to place reasonable conditions

to govern the overall operation of the senior assisted living and memory care facility.

- D. The subject use in the proposed location is not contrary to the objective of any part of the adopted General Plan, in that the General Plan encourages a wide range of healthcare and medical service uses complementary to the local community hospital.

SECTION 3. Based upon the entire record before the Planning Commission during the above-referenced hearing on July 8, 2019, including written and oral staff reports together with public testimony, this Planning Commission hereby finds as follows with respect to the recommendation of approval of Precise Plan of Design under 2019-07, subject to the conditions of approval contained in this resolution. Staff believes the findings for approving the PPD for a senior assisted living and memory care facility can be made, as follows:

- A. The proposed development of a 62,023 square-foot assisted living and memory care facility and associated on-site improvements is consistent with the current zoning designation and applicable development standards of the AP (Administrative Professional) zone. Phase 2 construction of a future 22,000 square foot building (memory care center) will require prior Planning Commission Precise Plan of Design approval. The design of the building will be generally consistent and/or complement the overall design, colors, and materials used on Building 1.
- B. The proposed assisted living and memory care development project would result in a substantial and significant improvement to the appearance of the site by replacing underutilized and dilapidated and neglected buildings and landscape planters with a new contemporary development that incorporates the efficient use of the site, high quality site design, and architectural design features.
- C. The proposed building design features high quality exterior materials/finishes, water efficient landscaping plantings that are intentionally designed to soften views of the plain, wall elements of the building, and provide appropriate lighting and hardscape improvements that would result in an enhanced visual appearance for the site.

SECTION 4. Based upon the entire record before the Planning Commission during the above- referenced hearing on July 8, 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 General Plan, Montclair Municipal Code, and good planning principles, and approves the application subject to each and every condition set forth below.

Planning

1. This Conditional Use Permit, and Precise Plan of Design approval is for development of an assisted living and memory care facility as depicted on approved plans dated April 16, 2019 and as described in the staff report. The approved CUP and PPD shall comply with the following requirements:
 - a. This Precise Plan of Design (PPD) approval is only for Phase 1 – the construction of a new 62,023 square-foot assisted living and memory care facility and associated site and building improvements including parking and landscaping for the properties located at 9625, 9635, 9645, and 9655 Monte Vista Avenue, as described in the staff report and depicted on approved plans.
 - b. Phase 2 – the construction of the 22,000 square foot secondary building shall require prior Planning Commission consideration for Precise Plan of Design approval prior to issuance of a building permit.
 - c. The maximum number of beds for the assisted living and memory care facility is as follows:

Phase 1: 15 memory care units (28 beds)
75 assisted living units (75 beds)

Phase 2: 50 memory care/assisted living units (50 beds)
 - d. Buildings at 9635 and 9655 Monte Vista Avenue shall be repaired and repainted as depicted on approved plans and as described in the staff report. Replacement of all deteriorated exterior materials and finishes shall be repaired and/or replaced in good quality condition to the satisfaction of the Community Development Director and/or City Planner/Planning Manager.
 - e. Colors and materials as shown on the plans dated April 16, 2019, cannot be modified and/or replaced without prior approval of the Director of Community Development and/or City Planner/Planning Manager. Approved materials and colors are as follows:
 - i. SW 7041 Van Dyke Brown (Accent Stucco and Trim)
 - ii. SW 6385 Dover White (Base Stucco)
 - iii. DEC 760 Desert Gray (Accent Stucco)

- iv. DEC 761 Cochise (Accent Stucco)
- v. Coronado Stone "Special Used Brick"—Eagle Bluff; proposed color may change pursuant to the Director of Community Development and/or City Planner determination.
- f. The applicant will continue to work with Planning staff to fine-tune the selection of brick veneer color (Eagle Bluff) for the Phase 1 building. A true sample of the material (color) shall be submitted to Planning staff during the plan check process.
- g. Windows shall be dark bronze or black in color. No specifications were provided to Planning Division at time of submittal of application; therefore, a catalogue-cut out of the window style, brand, and specifications shall be submitted to Planning staff during the Building Plan Check process for final approval.
- h. All windows shall provide a minimum 2" depth inset from the wall plane.
- i. No decorative foam trim shall be installed around door entries, windows, and/or trim elements (e.g., belt courses) utilized within eight feet (8') from finished adjacent ground or floor elevations.
- j. All interior window treatments (blinds, roller shades, etc.) shall be uniform in color and style and shall be a neutral color. The Director of Community Development and/or City Planner/Planning Manager shall approve final selections.
- k. Roof materials on the porte-cochere shall be approved by the Director of Community Development and/or City Planner/Planning Manager.
- l. The applicant shall continue to work with the Planning staff for final development of the landscape plans—particularly with the placement of trees and shrubs in order to ensure the landscape fully complements the buildings and the full site.
- m. A parcel merger shall be required. Developer shall comply with all requirements of the Subdivision Map Act and the Montclair Municipal Code.
- n. Prior to the issuance of a building permit for construction of the 62,023 square foot building (Phase 1), the applicant shall have completed the required lot merger thereby merging all four lots into one single approximately-sized 3.98 acre legal parcel. No building

