



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

REGULAR ADJOURNED MEETING  
Monday, March 23, 2015  
7:00 p.m.

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

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**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

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

**4. APPROVAL OF MINUTES**

The minutes of the March 9, 2015 Planning Commission meeting are presented for consideration.

**5. ORAL AND WRITTEN COMMUNICATIONS ON NON-AGENDA ITEMS**

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

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

## **6. AGENDA ITEMS**

- a. **PUBLIC HEARING - CASE NUMBER 2012-11 'B'**  
Project Address: 5462 Holt Boulevard  
Project Applicant: Enterprise Rent-a-Car of LA, LLC  
Project Planner: Silvia Gutiérrez, Associate Planner  
Request: Conditional Use Permit Amendment to allow truck rentals and on-site storage, and a Precise Plan of Design to construct a covered wash rack  
CEQA Assessment: Categorically Exempt (Section 15301)

## **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.

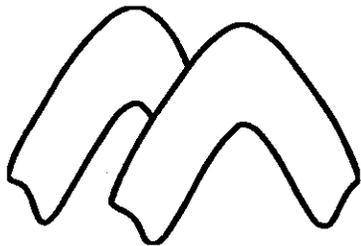
## **9. ADJOURNMENT**

The City of Montclair Planning Commission is hereby adjourned to the regularly scheduled meeting of April 13, 2015 at 7:00 p.m. in the Council Chambers, 5111 Benito Street, Montclair, California.

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### **CERTIFICATION OF AGENDA POSTING**

I, Laura Embree, Administrative Secretary for the City of Montclair, hereby certify that a copy of this agenda was posted on the bulletin board adjacent to the north door of Montclair City Hall on March 19, 2015.



CITY OF MONTCLAIR  
**PLANNING COMMISSION**

**MEETING DATE: 03/23/15**

**AGENDA ITEM 6.a**

**Case No.: 2012-11 'A'**

**Application:** Conditional Use Permit (CUP) Amendment to add light and medium duty truck, cargo van, and bobtail box rentals to an existing business specializing in new and used auto sales and car rental services, and a Precise Plan of Design (PPD) to construct a 925 square-foot covered wash rack

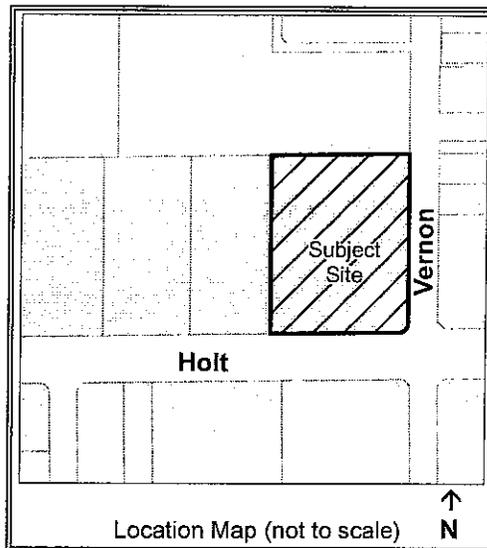
**Project Address:** 5462 Holt Boulevard

**Property Owner:** Enterprise Rent-A-Car of Los Angeles

**General Plan:** General Commercial

**Zoning:** "Auto Mall" per Holt Boulevard Specific Plan

**Assessor Parcel No.:** 1010-591-18



**EXISTING SITE FEATURES/CONDITIONS**

**Structures:** One (1) office building/showroom

**Parking:** Paved, striped parking at east and west sides of building; striped "stacked" inventory parking at rear of building

**City/Public Utility Easements:** None

**Trees/Significant Vegetation:** Perimeter landscaping along Holt Boulevard and Vernon Avenue and on-site landscaping

**ADJACENT LAND USE DESIGNATIONS AND USES**

	<b><i>General Plan</i></b>	<b><i>Zoning</i></b>	<b><i>Use of Property</i></b>
<b>Site</b>	General Commercial	"Auto Mall" (AM) per Holt Boulevard Specific Plan	Office/commercial building
<b>North</b>	Neighborhood Park	R-3 (Multi-Family Residential)	Saratoga Park
<b>East</b>	General Commercial	"Auto Mall" (AM) per Holt Boulevard Specific Plan	Vacant lot
<b>South</b>	General Commercial	"Business Park" (BP) per Holt Boulevard Specific Plan	Multi-tenant commercial development
<b>West</b>	General Commercial	"Auto Mall" (AM) per Holt Boulevard Specific Plan	Multi-tenant buildings for auto-related retail/service uses

