



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

REGULAR ADJOURNED MEETING
Monday, July 26, 2010
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

Chairman Luis Flores, Vice Chairman Sergio Sahagun, Commissioner Tenice Johnson, Commissioner Maynard Lenhert, and Commissioner Don Vodvarka

4. APPROVAL OF MINUTES

The minutes of the July 26, 2010 Planning Commission meetings 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. CASE NUMBER 2010-13
 - Project Address: 5505 Moreno Street
 - Project Applicant: Loren Beggs/911 Design
 - Project Planner: Michael Diaz, City Planner
 - Request: Precise Plan of Design for site improvements

7. INFORMATION ITEMS

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

8. PUBLIC INSPECTION OF MATERIALS

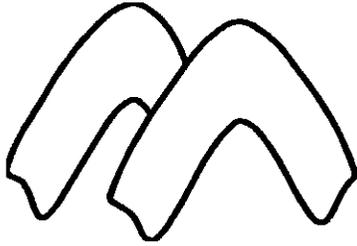
Materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet are available for public inspection at the Planning Division counter during normal business hours.

9. ADJOURNMENT

The City of Montclair Planning Commission is hereby adjourned to the regularly scheduled meeting of August 9, 2010 at 7:00 p.m. in the Council Chambers, 5111 Benito Street, Montclair, California

CERTIFICATION OF AGENDA POSTING

I, Laura Berke, Administrative Secretary for the City of Montclair, hereby certify that a copy of this agenda was posted on the bulletin board adjacent to the south door of Montclair City Hall on July 22, 2010.



CITY OF MONTCLAIR PLANNING COMMISSION

MEETING DATE: 07/26/10

AGENDA ITEM 6.a

Case No.: 2010-13

Application: Precise Plan of Design

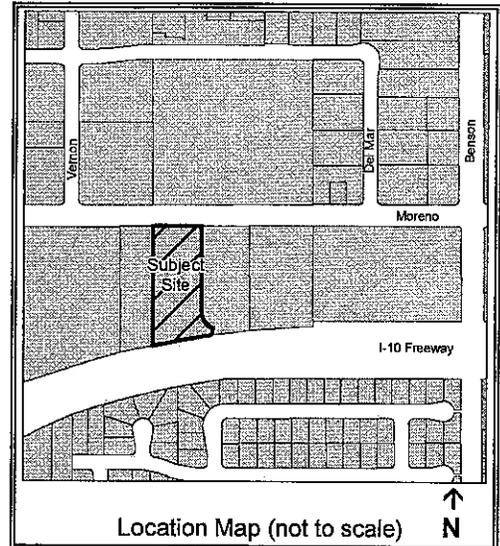
Project Address: 5505 Moreno Street

Property Owner: Loren Beggs

General Plan: Regional Commercial

Zoning: C-3 Commercial

Assessor Parcel No.: 1008-211-05



EXISTING SITE FEATURES/CONDITIONS

Structures: Existing multi-tenant commercial building

Parking: 90 parking spaces (including 4 disabled-accessible spaces)

City/Public Utility Easements: None

Trees/Significant Vegetation: Perimeter landscaping along Moreno Street and interior planters within parking area.

ADJACENT LAND USE DESIGNATIONS AND USES

	<i>General Plan</i>	<i>Zoning</i>	<i>Use of Property</i>
Site	Regional Commercial	C-3 (General Commercial) North Montclair Specific Plan	Multi-tenant Commercial Center
North	Industrial Park	C-3 (General Commercial) North Montclair Specific Plan	Mobile Home Community Retail Commercial Center
East	General Commercial	C-3 (General Commercial) North Montclair Specific Plan	Pegasus Hobby Store
South	---	---	I-10 Freeway
West	General Commercial	C-3 (General Commercial) Specific Plan 86-1	Multi-tenant Commercial Center

Report on Item Number 6.a

CASE NUMBER 2010-13

APPLICATION TYPE(S)	Precise Plan of Design
NAME OF APPLICANT	Loren Beggs
LOCATION OF PROPERTY	5505 Moreno Street
GENERAL PLAN DESIGNATION	Regional Commercial
ZONING DESIGNATION	C-3 "Commercial"
EXISTING LAND USE	Commercial Center
ENVIRONMENTAL DETERMINATION	Categorically Exempt (Section 15301)
PROJECT PLANNER	Michael Diaz

Project Description

The applicant recently purchased the existing multi-tenant commercial property on Moreno Street with the intention of relocating his existing business to the site. The largest lease space (approximately 16,900 square feet) on the property was previously home to the Montclair Yamaha motorcycle sales/service business, and will now be the new home for 911 Design. 911 Design is a full service Porsche repair shop which also specializes in race car preparation, fabrication, and development for racing enthusiasts. At this new facility, the business will offer a complete paint and body shop as well.