permits can/will be issued for structures that extend over current existing property lines.

- o. There shall be no exposed individual air conditioner units located on/within any of the exterior wall elevations or located in the front landscape planter areas. Ground-placed air conditioner units/compressors must be completely screened from Monte Vista Avenue.
 - p. The applicant shall provide Planning staff a catalogue cut of the proposed decorative wall lighting for final approval by the Director of Community Development and/or City Planner/Planning Manager.
 - q. The applicant shall provide Planning staff a catalogue cut of the proposed metal awnings/canopies for final approval by the Director of Community Development and/or City Planner/Planning Manager.
2. The CUP approval 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 obtaining building permits and completing the approved project. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's CUP expiration date.
 3. 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 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.
 4. 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, or expansion of the use and design plan beyond that which is specifically approved with this PPD shall require review and approval by the Planning Commission.
 5. 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 11.78.030 of the Montclair Municipal Code. Approval of this CUP and PPD shall not waive compliance with any such requirements.

6. 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 \$2,354.75 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 (NOD) for the proposed Mitigated Negative Declaration as required by the California Environmental Quality Act (CEQA).
 - b. A check for \$627.56, 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.
7. 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.
8. 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.
9. 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.
10. The operator of the assisted living and memory care shall be responsible for obtaining and maintaining all appropriate licenses and certifications required to operate proposed subject facility.
11. No outdoor pay phones, loudspeakers, or vending machines shall be installed or placed on the property.
12. All automobile parking spaces shall be clearly delineated with double-line (e.g. "hairpin") striping.
13. There shall be not outdoor storage of personal or other items (including motor vehicles).
14. 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, sleeping at the location,

15. Future business operations on the site shall be subject to the applicable noise requirements of Chapter 6.12 of the Montclair Municipal Code.
16. 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 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.
 - 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.
17. 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.
18. Prior to issuance of a Certificate of Occupancy, the applicant shall install approved landscaping materials on the entire site, subject to the satisfaction of the Director of Community Development and/or City Planner/Planning Manager. The following minimum standards shall apply:

- a. All shrubs shall be minimum five-gallon container size (except herbaceous perennials and woody spreading shrubs on slopes).
 - b. All trees (except required street trees) shall be minimum 24-inch box size and double-staked.
 - c. A minimum of 3 inches of bark mulch (shredded or chips) shall be provided on all planted areas or an alternative material approved in advance by the Director of Community Development and/or City Planner/Planning Manager.
 - d. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.
19. All landscaping and irrigation systems shall be maintained in accordance with an approved site and/or landscape plan to ensure water use efficiency.
 20. Any plant material that does not survive, 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.
 21. 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 Community Development Director and/or City Planner/Planning Manager.
 22. 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 prior 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).
 23. 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.

24. 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, under any circumstances, project above the roof parapet.
25. 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 Director of Community Development and/or City Planner/Planning Manager.
26. 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.
27. Access to the roof of the building shall be from within the structure and not be means of roof access ladders mounted to the exterior of the building.
28. 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 Director of Community Development and/or City Planner/Planning Manager.
29. Freestanding electrical transformers and Fire Department double check detector assembly (DCDA) equipment shall be screened with masonry walls compatible with the building architecture and/or landscaping to the satisfaction of the Director of Community Development and/or City Planner/Planning Manager and Fire Marshal. Efforts shall be made to place these elements in locations that are as visually unobtrusive as possible.
30. 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.
31. 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.

32. 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.
33. 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.
34. 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.
35. 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.