## Report on Item Number 6.a

### PUBLIC HEARING - CASE NUMBER 2012-11 'A'

APPLICATION TYPE(S)	Conditional Use Permit Amendment and Precise Plan of Design
NAME OF APPLICANT	Enterprise Rent-A-Car of Los Angeles
LOCATION OF PROPERTY	5462 Holt Boulevard
GENERAL PLAN DESIGNATION	General Commercial
ZONING DESIGNATION	"Auto Mall" per Holt Boulevard Specific Plan
EXISTING LAND USE	Auto Sales and Rental Agency
ENVIRONMENTAL DETERMINATION	Categorically Exempt (Section 15301)
PROJECT PLANNER	Silvia Gutiérrez

#### Project Description

The applicant is requesting approval of a second amendment to a Conditional Use Permit (CUP) originally approved in 1987 that would allow the rental of light and medium duty trucks, cargo vans, and bobtail box trucks as part of its existing auto rental and used car sales business on the subject property located at the northwest corner of Holt Boulevard and Vernon Avenue. The applicant is also requesting a Precise Plan of Design (PPD) to construct a 925 square-foot covered wash rack at the rear of the property. If approved, Enterprise Rent-A-Truck would relocate to the subject site from its current location at 1344 East Holt Boulevard in Ontario. ,

All three business activities on the site (auto rentals, used car sales, and truck rentals) are affiliated with Enterprise Rent-A-Car, but would operate as separate entities within the same building. The existing building is approximately 10,434 square feet in size and has a two-story portion at the rear half of the structure. The general breakdown of the building square footage and inventory related to each business is provided in the following table:

<b>Enterprise Rent-A-Car Businesses at 5462 Holt Boulevard</b>		
<i>Business Activity</i>	<i>Area</i>	<i>Description/Inventory</i>
Administrative Offices	7,247 s.f.	Offices For Regional Managers
Enterprise Rent-A-Car	862 s.f.	Car and Light Truck Rentals Maximum Inventory – 30 vehicles
Enterprise Car Sales	1,526 s.f.	Used Vehicles Maximum Inventory – 100 vehicles
Enterprise Rent-A-Truck	799 s.f.	Trucks/Vans/Bob Tails Maximum Inventory – 25 vehicles
<b>Totals</b>	<b>10,434 s.f.</b>	<b>155 Vehicles</b>

The businesses would be open to the public Monday through Saturday from 9:00 a.m. to 7:00 p.m., and closed on Sundays. Except for the vehicle wash rack and vacuuming, no auto repairs would be done on-site. Any necessary auto repairs would be performed at an off-site location. Employees of the businesses would be required to park on-site at the rear of the building.

Except for adding a new sign panel for Enterprise Rent-a-Truck to the existing monument sign that was installed in 2012, no significant changes to the exterior of the building or site are proposed.

### Outdoor Display and Inventory

Each business would have outdoor display and/or storage of vehicles on the site, the bulk of which would be stored in a secure parking area at the rear (north) side of the property behind the building. Inventories of vehicles for each business would be separated by a wrought iron fence. Inventories are routinely restocked on a daily basis as vehicles are rented or sold.

The current display of vehicles for sale and rental and customer parking occur at the front of the site in the two separate parking areas on each side (west and east) of the building. The westerly parking area would be utilized by the rental business and is improved with 24 parking spaces, eight of which would be reserved for customers. The easterly parking area fronts both Holt Boulevard and Vernon Avenue and has 34 spaces, nine of which would be reserved for customers. The remainder would be used for the display of vehicles.