To accommodate the new business at the subject location, new interior tenant improvements are being made to the subject lease space. On the exterior of the subject lease space, a new outdoor "Auto Holding Area" at the rear (south side) of the building is proposed. The "Auto Holding Area" will be approximately 3,000 square feet in an area with dimensions of 86' long by 35' wide. This area will be uncovered but enclosed by means of an 8-foot high decorative metal fence and concrete block pilasters. In addition, three (3) decorative metal panel inserts will be added to the fence for visual interest. Gates will be installed on opposite ends of the enclosed area to facilitate access. A new 5-foot deep landscape planter along the south side of the enclosure will be provided to allow for new landscaping to screen the area. Eighteen existing parking spaces, which are currently aligned against the freeway, will be eliminated from the site to allow the "Auto Holding Area" and a realigned drive aisle.

The "Auto Holding Area" is intended to store the company's hauling trailer when it is not on the road at racing venues and to safely secure vehicles that the shop is working on during day time hours. Except for the trailer, no vehicles or other items will be stored overnight. Overnight storage of any vehicles being worked on will be stored in the building. The existing fence and ramp/deck installed by the motorcycle dealership will be removed to allow for the "Auto Holding Area."

Other improvements proposed include repainting the entire building and removal of an exterior roof ladder that will be replaced with a new hatch door from the interior. The new colors for the building will be white with gray trim. The applicant will remove all Montclair Yamaha related signs (including SeaDoo signs) from the building and use the existing monument sign facing Moreno Street.

Background

- 911 Design was founded in 1989 in Upland. In 2000, the business relocated to Montclair on Ada Street. The company currently has 10 full and part time employees and is open for business Monday-Friday from 8:00 a.m. to 5:00 p.m.
- The existing center was approved in 1982 under Case No. 82-21.
- Auto body and painting uses are permitted in the C-3 zone when conducted wholly within a building.

Planning Division Comments

Overall, staff finds the proposed site improvements described above to be appropriate and will not create adverse impacts to adjacent properties. All of the changes are intended to improve the functionality and appearance of the existing facility for the new use. Moreover, all operations and work associated with the 911 Design business will be conducted indoors within the building as required by the zoning code.

Although, the change to the existing drive aisle on the south side of the property results in the loss of 18 parking spaces, staff believes the loss is not significant overall. These spaces are a distance away from the front of the building and are underutilized. The remaining number of parking spaces is 90, which are concentrated at the front of the building lease spaces and along the east property line. Staff's calculation of the required parking for the center is 88 spaces, leaving a small surplus of two spaces.

With regard to the "Auto Holding Area," staff believes the installation of the decorative metal fence will be appropriate to screen this area and help to improve the appearance of the rear (freeway facing) side of the existing building. The added landscaping and trees will soften this area and provide some visual relief to the large wall planes of the building. Eventually, the applicant intends to add more storefront windows to the south side of the building to increase visibility to the freeway and be more visually interesting.

The applicant is aware that staff's support for the so-called "Auto Holding Area" is contingent upon this area not being turned into an outdoor storage area for the business, with the exception of the company's trailer. Outdoor storage of other items, including vehicles and non-related business items, would not be permitted. Conditions of approval regarding this issue and the area's overall maintenance have been added to the proposed resolution for this PPD application.

The most immediate site condition staff has identified with the building is with regard to paint. In a number of places around the building, paint is beginning to flake and the color is inconsistent where graffiti has been painted over. As mentioned above, the applicant intends to repaint the entire building which will give the site a fresh and clean appearance that is good both for the applicant's business and the appearance of the City.

Finally, the applicant will submit a separate application for new signs to identify the new business. This element of the project will be handled by staff and will be subject to the provisions of the existing sign program for the center.

Public Notice

None required.

Environmental Assessment

The proposed project is on a developed site and only involves interior tenant improvements and limited site changes not involving grading. As such, staff has determined that this project is categorically exempt (Class 1 – Existing Facilities) from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the CEQA Guidelines. A DeMinimis finding of no impact on fish and wildlife will be prepared.

Planning Division Recommendation

Staff recommends that the Planning Commission take the following action(s):

- A. Move that, based upon evidence submitted, the project is deemed exempt from the requirements of the California Environmental Quality Act (CEQA). Further, the project qualifies as a Class 1 exemption under State CEQA Guidelines Section 15301.
- B. Move to approve Precise Plan of Design Case No. 2010-13 for site improvements related to the relocation of a new business per the submitted plans, as described in the staff report, and subject to the 39 conditions of approval in Resolution 10-1728.