Environmental Mitigation Measures

36. *Biological Resources (Mitigation Measure BIO-1)* – If project activities are planned during the bird nesting season (February 1 to August 31), a nesting bird survey shall be conducted within three days (72 hours) prior to any ground disturbing activities, including but not limited to demolition, clearing, grubbing, and/or rough grading, to ensure birds protected under the Migratory Bird Treaty Act (MBAT) are not disturbed by onsite activities. Any such survey(s) shall be conducted by a qualified biologist. If no active nests are found, no additional actions related to this measure are required. If active nests are found, the nest locations shall be mapped by the biologist. The nesting bird species shall be documented and, to the degree feasible, the nesting stage (e.g., incubation of eggs, feeding of young, near fledging) determined. Based on the species present and surrounding habitat, a no-disturbance buffer shall be established around each active nest. The buffer shall be identified by a qualified biologist and confirmed by the City; non-raptor bird species nests shall be buffered at least 280 feet, while raptor nests shall be buffered at 820 feet. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active and has informed the City and construction supervisor that activities may resume. This measure shall be

implemented to the satisfaction of the Community Development Director of designee.

37. *Cultural Resources (Mitigation Measure CUL-1)* – Prior to issuance of grading permits, the City shall verify that the following note is included on the grading plans:

“If any suspected cultural resources are discovered during ground-disturbing activities, the construction supervisor is obligated to halt work within a 60-foot radius around the find and call the project archaeologist to the site to assess the significance of the find. The project archaeologist, the project proponent, and the City Community Development Department shall confer regarding the disposition of the discovered resource(s). The project archaeologist shall prepare a treatment plan and/or preservation plan to be reviewed by the project proponent and the City Community Development Department and implemented by the project archaeologist; the project archaeologist shall monitor remaining earthmoving activities at the project site to protect the identified cultural resource(s) from damage and destruction in accordance with the treatment plan and/or preservation plan. A final report containing the significance and treatment findings shall be prepared by the project archaeologist and submitted to the City Community Development Department and the South Central Coastal Information Center at California State University, Fullerton. Any cultural material, excluding sacred, ceremonial, grave goods, and human remains, collected during construction and from any previous archaeological studies or excavations on the project site shall be curated, as determined by the treatment plan, according to current professional repository standards.”

This measure shall be implemented to the satisfaction of the City Community Development Director or designee.

38. *Geology and Soils (Standard Condition GEO-1)* - Prior to the approval of grading and/or building permits, the project proponent shall provide evidence to the City for review and approval that proposed on-site structures, features, and facilities have been designed and will be constructed in conformance with applicable provisions of the 2016 California Building Code and the recommendations cited in Section 5.1 (Grading), Section 5.2 (Shallow Foundation Design), Section 5.3 (Foundation Construction), Section 5.4 (Concrete Slab), Section 5.5 (Retaining Wall), Section 5.6 (Temporary Excavation and Backfill), Section 6.0 (Seismic Design), Section 8.0 (Corrosion Potential), Section 9.0 (Inspection), Section 10.0 (Double Ring Infiltrometer Test), Section 11.0 (Drainage), and Section 12.0 (Asphalt Pavement) of the project-specific Geotechnical Engineering Investigation.

39. *Geology and Soils (Mitigation Measure GEO 1)* – Prior to issuance of grading permits, the City shall verify that the following note is included on the grading plans:

“If paleontological resources are encountered during the course of ground disturbance, work in the immediate area of the find shall be redirected and a paleontologist shall be contacted to assess the find for scientific significance. If determined to be significant, the fossil(s) shall be collected from the field. The paleontologist may also make recommendations regarding additional mitigation measures, such as paleontological monitoring. Scientifically significant resources shall be prepared to the point of identification, identified to the lowest taxonomic level possible, cataloged, and curated into the permanent collections of a museum repository. If scientifically significant paleontological resources are collected, a report of findings shall be prepared to document the collection.”

This measure shall be implemented to the satisfaction of the City Community Development Director or designee.