The applicant is proposing to restripe the northwest quadrant of site to accommodate up to 25 light and medium duty trucks, cargo vans and bobtail box trucks that would be displayed and stored at this location.

A site plan and floor plans depicting the location of each business within the building are included in the Commission packets for reference.

### Background

- The subject site is approximately 2.6 acres in area and is developed with a single building and parking areas to the north, west, and east. Prior to Enterprise Rent-A-Car, the site was occupied by Montclair Yamaha and Foxy's Beer Tavern.
- In 1987, the Planning Commission approved Case No. 87-36, a Conditional Use Permit to allow automobile sales with outdoor display, and a Precise Plan of Design to remodel and refurbish the existing building. A variance was also granted to allow a reduced setback for the wall constructed along the Vernon Avenue frontage of the site.

- In 1991, the Holt Boulevard Specific Plan was adopted, which rezoned the subject property from C-3 (General Commercial) to "Auto Mall."
- In 2009, Enterprise Rent-A-Car relocated its auto sales use on the subject site to 10385 Central Avenue.
- In 2012, the Planning Commission approved Case No. 2012-11 allowing Enterprise to relocate its used car sales business back to the subject location. Pursuant to Chapter 11.78 of the Montclair Municipal Code, a new CUP was required to re-establish the auto sales use since it had been discontinued at the Holt Boulevard site for more than 180 days.

### **Planning Division Comments**

Overall, staff finds the proposed project to be appropriate. The CUP amendment would not result in a significant change in the way the property has been utilized for the past 30 years. The use is consistent with uses allowed in the "Auto Mall" land use district of the Holt Boulevard Specific Plan. The main use of the property will continue to be related to the rental and/or sale of vehicles by Enterprise Rent-A-Car, in addition to the administrative offices for its regional managers.

Staff finds the subject site to be of adequate size and shape to accommodate the proposed addition of truck rentals in combination with the existing uses - administrative offices, car rentals, and used car sales. The site is fully developed and has organized parking at the front of the site for customers and display, while the rear of the property is of adequate size, illuminated, and paved to allow for organized storage of the vehicle inventories for each business. Restriping of the aforementioned parking areas is part of the proposal to help maintain an organized use of the property.

The two parking areas at the front of the property facing the street have direct access from the adjacent streets and are of adequate size and capacity to allow for the desired display of vehicles and for required customer parking for each business. Each parking area is separated from the other so as not to create any potential on-site circulation or parking issues. Required employee parking (21 spaces) per the Holt Boulevard Specific Plan is easily provided for on the site and would be located behind the building in the large parking field adjacent to the proposed wash rack canopy.

As mentioned above, all three businesses would receive cars every business day to maintain their respective inventories. Staff recognizes this as an integral aspect of the business but has noted that there have been repeated instances of vehicles being off-loaded to the site from auto carriers parked in the middle of Vernon Avenue, which caused a disruption of safe traffic flow on the street. The blocking or disruption of traffic flow on a public street is a violation of the Vehicle Code and is subject to citation. Staff discussed this issue with the applicant who met with the Public Works Director to develop a plan that would resolve the problem. The resolution to the problem requires deliveries of vehicles by auto carrier to be made directly on-site. Auto carriers would

enter the site from the westerly driveway off Holt Boulevard, make their delivery, and then exit the site at Vernon Avenue where a right turn would lead them back to Holt Boulevard, which is an approved truck route. This is an acceptable arrangement and would allow the auto carrier to take as much time as necessary to complete the delivery. The truck delivery solution is depicted on the site plan. Further, the applicant understands that deliveries via commercial auto carriers is acceptable provided that no parking occurs on the street and all off-loading of vehicles does not block or take place on any portion of the public right-of-way (including blockage of public sidewalks). This restriction is included as a condition of approval.

Finally, there will be no servicing or major maintenance of vehicles on the site except for vacuuming and washing of cars. The proposed freestanding car wash structure is at the center of the site and does not conflict with any applicable setback or building height limits. The design is straight forward with a standing seam metal roof. The operation of the car wash will require compliance with current environmental standards with respect to connection to the sewer system and appropriate water treatment before wastewater enters the sanitary sewer system. Conditions of approval regarding the car wash structure and its operation are included in the draft resolution of approval.