Respectfully Submitted,



Michael Diaz
City Planner

MD/lb

Z:\COMMDEV\MD\CASES\2010-13 911 DESIGN\2010-13PCRPY

RESOLUTION NUMBER 10- 1728

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF MONTCLAIR APPROVING CASE
NUMBER 2010-13 A PRECISE PLAN OF DESIGN
FOR SITE IMPROVEMENTS AT 5505 MORENO
STREET IN THE C-3 GENERAL COMMERCIAL
ZONING DISTRICT (APN 1008-211-05).**

A. Recitals.

WHEREAS, on July 6, 2010, an application for a Precise Plan of Design (PPD) was submitted by Loren Beggs, property owner, for site improvements associated with a new auto service and repair business at the subject location; and

WHEREAS, the improvements proposed for this location include a new 3,000-square-foot "Auto Holding Area" to be enclosed/screened by decorative metal security fence and landscaping, at the south side of the existing commercial building on the subject site and including associated parking lot/drive aisle changes to accommodate the subject improvement; and

WHEREAS, the application applies to property located at 5505 Moreno Street; and

WHEREAS, the proposed site improvements are consistent with the development standards of the underlying C-3 zoning district and the intent and requirements of the Municipal Code; and

WHEREAS, the Planning Commission has reviewed the Planning Division's determination that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301(c) of the State CEQA Guidelines, and based on its own independent judgment, concurs with staff's determination of said exemption and finding of no significant effect on the environment. As such, a DeMinimis finding of no impact on fish and wildlife will be prepared; and

WHEREAS, on July 26, 2010, commencing at 7 p.m. in the Council Chamber at Montclair City Hall, the Planning Commission conducted a meeting at which time all persons wishing to testify in connection with said project were heard and said proposal was fully studied.

B. Resolution.

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

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

2. Based upon the substantial evidence presented to this Commission during the above-referenced hearing on July 26, 2010, including written and oral staff reports, together with public testimony, this 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 Precise Plan of Design (PPD) approval is for the construction of AN exterior, secured "Auto Holding Area" and associated parking lot/drive aisle changes at the south side of the existing commercial building on the subject site as described in this report and depicted on approved plans.
2. PPD approval shall be valid for a period of one year and shall automatically expire on the anniversary date of Planning Commission approval unless the applicant is diligently pursuing building plan check toward eventual construction of the project. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's PPD expiration date.
3. Approval of this PPD shall not waive compliance with any applicable regulations as set forth by the California Building Code and/or City Ordinances, the San Bernardino County Health Department, or the State of California.
4. Within five days of approval, the applicant shall submit a check in the amount of \$50 to cover the County administrative fee for filing a Notice of Exemption as required the California Environmental Act (CEQA). The check shall be made payable to the Clerk of the Board of Supervisors.
5. All work associated with the subject business shall be conducted entirely within the building. No shade structures or tents shall be used as accessory structures with said business.
6. No vehicles shall be displayed outdoors on the site for the purpose of sale without an approved Conditional Use Permit (CUP) issued by the Planning Commission for this use.
7. A minimum of 90 parking spaces shall be maintained on the subject property at all times. The required parking spaces shall be continuously available for customer and employee parking only and shall not be used for storage, automobile repair, the parking of oversized vehicles, or any other unauthorized use.

8. No overnight parking/storage of vehicles waiting for repair and/or service of any kind shall be permitted at any time on any portion of the property, except for race car trailers only within the approved "Auto Holding Area." Racing trailers shall be parked/stored only within the approved area identified above, and shall be maintained in good, clean, and presentable conditions at all times.
9. Maximum height of the decorative fence enclosing the "Auto Holding Area" shall be 8'-0" high per approved plans. All metal work shall have a durable powder coat finish in a color that coordinates with the building colors. All design details and specifications for the screen/security wall shall be consistent with the approved design concept.
10. Landscaping at the Auto Holding Area shall be installed per the approved set of plans. Plant materials on the site shall be maintained and in a healthy condition at all times. Any dead, missing, or dying plant materials shall be promptly replaced.
11. The applicant shall maintain the property in good condition at all times, including all landscape planters.
12. No outdoor pay telephones or vending machines shall be installed or used on the property in conjunction with this approval.
13. No permanent building-mounted, wall-mounted or monument signs are approved as part of this entitlement. Should the applicant desire to install any business identification signs, plans shall be submitted to the Planning and Building Divisions for review and approval prior to installation of any sign(s).
14. All roof-mounted equipment, satellite dish antennas, and other similar apparatus shall be screened from public view in a manner incorporated into the architectural design of the building to the satisfaction of the Planning Division.
15. 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.
16. All electrical and utility connections serving the facility shall be placed underground in accordance with the requirements of the Montclair Municipal Code.
17. At no time shall equipment noise from any source exceed an exterior noise level for nighttime hours as set forth in Table 6-2 of the Montclair General

Plan. Any backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of 10:00 p.m. and 7:00 a.m. on weekend nights. The applicant shall take corrective action within 30 days of receipt by the Planning Department Services of any reported noise complaint.