40. *Hazards and Hazardous Materials -- (Mitigation Measure HAZ-1)*: If asbestos-containing materials (ACM) are identified during demolition activities, demolition shall be halted, and all ACM shall be abated from the demolition site. An Asbestos Notification shall be prepared and submitted to the South Coast Air Quality Management District (SCAQMD) for approval before any asbestos abatement may commence. The contractor shall provide an asbestos report and a construction and demolition plan with disposal tickets from an SCAQMD-approved disposal facility and air clearances to the City prior to final inspection and approval for the resumption of demolition. This measure shall be implemented to the satisfaction of the City of Montclair Community Development Director or designee, and/or Building and Safety Division, or designee.
41. *Hazards and Hazardous Materials - (Mitigation Measure HAZ-2)*: If lead-based materials (LBM) are identified during demolition activities, demolition shall be halted, and all LBM shall be abated from the demolition site. The contractor shall provide a lead report and a construction and demolition plan with disposal tickets from an SCAQMD-approved disposal facility and air clearances to the City prior to final inspection approval for the resumption of demolition. This measure shall be implemented to the satisfaction of the City of Montclair Community Development Director or designee, and/or Building and Safety Division, or designee.
42. *Hydrology and Water Quality – (Standard Condition HYD-1)*: Prior to the issuance of a grading permit, the project applicant shall file and obtain a Notice of Intent (NOI) with the Regional Water Quality Control Board (RWQCB) in order to be in compliance with the State National Pollutant

Discharge Elimination System (NPDES) General Construction Storm Water Permit for discharge of surface runoff associated with construction activities. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City of Montclair for coverage under the NPDES General Construction Permit. The NOI shall address the potential for an extended and discontinuous construction period based on funding availability. This measure shall be implemented to the satisfaction of the Director of the City Engineering Division of the Public Works Department or designee.

43. *Hydrology and Water Quality – (Standard Condition HYD-2):* Prior to the issuance of a demolition and/or grading permit, the project applicant shall submit to the City of Montclair a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire demolition, grading, and construction period. In addition, the SWPPP shall emphasize structural and nonstructural Best Management Practices (BMPs) to control sediment and non-visible discharges from the site. The SWPPP shall include inspection forms for routine monitoring of the site during both the demolition and construction phases to ensure National Pollutant Discharge Elimination System (NPDES) compliance and that additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. The SWPPP shall address the potential for an extended and discontinuous construction period based on funding availability. The SWPPP shall be kept on site for the entire duration of project construction and shall be available to the local RWQCB for inspection at any time. BMPs to be implemented may include the following:

- Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles and temporary basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs shall be periodically inspected during construction, and repairs shall be made when necessary as required by the SWPPP.
- Materials that have the potential to contribute to non-visible pollutants to storm water must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles shall be surrounded by silt fences and covered with plastic tarps.

- In addition, the construction contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sandbag barriers and other sediment control measures called for in the SWPPP. Monthly reports and inspection logs shall be maintained by the contractor and reviewed by the City of Montclair and the representatives of the State Water Resources Control Board. In the event that it is not feasible to implement specific BMPs, the City of Montclair can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

This measure shall be implemented to the satisfaction of the Director of the City Engineering Division of the Public Works Department or designee.

44. *Hydrology and Water Quality – (Standard Condition HYD-3):* Prior to issuance of a grading permit, the project proponent shall submit evidence to the City that the Low Impact Development (LID) Best Management Practices (BMPs) specified in the Final Water Quality Management Plan (Final WQMP) approved by the City of Montclair on February 21, 2019 shall be written into the grading and development plans submitted to the City for review and approval to manage water quality and hydrologic effects of the proposed project. Final WQMP BMPs shall include conveyance of storm water runoff to the off-site Chino Basin Water Conservation District Montclair Basin #4 - Wilderness Park, located 1,500 feet to the west and 40 feet down gradient of the project site for natural infiltration in accordance with the San Bernardino County Watershed Action Plan and the Technical Guidance Document for Water Quality Management Plans prepared for the County of San Bernardino Area wide Stormwater Program, National Pollutant Discharge Elimination System Permit Number CAS618036, Order Number R8-2010-0036. Specifically, the low impact development BMPs shall be implemented to ensure the project meets or exceeds the minimum design capture volume of the site and ensure all storm water runoff from the site be free of debris pursuant to City and Chino Basin Water Conservation District requirements and standards prior to conveyance off-site to the Chino Basin Water Conservation District Montclair Basin #4 - Wilderness Park.

Periodic maintenance of LID BMPs during project occupancy and operation shall be in accordance with the schedule outlined in the Final WQMP. This measure shall be implemented to the satisfaction of the Director of the City Engineering Division of the Public Works Department or designee.

45. *Tribal Cultural Resources – (Mitigation Measure TCR-1):* Prior to issuance of any grading permit for the proposed project, the City of Montclair (City) shall ensure that the project applicant retains the services of a Tribal monitor approved by the Gabrieleno 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 Gabrieleno Band of Mission Indians-Kizh Nation as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, 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 Gabrieleno 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 archeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act (CEQA), California Public Resources Code (PRC) Division 13, Section 21083.2 (a) through (k).