### **Public Notice**

This item was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on March 13, 2015. Public hearing notices were also 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 this discretionary zoning entitlement. At the time this report was prepared, no comments or inquiries had been received by staff regarding the proposal.

### **Conditional Use Permit Findings**

Staff believes that the necessary findings to support the proposed request can be made as follows:

- A. The proposed use is desirable to the public convenience and public welfare, in that it will provide local residents with a convenient location to rent light to medium duty trucks, cargo vans, and bobtail box trucks, which can be operated using a Class C license.
- B. That granting of the proposed CUP amendment will not be materially detrimental to the public welfare and other property in the vicinity. The proposed businesses to be conducted on the subject property are consistent with the underlying land use designation, in proximity to other auto-related uses, and on a site that is properly developed and maintained.

- C. The proposed uses associated with this CUP amendment request are consistent with the underlying "Auto Mall" (AM) land use designation of the site as indicated by the Holt Boulevard Specific Plan. Vehicle rental uses may be conditionally permitted on properties that are appropriately developed to accommodate the use. The site is adequate in size and shape and located on a lot with frontage on a fully developed major street.
- D. The proposed uses at the subject location are not contrary to the objectives of any part of the adopted General Plan or the Holt Boulevard Specific Plan, as both documents envision a variety of commercial uses in the area where the property is located and promote the orderly development and maintenance of commercial properties within the City.

### **Environmental Assessment**

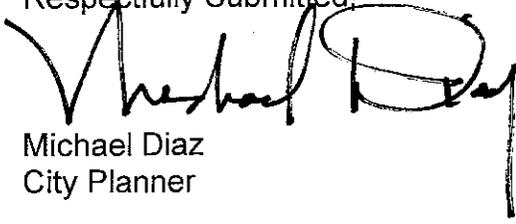
The proposed project is on a developed site and involves negligible or no expansion of the existing structures or uses. As such, staff has determined that this project is categorically exempt (Class 1 – Existing Facilities) from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the CEQA Guidelines.

### **Planning Division Recommendation**

Staff finds the proposed use to be consistent with the Montclair Municipal Code, Holt Boulevard Specific Plan, and adopted General Plan. Therefore, staff recommends approval of Case No. 2012-11 'A' by taking the following actions:

1. Move that, based upon the 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, which exempts projects that result in negligible or no expansion of existing structures or uses.
2. Move to approve a Conditional Use Permit Amendment under Case No. 2012-11 'A' to allow the rental of light and medium duty trucks, cargo vans, and bobtail box trucks in conjunction with the existing auto rental and used car sales businesses at 5462 Holt Boulevard as described in the staff report, subject to making the four required findings, and subject to the conditions contained in attached Resolution Number 15-1827.
3. Move to Approve a Precise Plan of Design request under Case No. 2012-11 'A' for the site plan, elevations, colors, and materials for the construction of a freestanding, covered wash rack per the submitted plans and as described in the staff report, subject to the conditions in Planning Commission Resolution No. 15-1827.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael Diaz". The signature is stylized with a large, looped initial "M" and a long, vertical stroke at the end.

Michael Diaz  
City Planner

MD/le

Attachments: Draft Resolution of Approval for Case No. 2012-11 'A'

Z:\COMMDEV\SG\CASES\2012-11\ARPT 5462 HOLT

C: Robert Martinez, Robert A. Martinez, AIA, CASp, CASI, 15487 Seneca Road, Unit A, Victorville, CA 923932  
Tim Williamson, Operations Manager, CFM Enterprise Holdings Group Southern California, 17210 S. Main Street,  
Gardena, CA 90248