18. All graffiti and other forms of vandalism and damage to the subject improvements shall be removed and/or repaired within 72 hours of notice by the City.
19. 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.

Building

20. Project plans shall be submitted for plan check and approved prior to construction. All plans shall be marked with the project file number. The applicant shall comply with the latest adopted California Codes, and all other applicable codes, ordinances, and regulations in effect at the time of permit application.
21. 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.
22. Submit two sets of structural calculations, if required, and two sets of energy conservation calculations.
23. Architect's/Engineer's stamp and "wet" signature are required prior to plan check approval.
24. Clearly indicate on submitted plans disabled-accessible path(s) of travel to the public right-of-way and all required disabled-accessible parking lot signs.

Sidewalks, paths-of-travel, and curb cuts shall comply with the requirements of the California Building Code, Title 24. The maximum cross-slope on a sidewalk, ramp or path-of-travel shall not exceed two percent (2%). Maximum slope of accessible ramps shall be 8.33% slope. All disabled-accessible requirements shall comply with the provisions of Chapter 11 of the 2007 California Building Code.

25. Separate permits are required for fencing and/or walls.
26. All utility services to the project shall be installed underground.
27. Contractors must show proof of State and City licenses and Workers' Compensation coverage to the City prior to permit issuance.
28. Construction activity shall only be permitted from the hours of 7:00 a.m. to 8:00 p.m. daily.
29. Prior to issuance of building permits for a new commercial or industrial development project or major addition, the applicant shall pay development fees at the established rate. Such fees may include, but are not limited to, Transportation Development Impact Fees, Permit and Plan Check Fees, and/or School Fees. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District. Applicant shall provide a copy of the school fees receipt to the Building Division prior to permit issuance.
30. Construct trash enclosure(s) per City standard (available at the Building Division's public counter) per separate permit.
31. Construction drawings submitted to the Building Division for plan review shall comply with the Montclair Security Ordinance No. 357, including, but not limited to, adherence to the following standards:
 - a. Install a numerical address on the south building elevation. Address numerals shall be in Helvetica font, a minimum of ten inches in height, a minimum of 1½ inches in depth, and be in contrasting colors which adequately contrast to the background to which they are attached.
 - b. Provide and maintain a minimum illumination level of one (1) foot-candle from dusk until dawn everyday.
 - c. Install an approved emergency lighting to provide adequate illumination automatically in the event of an interruption of electrical service.
32. Prior to the issuance of a Certificate of Occupancy, the applicant shall:
 - a. Submit to the Building Division electronic images of all plans and records which were submitted for the purpose of obtaining a building

permit. Electronic images shall comply with the City's Electronic Imaging Policy.

- b. Complete all on- and off-site improvements.
 - c. Install all disabled-accessible parking stalls and parking lot signage.
 - d. A Certificate of Occupancy is required prior to the occupancy of the building. Issuance of the Certificate of Occupancy shall be contingent upon the Fire Department inspection and the final approvals from other departments and/or agencies.
33. All off- and on-site trenching and excavation shall conform to CAL-OSHA standards. Excavations that exceed five feet in depth require a CAL-OSHA permit.
34. Underground Service Alert shall be notified at least 48 hours prior to any excavation. Contact Underground Service Alert at 8-1-1.

Fire

35. All Fire Department access and fire lanes shall be posted as "No Parking, Fire Lane." Signs shall be designed and mounted in accordance with Montclair Fire Department standards.
36. Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.
37. In occupancies utilizing flammable or combustible processes, an approved, fixed fire-extinguishing system shall be required for protection (i.e., spray booths, spray rooms, etc.).
38. Commercial/industrial occupancies shall install approved emergency lighting to provide adequate illumination in the event of any interruption of normal lighting.
39. An approved emergency-keyed access system shall be required to facilitate access to buildings by Fire Department personnel in the event of an emergency during non-business hours. Forms are available at the Montclair Fire Department Headquarters for those occupancies requiring such a system.
40. All Montclair Fire Department fees are due prior to any permit issuance.

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

APPROVED AND ADOPTED THIS 26TH DAY OF JULY, 2010.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____
Luis Flores, Chair

ATTEST: _____
Steve Lustro, Secretary

I, Steve Lustro, Secretary of the Planning Commission of the City of Montclair, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Montclair, at a regular meeting of the Planning Commission conducted on the 26th day of July, 2010, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

Z:\COMMDEV\MDIAZ\CASES\2010-13 PC RESOLUTION