Construction activity shall not be contingent on the presence or availability of 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 archeological resources.

46. *Tribal Cultural Resources – (Mitigation Measure TCR-2):* All tribal cultural resources and/or archeological resources unearthed by proposed project construction activities shall be evaluated by the qualified archeologist and Native American monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation. Upon discovery of any archeological 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 measure takes place (*CEQA Guidelines* Section 15064.5[f]).

If the resources are Native American in origin, the Gabrieleno Band of Mission Indians-Kizh Nation tribe 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 measures shall be made available through coordination between the Gabrieleno 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 Public Resources (PRC) Sections 21083.2(b) for unique archeological 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 the subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated by 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, it shall be offered to a local school or historical society in the area for educational purposes.

Water Quality Management Plan

47. 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.
48. 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.
49. 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.
50. 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.
51. 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. The WQMP Maintenance Agreement must be signed by the property owner and recorded with the County of San Bernardino and provide evidence of said recording to the Engineering Division.
52. 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 NPDES Coordinator that all conditions and requirements of the WQMP have been implemented or complied with. For projects, developments, or properties intended to be leased or sold, developer shall also submit evidence to the NPDES Coordinator 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.
53. 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.

Building Division

Prior to issuance of building permits, the applicant shall complete the following Building Division requirements:

54. 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. Provide an existing plan of the building including all walls to be demolished.
 - g. Waste recycling plan, recycling 65% of all construction debris.
55. 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.
 56. A building, structure, sewage system, utility line, eave or projection of a structure, or similar shall not cross over a property line so as to encroach on another property. All property, if separated by property line, shall be merged into a single property by way of lot merger before the beginning of improvements to the site.
 57. Submit two sets of structural calculations, if required, and two sets energy conservation calculations.
 58. Architect's/Engineer's stamp and "wet" signature are required prior to plan check approval.
 59. Submit separate detailed plans for all walls, fencing and accessory structures such as trash enclosures associated with the project.
 60. Clearly indicate on submitted plans disabled-accessible path(s) of travel to the public right-of-way from the affected area of new construction or renovation. 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%).
 61. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.
 62. 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.
 63. 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.

64. 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.
65. Each unit shall have individual and independent one-hour separation walls enveloping each assigned airspace or unit and independent utility meters, sewer and water connections and fire protection systems, subject to the review and approval of the Public Works, Community Development and Fire Departments.
66. If security gates are to be utilized on any portion of the property they shall be equipped with Medeco locks or other acceptable devices to allow access by emergency personnel and utility providers at all times.
67. All roof-mounted equipment, satellite dish antennas, mechanical devices and their component parts, such as air conditioners, evaporative coolers, exhaust fans, vents, transformers 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. A mockup of the unit shall be placed in the intended location before the deck inspection of the roof will be performed to ensure the units on the roof will be sufficiently screened from view from any adjacent street or property.
68. Fire sprinkler risers and roof access ladders shall be located entirely within the enclosed buildings. Double-detector check facility shall be adequately screened by landscaping or an architectural screen wall.
69. 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.
70. Construction drawings submitted to the Building Division for plan check review shall comply with Montclair Security Ordinance No. 357, including, but not limited to, adherence to the following standards:
71. The numerical address of the building shall be displayed in a maximum of two locations on the East-facing elevation as follows:
72. Numerals shall be in a font acceptable to the Planning Division, minimum 10 inches in height, minimum 1½ inches in depth, and in a color that adequately contrasts with the background to which they are attached.

73. The facility shall be provided with a minimum maintained illumination level of one (1) foot-candle from dusk until termination of business every business day. During all other hours of darkness, a minimum of one-quarter (.25) foot-candles of illumination shall be maintained at grade.
74. No soil shall be imported or exported to or from the project site from an adjacent building site or from other sources for construction purposes without first obtaining approval from the City Engineer. A plan satisfactory to the City Engineer shall be prepared showing the proposed haul route within the City. Subject plan shall include provisions for street sweeping and cleanup. Applicant/contractor shall comply with all NPDES requirements.
75. Underground Service Alert shall be notified 48 hours prior to any excavation at (800) 422-4133.
76. 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.
77. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.
78. 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.
79. 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.
80. 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.
81. 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 handicapped 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.