**RESOLUTION NUMBER 15-1827**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING A CONDITIONAL USE PERMIT AMENDMENT UNDER CASE NUMBER 2012-11 'A' TO ALLOW THE RENTAL OF LIGHT AND MEDIUM DUTY TRUCKS, CARGO VANS, AND BOBTAIL BOX TRUCKS IN CONJUNCTION WITH THE EXISTING AUTO RENTAL AND USED CAR SALES BUSINESSES IN THE "AUTO MALL" LAND USE DISTRICT OF THE HOLT BOULEVARD SPECIFIC PLAN AT 5462 HOLT BOULEVARD (APN 1010-591-18).**

A. Recitals.

**WHEREAS**, on January 14, 2015, Enterprise Rent-A-Car of Los Angeles, property owner and applicant, filed an application to amend an existing Conditional Use Permit to allow the rental of light and medium duty trucks, cargo vans, and bobtail box trucks in conjunction with the existing auto rental and used car sales businesses at 5462 Holt Boulevard; and

**WHEREAS**, the subject site is located within the "Auto Mall" land use district of the Holt Boulevard Specific Plan; and

**WHEREAS**, the Holt Boulevard Specific Plan requires a CUP for motor vehicle rentals, including trucks with incidental storage; and

**WHEREAS**, in 1987, Case No. 87-36 was approved for a Conditional Use Permit to allow automobile sales with outdoor display, and a Precise Plan of Design to remodel and refurbish the existing building. A variance was also granted to allow a reduced setback for the wall constructed along the Vernon Avenue frontage of the site; and

**WHEREAS**, in 2009, the previous auto sales use at the subject site ceased operations and relocated to 10385 Central Avenue; and

**WHEREAS**, in 2012, Case No. 2012-11 was approved, allowing Enterprise Rent-A-Car to relocate its used car sales business from 10385 Central Avenue back to the subject site; and

**WHEREAS**, staff has determined that the proposal meets the intent and requirements of the Montclair Municipal Code to add light and medium truck rentals to the current used auto sales and auto rental businesses and meets the applicable development standards of the "Auto Mall" land use district of the Holt Boulevard Specific Plan; and

**WHEREAS**, the improvements proposed for this location include associated minor parking lot changes to accommodate the subject improvement; and

**WHEREAS**, staff finds and determines that the proposed addition of light and medium duty truck rentals is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the State CEQA Guidelines and has prepared a Notice of Exemption; 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 March 23, 2015, commencing at 7 p.m. in the Council Chamber at Montclair City Hall, the Planning Commission conducted a public hearing at which time all persons wishing to testify in connection with said 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 public hearing on March 23, 2015, including written and oral staff reports, together with public testimony, this Commission hereby finds as follows:

Conditional Use Permit Findings

- A. The proposed use is desirable to the public convenience and public welfare, in that it will provide local residents with a convenient location to rent light to medium duty trucks, cargo vans, and bobtail box trucks, which can be operated using a Class C license.
- B. That granting of the proposed CUP amendment will not be materially detrimental to the public welfare and other property in the vicinity. The proposed businesses to be conducted on-site are consistent with the underlying zoning designation, in proximity to other auto-related uses, and on a site that is properly developed and maintained.
- C. The proposed uses associated with this CUP amendment request are consistent with the underlying "Auto Mall" (AM) land use designation of the site as indicated by the Holt Boulevard Specific Plan. Vehicle rental uses may be conditionally permitted on properties that are appropriately developed to

accommodate the use. The site is adequate in size and shape and located on a lot with frontage on a fully developed major street.

- D. The proposed uses at the subject location are not contrary to the objectives of any part of the adopted General Plan or the Holt Boulevard Specific Plan, as both documents envision a variety of commercial uses in the area where the property is located and promote the orderly development and maintenance of commercial properties within the City.
3. Planning Division staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA). The project qualifies as a Class 1 exemption under State CEQA Guidelines Section 15301, which exempts projects involving little to no expansion of existing structures and no fundamental change in the type of uses permitted by the underlying zoning code. In addition, there is no substantial evidence that the project will have a significant effect on the environment. The Planning Commission has reviewed the Planning Division's determination of exemption and, based on its own independent judgment, concurs with staff's determination of exemption and directs staff to prepare a Notice of Exemption.
  4. Based upon the findings and conclusions set forth in the paragraphs above, this Commission hereby approves the application subject to each and every condition set forth below.

