

Applicant Proposed Revisions to
Resolution No. 22-3366 Conditions of Approval

August 15, 2022

Proposed Revision	Applicant Rationale
<p>CONDITIONS PRIOR TO THE SUBMITTAL <u>OR APPROVAL</u> OF A FINAL MAP (Condition Nos. 15-20) Planning/Administration</p>	<p>The proposed timing for Condition No. 15 is prior to <i>approval</i> so the heading that precedes Condition No. 15 should recognize that Condition Nos. 15-20 may apply prior to submittal <i>or approval</i>.</p>
<p>15. Prior to the approval of the Final Map by the City Council for the project, the map prepared by owner/subdivider shall complete and/or show the following items:</p> <p>a. Obtain written approval and documentation from the United States Army Corps of Engineers and other affected agencies allowing developer to construct or remove any associated improvements (e.g., walkways, bike path, stairs/ramps, walls, fences, gates, signs, lighting, pedestrian bridge, etc.) necessary to facilitate the construction of the San Antonio Creek Trail Plan along the subject site.</p> <p>b. A dedication of a public access easement to the City of Montclair for the purposes of allowing the general public to access San Antonio Creek Trail along the developers subject site.</p> <p>c. Enter into a maintenance agreement with the City of Montclair for maintenance of improvements related to the San Antonio Creek Trail.</p> <p>d. Obtain written approval and documentation from the San Bernardino County Transit Authority (SBCTA) and other affected agencies allowing access and authorizing developers to construct any associated improvements on SBCTA property (ies) necessary for the development of a trailhead public park</p>	<p>Given the uncertain timing associated with the third-party approvals contemplated by Condition No. 15, the Applicant proposes to add subsection (f) to allow Director of Community Development, or his/her designee, the authority to modify Conditions Nos. 15(a)-(e).</p>

<p>along the existing easement of Huntington Drive and trail adjacent to the San Antonio Creek Channel to connect to the Pacific Electric Trail.</p> <p>e. A dedication of a 0.43-acre parcel (Lot 3 of TPM No. 20474) to the City of Montclair for development of a public park.</p> <p>f. The Director of Community Development, or his/her designee, shall have the authority to modify Conditions Nos. 15(a)-(e) (e.g., in the event that approval from third-party agencies delays project construction despite the Applicant's best efforts).</p>	
<p>58. Construction activity shall only be permitted from the hours of 7:00 a.m. to 56:00 p.m. daily.</p>	<p>Construction hours between 7:00 a.m. and 6:00 p.m. would be consistent with Municipal Code Section 6.12.060(D) as well as the conditions associated with the Applicant's recent Kendry Expansion project (Case No. 2021-36).</p>