Engineering

82. Developer shall comply with all requirements of the Subdivision Map Act and the Montclair Municipal Code.
83. 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.
84. A park land fee is not applicable for this site.
85. Payment of transportation-related development impact fees. Fees shall be assessed at the rate in effect at the time the fees are paid.
86. Any street improvements shall be shown on street improvement plans, they may also be included in the grading plans.
87. All pavement damaged by excavation shall be replaced with permanent pavement per the City Standard for paving and trench repair STD No. 121.
88. All existing lifted or cracked curb gutter and sidewalk adjacent to the property shall be replaced. All sidewalk that shows signs of ponding or is pitting, scaling or spalling shall be replaced.
89. ADA accessible sidewalk around the two driveway approaches shall be provided; additional ROW will be dedicated if needed.
90. Project shall add at least two lights along property frontage. Streetlights will be owned and maintained by Southern CALIFORNIA Edison. The minimum lighting level for all streets shall be to the satisfaction of the City Engineer.
91. Developer shall pay Regional Sewerage Capital Outlay fees as specified in the Montclair Municipal Code and by Inland Empire Utilities Agency.
92. Discharge of wastewater into the sewer collection system shall conform to all requirements of the Montclair Municipal Code.
93. 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.

94. 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.
95. All drainage facilities shall comply with requirements of the approved WQMP.
96. 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.
97. Underground Service Alert shall be notified at least 48 hours prior to any excavation. Contact Underground Service Alert at 800-422-4133.

Environmental

98. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
99. 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 for fee information.
100. An individual Wastewater Discharge Survey must be completed for each of the following uses: Kitchen (Restaurant Survey), Bistro (Restaurant Survey), and remaining Montclair Senior Housing support services (NSIU Survey) and submitted to the Environmental Manager prior to plan review by the Environmental Manager. Please contact Nicole deMoet, Environmental Manager at (909) 625-9446 for any questions regarding the Surveys. The Environmental Manager, upon receipt and review of the surveys, will make a determination on the potential requirement of a gravity Grease Interceptor. The capacity of the grease interceptor shall be determined by the Environmental Manager without exception.
101. All non-Domestic waste (non-restroom waste) fixtures must connect to the grease waste line that flows through the Grease Interceptor (capacity to be determined by the Environmental Manager).

102. 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 California Department of Resources Recycling and Recovery (CalRecycle). Sufficient facilities must be provided and maintained for the mandatory recycling of all recyclable materials and food waste/organics. Documentation from Burrtec Waste Industries, Inc. (The City's Franchise Waste Hauler) must be provided to the City verifying that Burrtec has reviewed plans for the facility and established all required account services for the facility. For additional information, contact Mr. Gary Koontz with Burrtec for review of site plans and to establish the correct services on the refuse account. gkoontz@burrtec.com.
103. Verify if facility will have a Water Softener. If the facility is installing a Water Softener, it must use Recharge Canisters that are removed regularly for off-site brine disposal using an approved service provider. No brine disposal is permitted onsite. All Brine-Self-Regenerative Water Softeners are prohibited. Must show Water Softener Specs on plan showing softener does not discharge brine to sewer and brine canisters serviced off-site.
104. The applicant shall contact Nicole deMoet, Environmental Manager at (909) 625-9446 and provide 72 hours' notice in advance to schedule all inspections. The Environmental Manager shall be given access to complete inspections for the interior and exterior rough plumbing for the sample wye installation, prior to the issuance of a Certificate of Occupancy.
105. Additional comments may follow.

Fire

106. This is a general plan review only and is to determine if this project should be allowed to move forward to the City Development Review and/or the Fire Prevention Bureau plan check phase. 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.
107. 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).
108. When submitting plans provide three (3) complete architectural, structural, Fire Alarm and Fire Sprinkler plans, including all specifications, shall be submitted 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)

109. 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)
110. 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).
111. Provide an accurate description of the scope of work for the project on the title page.
112. Show all exterior and interior building dimensions on the plans.
113. The plan check application can be found on the City of Montclair web site: <http://www.cityofmontclair.org> and clicking on following Departments, Fire, Fire Prevention, Plan check and permit process.
114. 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.
115. All fees are required to be paid in full prior to any permit issuance.
116. 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.
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. 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).
125. 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).
126. Install parapet ladders and emblems. Locations to be determined by the Fire Prevention Bureau during plan check.
127. Commercial Address numbers must be 8-10" tall and automatically illuminated and facing the street. Contact Planning Division for further information (CFC 2016 505.1)
128. Exact number, location, and type of fire extinguishers shall be determined by Fire Prevention Bureau.
129. Public Water Systems must meet all Monte Vista Water District standards. Contact the Monte Vista Water District at 909-624-0035
130. Exact number, location, and design of fire hydrants shall be determined by Fire Department and the Monte Vista Water District.