#### Planning

1. This Conditional Use Permit amendment approval shall allow the rental of light and medium duty truck, cargo van, and bobtail box truck vehicles in conjunction with the existing auto rental and used car sales businesses at 5462 Holt Boulevard, as described in the staff report and depicted in the approved site plan.
2. Trucks authorized by this approval shall be stored in the northwest quadrant of the site as depicted on the approved site plan. The approximate number of truck vehicles allowed in the aforementioned area shall be limited to 25. Changes to the number of trucks stored in the approved area shall be subject to review and approval of the City Planner, provided the defined area is not increased.
3. All other conditions of approval for Case No. 2012-11 shall remain in effect except as modified by this approval.
4. Conditional Use Permit (CUP) amendment approval shall be valid for a period of six (6) months from the date of Planning Commission approval. 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.

Suspension of the approved use for a period of six months or more shall void the CUP approval for the specified use.

5. 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.
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 **\$50**, payable to "Clerk of the Board of Supervisors," to cover the County administrative fee for filing a Notice of Exemption as required by the California Environmental Quality Act (CEQA).
  - b. A check in the amount of **\$405.40** payable to the "City of Montclair," to cover the actual cost of publishing a Notice of Public Hearing in a newspaper of general circulation (Inland Valley Daily Bulletin) as required by state law.
7. Approval of this CUP 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.
8. The display of all trucks and cargo vans, including the existing rental and sales of vehicles on the property, shall be maintained in an orderly fashion as depicted on the approved site plan. At no time shall vehicles be parked or displayed in any portion of on-site circulation aisles or driveway access points from a public street.
9. The delivery of all vehicles to the site shall be per the approved vehicle carrier drop-off route, whereby vehicles will be off-loaded entirely on-site at the rear of the property without blocking any portion of the public right-of-way, including blockage of public sidewalks. Any verified violations of this condition shall result in citation and fines and potential modification or revocation of the CUP.
10. No servicing and/or repairing of vehicles shall occur on-site, with the exception of the vacuuming and washing of vehicles within an approved wash facility approved by the City of Montclair Environmental Manager. Building permits for any such facility or structure shall be obtained by the applicant prior to construction.

11. Prior to the commencement of business activities associated with this approval, the business owner shall obtain and maintain a valid business license at all times. For more information regarding the issuance of a business license, contact the City of Montclair Business License Technician at 909/625-9423.
12. Prior to issuance of a business license and Certificate of Occupancy for the subject tenant space, the applicant shall:
  - a. Inspect and repair the existing retaining wall at the westerly property line to replace or secure loose block and/or missing wall caps.
  - b. Restripe the rear area of the property to clearly delineate approved vehicle storage areas and adequate access drive aisles.
  - c. Add a minimum of two inches (2") of mulch to the existing landscape planters on the site.
13. The applicant shall coordinate with the City Planner for the design and relocation of all fencing and/or gates on the property. The rear vehicle storage area shall be appropriately secured to the satisfaction of the City Planner and the Police Department. All gates between the front parking lots and the rear parking lot shall be closed and locked during non-business hours.
14. No vehicles (autos or trucks) offered for sale or rent shall be parked on or within the Holt Boulevard or Vernon Avenue rights-of-way at any time. Any verified violations of this condition shall result in citation and fines and potential modification or revocation of the CUP.
15. Any modification, intensification, or expansion of the use beyond that which is specifically approved with this Conditional Use Permit Amendment shall require review and approval by the Planning Commission.
15. No outdoor pay telephones or vending machines shall be installed or used on the property in conjunction with this approval.
16. No shade structures or tents shall be erected within the areas between the main building and adjacent public streets. Any other structures placed or erected elsewhere on the subject site shall require prior review and approval by the City.
17. Temporary promotional signs shall comply with Chapter 11.72 of the Montclair Municipal Code, including, but not limited to the following:

- a. Temporary banners for the purpose of announcing the grand opening or advertising promotions shall require banner permits from the Planning Division prior to installation.
  - b. Promotional window signs shall not occupy more than 25 percent of the aggregate window area.
  - c. All vertical or "snow cone" style auto dealership promotional banners shall require review and approval by the Planning Division and issuance of a sign permit prior to installation.
  - d. Portable flags, pennants, spinners, painted-on signs or the like shall be prohibited.
  - e. No trailer-mounted electronic sign/message boards or other similar types of portable signs shall be permitted on the property at any time.
18. The applicant shall maintain the property, including all landscape planters, free of trash and debris and abandoned vehicles or auto parts. Dead, missing, or dying plant materials shall be replaced and maintained in healthy living conditions at all times.
  19. All graffiti and other forms of vandalism and damage to the subject improvements shall be promptly removed and/or repaired within 72 hours of notice by the City.
  20. To ensure compliance with the provisions of this Planning Commission approval, a final inspection is required from the Planning Division when work has been completed. The applicant shall inform the Planning Division and schedule an appointment for such an inspection.
  21. The subject business shall be subject to periodic City inspections to verify compliance with the conditions of this approval. Failure to operate the vehicle sales and rental businesses in conformance with the conditions of this approval may result in the Conditional Use Permit being returned to the Planning Commission for consideration of modification or revocation.
  22. 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

23. Prior to the commencement of business operations associated with this approval, the applicant shall comply with the following items:
  - a. Provide and clearly indicate on submitted plans disabled-accessible path(s) of travel to the public right-of-way and all required disabled-accessible parking lot signs. Sidewalks, paths-of-travel, and curb cuts shall comply with the requirements of the California Building Code, Title 24. The maximum cross-slope on a sidewalk or path-of-travel shall not exceed two percent (2%).
  - b. Stripe a minimum of two (2) disabled-accessible parking spaces equally spaced between the front and rear parking lots and provide unobstructed travel to the building. The path-of-travel shall be located as close as possible to the building and shall not exceed a 2% cross slope. All sharp obstructions shall be removed from the required path-of-travel.
  - c. Signage for all disabled-accessible parking shall be placed at each parking space and at the main entrances to the parking lot.
  - d. A symbol of accessibility shall be placed at the main entrance to the business.
24. Submit four complete sets of plans, including the following:
  - a. Site/Plot Plan.
  - b. Floor Plan.
25. 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.

### Environmental

26. A Wastewater Discharge Survey is required to be completed and submitted to the Environmental Manager prior to the issuance of a business license. The survey shall provide information on facility operations, including the type and frequency of service and maintenance procedures to be done on-site, chemical storage, and the estimated number of vehicles to be washed per day (if applicable). Please contact Nicole deMoet, Environmental Manager, at 909/625-9446.

27. The washing of vehicles, parts, or equipment is prohibited without the installation of an approved vehicle wash rack and interceptor (sand/oil clarifier) connected to the City of Montclair sanitary sewer system as approved by the City's Environmental Manager.

Fire

28. A 20-foot wide base asphalt or concrete roadway capable of supporting firefighting apparatus within 150 feet of structure(s) is required to be maintained clear of vehicles and obstructions at all times.
29. The inside turning radius for all access roads shall be 32 feet or greater, and the outside turning radius shall be 45 feet or greater.
30. Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.
31. Fire extinguisher locations shall be determined by the Montclair Fire Department.
32. All Double Check Detector Assemblies (DCDA) shall be maintained and painted by the property owner with the following paint color specification: Rust-Oleum satin interior/exterior acrylic latex paint, "Hunt Club Green," No. 794452 (quart). This condition is subject to Fire Department inspection and approval when work is completed.

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

APPROVED AND ADOPTED THIS 23RD DAY OF MARCH, 2015.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: \_\_\_\_\_  
Tenice Johnson, Chair

ATTEST: \_\_\_\_\_  
Steve Lustro, Secretary

I, Steve Lustro, Secretary of the Planning Commission of the City of Montclair, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Montclair, at a regular meeting of the Planning Commission conducted on the 23rd day of March, 2015, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

Z:\COMMDEV\SG\CASES\2012-11 'A' PC RESOLUTION