131. 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.
132. An approved water supply capable of providing the required fire flow for fire protection shall be provided (2016 CFC 508.1).
133. 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
134. 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.
135. 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)).
136. The installation of check valves is required between fire hydrants and Fire Department Connections (FDC).
137. Show pipe size of the fire water system on the plans.
138. 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)
139. Provide a site plan showing all fire hydrants and distances to nearest fire hydrants in all directions along fire apparatus access roads.
140. Minimum underground fire service supply pipe shall be 6 inches in diameter. (MMC 10.28.060K(5))
141. Double Check Detector Assembly shall be painted Rustoleum Hunt Club Green, satin acrylic finish stock #7944502.

142. 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.
143. 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.
144. Any Outdoor detached facilities greater than 200 square feet is required to install an approved fire sprinkler system. (MMC 10.28.060 J(3)).
145. Fire sprinkler system plans are required to be a separate plan submittal with a completed application and all fees pre-paid.
146. Commercial cooking equipment that produces grease laden vapors shall be provided with a Type 1 hood, in accordance with the California Mechanical Code. An automatic fire-extinguishing system that is listed and labeled for its intended use is also required. (2016 CFC 904.12)
147. 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 detections system plans are required to be a separate plan submittal with a completed application and all fees pre-paid.
148. Fire Sprinkler riser assemblies shall be weather protected in an enclosure large enough to accommodate repair or replacement of components. The enclosure shall have a door or hatch large enough to accommodate the removal of the largest component of the riser assembly which it contains.
149. 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".

150. 2016 CFC Chapter 33 conditions shall apply to this project during construction and demolition (2016 CFC 3301.1).
151. Develop and maintain an approved pre-fire plan in cooperation with the fire department (2016 CFC 3308.2).
152. 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).
153. 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 through-out the project. (CFC 2016 503.2.3)
154. 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).
155. Fire apparatus roads shall not be obstructed in any manner, including the parking of vehicles (CFC 2016 503.4).
156. 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).
157. Welding, cutting, open torches and other hot work operations and equipment shall comply with 2016 CFC Section 2601.1.
158. 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).
159. Structures under construction, alterations or demolition shall be provided with not less than one approved portable fire extinguisher (2016 CFC 3315.1).

160. KNOX boxes are required and shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Code Official (2016 CFC 1410.2 & 506).

Police

161. In conjunction with the ongoing operation of the business, the premises shall comply with all applicable local, State, and Federal requirements placed upon them by any regulatory or governing entity.
162. 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 Conditional Use Permit shall be reviewed for consideration of further conditions, modifications or revocation.
163. There shall be no special promotional events held on the property, unless a written request for such is received and approved by the Community Development Director and the Police Chief or their designee.
164. 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.
165. The premises 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 be positioned as 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, which allows for the widest view from the entrance, without significant lens distortion, and one camera per entrance/exit door. Typical acceptable camera angles range from 50-130 degrees. Cameras shall be capable of no less a resolution than 1920×1080 pixels, otherwise known as 1080p. Cameras shall be capable of no less a resolution than 1920×1080 pixels, otherwise known as 1080p. All cameras shall have IR or low light capability.
166. 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 reduce frame-rate when no motion is detected, however must record at no less than 30 frames per second when motion is detected. Motion sensors shall be configured to activate properly in all areas covered including the parking area, if applicable. 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.

167. It is the responsibility of the project owner/property manager to obtain a security plan which meets the above requirements.
168. Alarm systems are encouraged to compliment the CCVS system. Current responsible party information shall be on file with the Police Department for appropriate response and notifications.
169. Management shall not allow any consumption of alcoholic beverages on any publicly accessible areas of the property, including but not limited to: park areas, street and off-street parking areas. Private, resident only accessible areas (IE clubhouses, patios, access restricted gated areas, etc.) are exempt.

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

APPROVED AND ADOPTED THIS 8TH DAY OF JULY, 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 8th day of July 2019, by the following vote, to-wit:

AYES:

NOES:

ABSENT: